

Crawley Borough Council

Minutes of the Full Council

Wednesday 24 July 2013 at 7.30 p.m.

Present:

Councillor R G Burgess (Mayor).

Councillor V S Cumper (Deputy Mayor).

Councillors M L Ayling, B K Blake, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, L A M Burke, R D Burrett, C A Cheshire, D G Crow, C L Denman, J I Denman, C R Eade, I T Irvine, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, D M Peck, A J E Quirk, D J Shreeves, B A Smith, P C Smith, G Thomas, K J Trussell and W A Ward.

Also in Attendance:

Mr A Quine – Honorary Freeman and Alderman.

Mr J G Smith – Honorary Freeman and Alderman.

Mr P Nicolson – Appointed Independent Person.

Mr B Jones – Appointed Independent Person.

Officers Present:

Lee Harris
Ann-Maria Brown
Peter Browning
David Covill
Phil Rogers
Roger Brownings

Chief Executive
Head of Legal and Democratic Services
Director of Environment and Housing
Director of Resources
Director of Community Services
Democratic Services Officer

13. Apologies for Absence

Councillors B J Burgess, Marshall-Ascough, Quinn, Walker and Williamson

Mr A Timms – Appointed Independent Person.

14. Members' Disclosures of Interests

The disclosures of interests made by Members were set out in **Appendix A** to the minutes.

15. Communications

(a) 60th Anniversary of The Queen's Coronation in June 2013

The Mayor informed the Council that he had recently received a reply to his letter sent to the Queen on behalf of the Council and the people of Crawley congratulating her on the 60th Anniversary of her Coronation. The reply included the Queen's thanks and appreciation to the Mayor, the Council and the citizens of Crawley for their kind wishes and congratulations. The Queen expressed her good wishes to the Crawley community.

(b) The Birth of the Royal Baby on 22 July 2013

The Mayor also announced that on behalf of the Council and the people of Crawley he had written to the Duke and Duchess of Cambridge to congratulate them on the birth of their baby boy, who will be known as His Royal Highness Prince George of Cambridge.

16. Presentation of long Service Badges

The Mayor presented each of the following Members with a badge commemorating their long service as a Member of Crawley Borough Council and thanked them for their long and dedicated service with this Authority:-

AWARD	NAME
10 Years	Councillor Crow
10 Years	Councillor Shreeves

With regard to Councillor Quinn, who was due to be awarded at this meeting with a badge commemorating 15 Years service, Councillor Quinn had informed the Head of Legal and Democratic Services that unfortunately he was unable to attend this meeting. Alternative arrangements were therefore being made in terms of Councillor Quinn's presentation.

17. **Petition (1 of 3) – Government Welfare Reforms – Reduction in Housing Benefit for Tenants in Social Housing, Arising on the Basis of Under Occupancy**

(Recommendation 1)

The Council considered a petition which was received in accordance with the Council's Petition Scheme. The Petition read as follows:-

"We, the undersigned, oppose the bedroom tax and ask Crawley Borough Council not to evict tenants over this."

For information purposes, the petition which was entitled "Crawley Bedroom Tax Campaign" was accompanied by the following statement:

"Over a thousand people could face eviction as the bedroom tax comes into force in April 2013. Some 1,077 homes in Crawley are under attack from this cruel tax affecting the poorest in Crawley and all across England, driving many into poverty on

the scale of Victorian England. Council, housing association and private tenants are equally at risk of losing their home as housing benefit is reduced if they have any spare "bedrooms".

Tenants will have to make up the difference of between 14% and 25%, depending on how many spare rooms they have. This will affect working people, as well as those on any DWP benefit."

The Council received the comments of Mr R Burnham (the Principal Petitioner), and in debating the way forward in terms of any action to be taken, Councillors Joyce, Mullins, Lamb and Thomas expressed their own concerns regarding the issues raised in the petition.

As part of the response on this matter, and whilst considering a wide range of issues around the Petition's "policy of no evictions" request, it was reiterated by Councillor Burrett that the Council's primary objective was to help its tenants affected by the welfare reforms. The Council was providing that assistance in the best way it possibly could, through, for example, its Under-Occupation Policy, its Downsizing Incentive Payments Scheme, and via Discretionary Housing Payments, whilst working within its housing resource constraints and the legislation it was required to adhere to. The indication put forward by the Council was that if it was to adopt a "policy of no evictions" it could lead to a significant increase in rent arrears as the message to tenants could be interpreted as the Council not enforcing payment and encouraging a culture of non-payment, difficulties in identifying those tenants who were in danger of eviction as a result of the withdrawal of the spare room subsidy as distinct from those whose evictions might follow the accrual of arrears for other reasons, and the associated difficulties for the Council of identifying the tenants that wouldn't pay as opposed to those that couldn't pay. Councillor Burrett emphasised that each case would continue to be looked at on its merits, and eviction would be an absolute last resort.

The Council was reminded that the reforms reflected a commitment to a better equality of treatment by making the rules consistent between those already in place for private sector rented housing and those now introduced in the social rented sector. The Council was working closely with tenants and was providing specialist help and support where needed to help them through the reforms. Referrals were also being made to the Council's newly-appointed Financial Inclusion Officer to undertake detailed 1:1 work with tenants to ensure that they were maximising their household income and to assist them with budgeting. It was again emphasised that with the use of the initiatives introduced and the wide range of support available, the Council would continue to provide assistance to tenants who might be affected by the reforms, with evictions always being the very last resort.

It was moved by Councillor Joyce and seconded by Councillor Mullins:

That the Petition be supported.

The motion, upon being put to the Council, was declared to be LOST, and it was

RESOLVED

That the Petition be noted, but that the action requested within that Petition be not taken for the reasons explained above.

**18. Petition (2 of 3) –
Proposed Cemetery Site at Ewhurst Playing Fields, Ifield**

(Recommendation 2)

The Council considered a Petition which was received in accordance with the Council's Petition Scheme. The Petition read as follows:-

"We, the undersigned, petition the Forward Planning Department at the Development & Resources Directorate of Crawley Borough Council.

We object to the proposal to change the use of Ewhurst Playing Fields to a Cemetery as described in the Crawley 2029: Additional Sites Allocation Consultation Documentation 3 June – 1 July 2013.

WE BELIEVE THAT EWHURST PLAYING FIELDS ARE MORE THAN SPORTS PITCHES, THEY ALSO OFFER ATTRACTIVE OPEN GREEN SPACES, FOR LOCAL PEOPLE TO ENJOY, AND SHOULD REMAIN SO FOR THE FUTURE."

The Council received the comments of Mr W M Deacon (the Principal Petitioner). In also reflecting the concerns set out in the Petition, Mr Deacon further questioned the proposed site's suitability as a cemetery based on a number of views, such as poor soil and drainage conditions, what was considered an already heavily used on-site car park, heavy peak time traffic conditions, and the size of the site in terms of meeting the long term requirements of a cemetery.

The Council was aware that the proposed cemetery at Ewhurst playing fields formed part of the Local Plan additional sites consultation. Whilst this meeting provided an opportunity to note the concerns and issues arising from the Petition, the associated considerations and those of the consultation generally, would effectively be discussed when the proposed cemetery site and the Submission Draft Local Plan were considered by the Cabinet on 9 October 2013 and by the Full Council on 23 October 2013. In noting the issues arising at this meeting, Members were advised that they might want to be cautious about pre-empting any of the further work / decisions on this site and on the Local Plan.

The Council then undertook a detailed debate.

Councillors Trussell, C L Denman and Lanzer emphasised that as part of the consultation process, the Council would be closely considering all factors in terms of the proposed new cemetery at Ewhurst Playing Fields, including issues relating to transport and infrastructure, soil and drainage conditions, and availability of open green space, and that all comments received would be fed into the Local Plan process. Nevertheless, it was emphasised that it was proving an extremely difficult task to find an appropriate / alternative site, whether it be in Crawley or on its outskirts, which was available for purchase, or, for example hadn't been safeguarded for airport purposes.

It was moved by Councillor C L Denman, and seconded by Councillor Lanzer

That the concerns and issues raised in the Petition be noted for consideration as part of the decision making process on the cemetery and the Submission Draft Local Plan at the 9 October 2013 Cabinet and the 23 October 2013 Full Council.

Amendment

The following amendment was moved by Councillor P C Smith and seconded by Councillor C Oxlade

That the Local people who will be affected by the proposed cemetery at Ewhurst playing fields be supported by all Members of this Council, by telling the Council to look again at an alternative and properly thought out solution to our Town's needs.

The amendment, upon being put to the Council, was declared to be LOST.

Upon the original motion being put to the meeting it was

RESOLVED

That the concerns and issues raised in the Petition be noted for consideration as part of the decision making process on the cemetery and the Submission Draft Local Plan at the 9 October 2013 Cabinet and the 23 October 2013 Full Council.

19. Petition (3 of 3) – Bewbush West Playing Fields and Breezehurst Drive Playing Fields

(Recommendation 3)

The Council considered a Petition which was received in accordance with the Council's Petition Scheme. The Petition read as follows:-

"The purpose of this petition is to Refuse Crawley Borough Councils proposal of housing on Bewbush West Playing Fields including Breezehurst Drive"

The statement accompanying the petition requested that the council withdraws these areas from all consideration as possible sites for any redevelopment (housing or otherwise) in the future development of the borough.

In addition, it was requested that the consultation period for the proposal be extended, with further advertisement and public advisement of the proposal.

The Council received the comments of Mrs C Cook (the Principal Petitioner). In further presenting the views of residents as to the suitability of the proposed sites for development purposes, Mrs Cook raised 3 issues in particular, including drainage and ground conditions on the Bewbush West Playing Fields, impact of climate change and local pollution, and the local community's dependence on spending quality time, free of charge, in the open spaces identified.

The Council was aware that as with the proposed cemetery at Ewhurst Playing Fields (Minute No. 18 above) the Petition on Bewbush West Playing Fields and Breezehurst Drive Playing Fields formed part of the Local Plan additional sites consultation. It was therefore reiterated that whilst this meeting provided an opportunity to note the concerns and issues arising from the Petition, the associated considerations and those of the consultation generally, would effectively be discussed when the Submission Draft Local Plan was to be considered by the Cabinet on 9 October 2013 and by the Full Council on 23 October 2013. In noting the issues arising at this meeting, Members were again advised that they might want to be cautious about pre-empting any of the further work / decisions on this site and on the Local Plan.

Councillor Jones and Ayling conveyed a number of comments in relation to the Petition's concerns, whilst Councillors C L Denman and Bloom again emphasised that as part of the consultation process, the Council would be closely considering all factors in terms of the proposed developments. As with many of the proposals forming part of the consultation, the Council needed to further understand some of the issues arising from the Bewbush West Playing Fields and Breezehurst Drive Playing Fields proposed developments, and that in analysing all the factors concerned, all comments received would be fed into the Local Plan process and used as a major part of that work. The Council was continually seeking to ensure that all stages of the consultation process were strongly promoted, and that additional consideration would be given to this matter as the Local Plan process continued to move forward.

It was moved by Councillor C L Denman, seconded by Councillor Dr Bloom and

RESOLVED

That the concerns and issues raised in the petition be noted for consideration as part of the decision making process on the Submission Draft Local Plan at the 9 October 2013 Cabinet and the 23 October 2013 Full Council.

20. Public Question Time

Questions asked in accordance with Council Procedure Rule 9 were as follows:

Questioner's Name	Subject	Name of Councillor(s) Responding
Mr J Byng	Mr Byng, a representative of the Gatwick Area Conservation Campaign, hoped that the Council would soon be making a statement to oppose Gatwick Airport's proposal for a second runway, and that the Conservation Campaign would be happy to provide evidence towards an opposition stance.	Councillor C L Denman, referred to the special meeting of this Full Council which had been arranged to take place on 26 September to discuss the Council's position on a possible second runway at the Airport. Councillor Irvine suggested that as much evidence as possible needed to be gathered before the Council could make an informed judgement, whilst Councillor Smith emphasised the need for residents to speak to the Council and Councillors on their views and concerns regarding potential impacts on housing, the environment and traffic as a result of a second runway.
Mr Trotman	The proposals forming part of the Local Plan additional sites consultation, including in	Councillors Joyce, Irvine and B A Smith conveyed a number of comments in relation to the concerns

Questioner's Name	Subject	Name of Councillor(s) Responding
	<p>particular the proposed Gypsy and Travellers Site on land north of Langley Walk and the proposed housing development on land adjacent to Langley Walk and Burlands. Mr Trotman, as part of a residents' campaign, raised a number of concerns and issues. Such concerns related to site access and potential localised flooding problems in relation to both of the developments proposed, whilst with regard to the Gypsy and Travellers Site, which it was again considered would be detrimental to the area, it was felt that such a site would be further affected with regard to noise levels from Gatwick Airport. Mr Trotman enquired as to the number of houses that were expected to be built on the proposed housing development and how many other sites had been looked at for use as a Gypsy and Travellers Site.</p>	<p>raised, whilst Councillors C L Denman and Councillor Crow encouraged as many people as possible to make their views known as part of the Local Plan process. It was not possible at this stage to suggest how many houses would be provided as part of the proposed housing development, and in terms of Gypsy and Travellers Sites, several other sites had been considered in addition to the proposed site on land north of Langley Walk and the other site proposed at Broadfield Kennels. It was further emphasised that the Council would be closely considering all factors in terms of the proposed developments. as part of the overall consultation process.</p>
Mr K Berry	<p>The proposals forming part of the Local Plan additional sites consultation, including the proposed Gypsy and Travellers Sites, and in particular the site on land at Broadfield Kennels. Mr Berry, as part of a residents' campaign, raised a number of concerns and issues, including site access, impacts on the sites themselves and environmental consequences. Residents believed that this proposal for development would be detrimental to the area</p>	<p>Councillor Irvine expressed his views in relation to the concerns raised, referring to the difficult task in trying to find a suitable Gypsy and Travellers Site, whilst Councillors Crow also referred to the very sound planning reasons that would be required to be given for not providing such a site. Councillor Quirk suggested that site options would need to be looked at in as measured way, with Councillor C L Denman also emphasising that</p>

Questioner's Name	Subject	Name of Councillor(s) Responding
	and should be removed from the Local Plan process.	additional opportunities would be available to consider evidence and representations as part of the Local Plan process.
A member of the public whose name was not clear.	Concerns raised regarding the Local Plan additional sites consultation process, with particular reference to the proposals for housing development at Bewbush West Playing Fields and Breezehurst Drive Playing Fields. It was felt that the consultation could have been wider and not just with residents living close to the sites concerned.	Councillor C L Denman emphasised that this was just the first stage of the consultation process which focused more on the sites themselves and the people that the proposals were more likely to impact on. The next stage would consider the Local Plan generally and people would again be given the opportunity to respond. It was reiterated that the Council was continually seeking to ensure that all stages of the consultation process were strongly promoted, and that additional consideration would be given to this matter as the Local Plan process continued to move forward. In response to comments made by Councillors, Councillor Denman suggested that Ward Members could also play a part in promoting the consultation process.
Mr J Herbert	Seeking an update from Councillor Crow on the proposed Crawley Museum.	Councillor Crow confirmed that the recommendations agreed by the Cabinet at its 10 July meeting would enable the Stage 2 Heritage Lottery Fund (HLF) bid to be submitted, and subject to consideration of the bid, the scheme to progress. Councillor Crow indicated that Mr Herbert would be kept updated on any further progress made.

At this point of the meeting, the Mayor indicated that whilst the allocated 30 minutes for Public Question Time had now expired, there were still a number of people indicating that they wished to ask questions. The Mayor required the Council to consider if it wished to continue to take questions, and having put it to the Council, Public Question Time was continued for an additional period not exceeding 10 minutes.

Questioner's Name	Subject	Name of Councillor(s) Responding
Ms L Weekes	Clarification regarding the Council's promotion of the Community Asset Register which was recently introduced through the Localism Act.	Councillor Lanzer agreed that the Register should be proactively advertised and indicated that he would look into this matter.
Mr L Taylor	Seeking clarification on the expected financial costs of the proposed cemetery at Ewhurst Playing Fields.	Councillor Trussell emphasised that the cemetery proposal was at this point in its very early stages and that if the cemetery was located in Ewhurst Playing Fields, then residents in that area would continue to be consulted on how the project would work. Councillor Lanzer indicated that a provisional budget had been set aside of £750,000, which was a very early estimate of what things would cost.
Mr R Symonds	Issues raised in that day's publication of the local press in relation to the Crawley Conservative Association.	In view of the inappropriate nature of the comments made by Mr Symonds, the Mayor ruled that no response should be made to the issues raised.
Mr R Burnham	In referring to the Local Plan additional sites consultation process, with particular reference to the proposals for housing development at Bewbush West Playing Fields and the proposed cemetery at Ewhurst Playing Fields, Mr Burnham raised some concerns regarding the promotion of the consultation process and asked if the Council was intending to call a public meeting regarding the proposed developments	Whilst Councillors Jones and Oxlade themselves raised some concerns regarding the consultations on these proposals, Councillor C L Denman emphasised that the Council was currently analysing the large number of responses that had been received from the first phase of the consultation, and that the second phase would be commencing in the near future. She encouraged residents to undertake their own public meetings

Questioner's Name	Subject	Name of Councillor(s) Responding
	identified.	and to submit any concerns they had regarding the proposed developments as part of the further Local Plan consultation process. In reiterating the extensive nature of the consultations, Councillor Denman also referred to the number of news items which had appeared in Crawly Live which had explained and promoted the consultation / Local Plan process in detail.
Mrs M Hains	Reference to a recent item in the local press which referred to external criticism of Crawley as a town. Mrs Hains, expressed her frustration regarding this criticism and conveyed her positive feelings for the town, including those in respect of its great community spirit. She referred to the town's many lovely sites, and in particular Tilgate Lake and Park and its many green and open spaces.	Councillors Crow and Dr Bloom fully agreed with Mrs Hains' Sentiments.

21. Appointments

It was moved by Councillor Lanzer and seconded by Councillor Dr Bloom

That the Council authorises the appointment of substitutes to the Development Control Committee, General Purposes Committee and the Overview and Scrutiny Commission, on the condition that any substitutes appointed to the Development Control Committee will be required to meet the same training requirements as a full Member on that Committee.

The Council undertook a detailed discussion on this matter and considered all the issues raised.

Upon being put to the Council, the motion as moved by Councillor Lanzer and seconded by Councillor Dr Bloom was CARRIED, and it was

RESOLVED

That the Council authorises the appointment of substitutes to the Development Control Committee, General Purposes Committee and the Overview and Scrutiny

Commission, on the condition that any substitutes appointed to the Development Control Committee will be required to meet the same training requirements as a full Member on that Committee.

The two Political Groups were then asked to nominate a maximum of one substitute each to the two Committees and the Overview and Scrutiny Commission, and it was

RESOLVED

That on the basis of the Council's authorisation above, and on the nomination of the Political Groups, substitute Members be appointed as follows:-

(a) Development Control Committee.

Councillor Mullins, as a Labour Group substitute

(b) General Purposes Committee.

Councillor B K Blake, as a Conservative Group substitute.

Councillor Joyce, as a Labour Group Substitute.

(c) Overview and Scrutiny Commission.

Councillor Moffatt, as a Labour Group Substitute.

22. Minutes

The minutes of the meeting of the Full Council held on [24 May 2013](#) were approved as a correct record and signed by the Mayor.

23. Items for Debate (Reserved Items)

Members indicated that they wished to speak on a number of items as set out in the following table:

Minute Book Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
22	Development Control Committee 25 March 2013 Minute 58 (Labour Group)	CR/2013/0019/FUL. Land at Ely Close, Tilgate, Crawley. Demolition of an existing single storey garage block and erection of 18 new residential units (16 x two bedroom flats & 2 x three bedroom dwellings), associated	

Minute Book Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
		infrastructure and landscaping works.	
36	Development Control Committee 3 May 2013 Minute 68 (Labour Group)	CR/2013/0066/FUL Former Bewbush Leisure Centre site, Breezehurst Drive, Bewbush, Crawley. Redevelopment of the former Bewbush Leisure Centre site to provide 112 residential units with associated works and access.	
45	Overview and Scrutiny Commission 3 June 2013 Minute 7 (Labour Group)		Formal Establishment of Joint Scrutiny Arrangements. (Recommendation 4)
61	Cabinet 5 June 2013 Minute 14 (Councillor Lanzer)	Ifield Mill Pond Improvements Scheme – (Selection of Preferred Contractor for the Early Contractor Involvement Stage (ECI))	
80	General Purposes Committee 1 July 2013 Minute 3 (Labour Group)		Changes to the Constitution. (Recommendation 5)
85	Overview and Scrutiny Commission 8 July 2013 Minute 14. (Labour Group)	Corporate Plan 2013 to 2018	
93	Cabinet 10 July 2013 Minute 20 (Labour Group)		Corporate Plan Update 2013 – 2018. (Recommendation 6)
94	Cabinet 10 July 2013 Minute 22		Budget Strategy 2014/2015 – 2018/2019 (Recommendation 7)

Minute Book Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
	(Labour Group)		
95	Cabinet 10 July 2013 Minute 23 (Labour Group)		Treasury Management Outturn for 2012/2013 (Recommendation 8)
96	Cabinet 10 July 2013 Minute 24 (Labour Group)		Living Wage (Recommendation 9 and call-in)
100	Cabinet 10 July 2013 Minute 32 (Labour Group)	Household Waste and Recycling – Contract Award	

24. Reports of the Cabinet, Overview and Scrutiny Commission and Committees

Moved by Councillor V S Cumper (as the Deputy Mayor) and

RESOLVED

That the following reports be received:

- (a) Development Control Committee – 25 March 2013.
- (b) Development Control Committee – 15 April 2013.
- (c) Development Control Committee – 3 May 2013.
- (d) Overview and Scrutiny Commission – 3 June 2013.
- (e) Development Control Committee – 4 June 2013.
- (f) Cabinet – 5 June 2013.
- (g) Development Control Committee – 24 June 2013.
- (h) Audit and Governance Committee – 25 June 2013.
- (i) General Purposes Committee – 1 July 2013.
- (j) Overview and Scrutiny Commission – 8 July 2013.
- (k) Cabinet – 10 July 2013.

Recommendations to Full Council not Reserved for Debate (Unreserved Items)

Whilst at this point (and as indicated in the agenda) it was to be moved that the recommendations to Council, which had not been reserved for debate be adopted, this was not now necessary as all the recommendations to Council had, on this occasion, been reserved for debate.

25. Reserved Items

The matters identified in Minute No. 23 above were debated by the Council. These included:

a) **The Living Wage (as discussed at the Cabinet's meeting of 10 July 2013, and which included a called in decision, as well as a Recommendation – Recommendation 9)**

This all formed the subject of one overall debate, as set out below:

Living Wage (Cabinet – 10 July 2013)

(i) **Called in Decision**

The Cabinet had considered the report [DirR/043](#) of the Director of Development & Resources. In concluding its consideration of this matter, the Cabinet had resolved as Part 2 of its decision, and as set out below:-

- 2) That the Cabinet
 - i) supports the principle of the Living Wage.
 - ii) commits the Council to work with the Living Wage Foundation to determine the legal and financial implications of incorporating Living Wage requirements into future contracts for Council services.
 - iii) requests the Director of Development & Resources produces a further report on the outcome of that work to Cabinet later in 2013.

In accordance with Scrutiny Procedure Rule 14, and on the associated grounds set out in the minutes of the Cabinet meeting of 10 July 2013, this decision had been called in by Councillor Mullins and had, therefore, been suspended pending reconsideration of the matter by the Council at this meeting.

In connection with this item, it was moved by Councillor Lanzer and seconded by Councillor Burrett:-

That no objection be raised by the Council to Part 2 of the decision of the Cabinet at its meeting on 10 July 2013 concerning the Living Wage and that that Part 2 of the decision be implemented forthwith.

Councillor Mullins addressed the Council. He emphasised that he was in full support of the Council becoming a fully accredited Living Wage Council, referring to the Notices of Motion he had moved at the Full Council's meetings on 27 February and 3 April 2013, and that following the meeting of the Environment and Prosperity Policy Development Forum held on 23 July 2013 to consider the living Wage in detail, he now felt assured that the Council was fully committed in moving forward to obtain that accreditation.

The Council undertook a full and detailed discussion on this matter and considered all the issues raised.

Closure Motion

This matter continued to be debated at length, and in accordance with Council Procedure Rule 15.12 (a) (ii), it was moved by Councillor C C Lloyd and seconded:-

That the question be now put.

Upon being put to the Council, the Closure Motion was CARRIED.

The motion moved by Councillor Lanzer and seconded by Councillor Burrett, upon being put to the Council, was CARRIED, and it was

RESOLVED

That no objection be raised by the Council to Part 2 of the decision of the Cabinet at its meeting on 10 July 2013 concerning the Living Wage and that that Part 2 of the decision be implemented forthwith.

(ii) **Recommendation 9**

Moved by Councillor Lanzer, seconded by Councillor Burrett and

RESOLVED

That the Council's Pay Policy Statement be amended to include a commitment to pay employees a minimum of the Living Wage.

(b) **Matter raised under the report of the Cabinet – 10 July 2013**

With regard to the matter of the Household Waste and Recycling – Contract Award, and in response to comments from a Member, Councillor Trussell (as Cabinet Member for Environmental Services) confirmed that every effort would be made to ensure a smooth operational transition from the current to the new Household Waste and Recycling contract. Members conveyed their thanks and congratulations to all those involved at the Council with regard to the undertaking of the new contract award process.

(c) **The reserved items containing the remaining recommendation to Full Council.**

These were dealt with as set out in Minute Numbers 26, 28, 29, 30 and 31 below:-

**26. Formal Establishment of Joint Scrutiny Arrangements
(Overview and Scrutiny Commission – 3 June 2013)
(Recommendation 4)**

The Commission had resolved to support Crawley Borough Council's continued involvement in the West Sussex Joint Scrutiny arrangements which had initially been running as a pilot since July 2011 and that this continuation be formalised with an amendment to the Constitution.

Moved by Councillor Boxall, seconded by Councillor B K Blake and

RESOLVED

That the changes to the Constitution detailed in Appendix A to the minutes of the Overview and Scrutiny Commission meeting of [3 June 2013](#) be adopted to reflect the formalisation of the Joint Scrutiny arrangements.

27. Duration of the Meeting

As the business had not been completed within the two and a half hours specified within Council Procedure Rule 2.2, the Mayor required the Council to consider if it wished to continue with the meeting, and having put it to the Council, the meeting was continued for an additional period not exceeding 30 minutes.

**28. Changes to the Constitution
(General Purposes Committee – 1 July 2013)
(Recommendation 5)**

The Committee had considered report [LDS/065](#) of the Head of Legal and Democratic Services.

Moved by Councillor Burke, seconded by Councillor Burrett and

RESOLVED

That the amendments to the Constitution as proposed in Appendix 1 to the minutes of the General Purposes Committee meeting of [1 July 2013](#), be agreed

**29. Corporate Plan Update 2013 – 2018
(Cabinet – 10 July 2013)
(Recommendation 6)**

The Cabinet had considered the report [CEX/039](#) of the Chief Executive, which had also been considered by the Overview and Scrutiny Commission at its meeting on 8 July 2013.

Moved by Councillor Lanzer, seconded by Councillor C L Denman and

RESOLVED

- (1) That it be noted that the Full Council has reviewed the annual report of progress made against the corporate priorities in 2012/2013.
- (2) That the Corporate Plan Update 2013 – 2018 be adopted and the Chief Executive be authorised in consultation with the Leader of the Council to make appropriate amendments/minor clerical corrections as necessary.
- (3) That the Head of Legal and Democratic Services be authorised to amend the Constitution to reflect that the Full Council will be responsible for the adoption of the following documents:
 - Budget Strategy
 - Treasury Management Strategy
 - Corporate Plan

- Development Plan Documents including The Local Plan for submission, consultation and adoption.
- Housing Allocations Scheme
- Homelessness Strategy
- Tenancy Strategy
- Housing Revenue Account Business Plan
- Community Safety Strategy
- Statement of Licensing Policy
- Statement of Gambling Policy

**30. Budget Strategy 2014/2015 – 2018/2019
(Cabinet – 10 July 2013)
(Recommendation 7)**

The Cabinet had considered the report [FIN/306](#) of the Head of Finance, Revenue and Benefits, which had also been considered by the Overview and Scrutiny Commission at its meeting on 8 July 2013.

Moved by Councillor Lanzer, seconded by Councillor Crow and

RESOLVED

- (1) That the Budget Strategy be approved.
- (2) That the Council's intention is to minimise Council Tax and limit any increase for 2014/2015 to between 0% and 2.0%.
- (3) That it is noted that there is a gap of £2.0m between projected General Fund income and expenditure for 2014/2015 on the basis of a 1% increase in Council tax.
- (4) That the Corporate Management Team be instructed to take action to address the budget gap and to identify policy options for consideration by Cabinet Members and the Budget Advisory Group.
- (5) That auto enrolment for the pension scheme be deferred until 2017.
- (6) That the transfer of a total of £3.148m from the capital reserve to the General Fund and restructuring impact reserves as set out in section 6 of report FIN/306, be approved
- (7) That a maximum provision of £2.5m for new capital schemes and a further £1.7m for the purchase of refuse & recycling vehicles, be approved.
- (8) That the allocation of £5m of capital reserves to an earmarked Investment Acquisition Reserve to fund the potential acquisition of commercial properties in accordance with the criteria set out in section 7 of the report, be agreed.
- (9) That the Head of Property be authorised to acquire suitable land and property for investment purposes in consultation with the Leader of the Council, Director of Development and Resources and the Head of Finance, Revenues and Benefits. All such purchases shall be subject to there being sufficient funds in the Investment acquisition reserve and in accordance with the guideline criteria

**31. Treasury Management Outturn for 2012/2013
(Cabinet – 10 July 2013)
(Recommendation 8)**

The Cabinet had considered the report [FIN/301](#) of the Head of Finance, Revenue and Benefits, which had also been considered by the Overview and Scrutiny Commission at its meeting on 8 July 2013.

The Cabinet had already resolved at its meeting that the actual 2012/2013 Prudential and Treasury Indicators as set out in the Report FIN/301, be approved.

Moved by Councillor Lanzer, seconded by Councillor Dr Bloom and

RESOLVED

That the Annual Treasury Management Outturn Report for 2012/2013 be approved.

32. Notice of Motion

The Full Council considered a Notice of Motion in accordance with Council Procedure Rule 12, which was moved by Councillor Lamb and seconded by Councillor Mullins.

The Motion was as follows:-

“Blacklisting is an illegal practice, involving the covert gathering, retention and use of information in breach of the Data Protection Act (1998). When the Information Commissioner’s Office raided The Consulting Association (TCA) they found that 43 construction companies had paid for information or subscribed to a construction industry blacklist. Local workers are among the thousands of names that were listed by TCA.

Victims of blacklisting find their careers cut short and are left unable to provide for their families. Tragically, at least two workers on TCA lists have committed suicide. Construction is a hazardous industry and those employed in the trade have a legitimate right to raise safety concerns without the threat of blacklisting hanging over their heads.

Councils collectively control billions of pounds of public money and carry out projects involving large sums of capital expenditure. Local authorities have a responsibility to ensure that counter-parties do not break the law in undertaking work for the authority.

Recent comments by Rt. Hon. Francis Maude MP and the Treasury’s decision to actively avoid purchasing from firms currently engaged in tax avoidance has highlighted the role that government procurement has to play in discouraging wrong doing and the public sector’s responsibility not to reward companies which seek to bend or break the law to gain an commercial advantage over law abiding competitors.

The list below originates from the website of the Information Commissioner’s Office and details companies which subscribed to TCA:

The use of brackets indicates where companies have undergone a change of name or where subsidiaries have been absorbed by parent companies. Ex members may no longer exist or no longer avail themselves of the service.

Amec Building Ltd
Amec Construction Ltd

Amec Facilities Ltd
AmecIndDiv
Amec Process & Energy Ltd
Amey Construction – Ex Member
B Sunley & Sons – Ex Member
Balfour Beatty
Balfour Kilpatrick
Ballast (Wiltshire) PLc – Ex Member
Bam Construction (HBC Construction)
Bam Nuttall (Edmund Nutall Ltd)
C B & I
Cleveland Bridge UK Ltd
Costain UK Ltd
Crown House Technologies (Carillion/Tarmac Const)
Diamond M & E Services
Dudley Bower & Co Ltd – Ex Member
Emcor (Drake & Scull) - 'Ex Ref'
Emcor Rail
G Wimpey Ltd – Ex Member
Haden Young
Kier Ltd
John Mowlem Ltd -Ex Member
Laing O'Rourk (Laing Ltd)
Lovell Construction (UK) Ltd – Ex Member
Miller Construction Limited – Ex Member
Morgan Ashurst
Morgan Est
Morrison Construction Group – Ex Member
N G Bailey
Shepherd Engineering Services
Sias Building Services
Sir Robert McAlpine Ltd
Skanska (Kavarna/Trafalgar House Plc)
SPIE (Matthew Hall) - Ex Member
Taylor Woodrow Construction Ltd – Ex Member
Turriff Construction Ltd –Ex Member
Tysons Contractors – Ex Member
Walter Llewellyn & Sons Ltd - Ex Member
Whessoe Oil & Gas
Willmott Dixon – Ex Member
Vinci PLC (Norwest Holst Group)

Consequently, the council resolves:

- 1) Where permitted by legislation not to award contracts or invite tenders from companies who have been involved in blacklisting without first taking steps to ensure that such activities have now ceased.
- 2) to write to companies listed as having had a relationship with TCA to ask them what measures they have taken to rectify matters in this regard and to warn that failure to comply with the law may affect their chances of being awarded further contracts;
- 3) to write to companies appearing on the list with whom we have a current contract or have a tender under active consideration to invite them to meet with ourselves to discuss concerns regarding blacklisting.”

In response, Members indicated their opposition to this Motion. They referred in particular to advice received at the meeting that there were no companies appearing on the list as having had a relationship with TCA with whom the Council had a current contract or a tender under active consideration, and that based on further advice received, it was considered that by writing to companies as indicated in 2) above, could suggest that those companies had acted illegally and potentially result in a legal claim against the Council.

33. Duration of the Meeting

The business of the meeting had still not been completed within the earlier agreed 30 minute extension (Minute No. 27 refers), and whilst a number of items of business were still outstanding (including the completion of the Notice of Motion), the Mayor proceeded to close the meeting. With the Mayor having put it to the Council, the vote was in favour of not continuing the meeting. This being the case, and in accordance with Council Procedure Rule 2.2, the Council proceeded to continue with the Notice of Motion for which a decision was required.

34. Notice of Motion

(continued)

The Notice of Motion, upon being put to the Council, was declared to be LOST.

35. Closure of Meeting

The meeting ended at 10.35 p.m.

R G Burgess
Mayor

APPENDIX A

Members' Disclosures of Interest

Member	Agenda Item No.	Name and date of Cabinet/ Committee and Minute No.	Minute Book Page No.	Subject or Planning Application No.	Type and Nature of Disclosure.
Councillor V S Cumper	5 (b)			Petitions - Proposed Cemetery Site at Ewhurst Playing Fields, lfield	Personal interest – signed the petition.
Councillor S J Joyce	10(1)(a) and 11	Development Control Committee 25 March 2013 Minute 58	p22	CR/2013/0019/FUL	Personal interest as the applicant is known to Cllr Joyce.
Councillor C A Moffatt	10(1)(a) and 11	Development Control Committee 25 March 2013 Minute 58	p22	CR/2013/0019/FUL	Personal interest as the applicant is known to Cllr Moffatt.
Councillor D J Shreeves	10(1)(a)	Development Control Committee 25 March 2013 Minute 58	p20	CR/2013/0017/FUL	Personal interest as the applicant is known to Cllr Shreeves.
All Members of the Development Control Committee	10(1)(a)	Development Control Committee 25 March 2013 Minute 58	p26	CR/2013/0047/FUL	Personal interest as the land is owned by Cllr K Brockwell.
Councillor R D Burrett	10(1)(a)	Development Control Committee 25 March 2013 Minute 58	p26	CR/2013/0047/FUL – Rosehip Cottage, Forge Wood, Pound Hill, Crawley	Personal Interest as the land is owned by a fellow Councillor.
Councillor S A Blake	10(1)(b)	Development Control Committee 15 April 2013 Minute 63	p34	CR/2013/0096/FUL	Personal interest as Cllr Blake is married to the Chair of Crawley Scouts.
Councillor L A M Burke	10(1)(b)	Development Control Committee 15 April 2013 Minute 63	p34	CR/2013/0096/FUL	Personal and prejudicial as he is District Treasurer of Crawley District Scout Council.
Councillor R D Burrett	10(1)(d)	Overview and Scrutiny Commission 3 June 2013 Minute 4	p43	Lifeline Service	Personal Interest as a Member of West Sussex County Council

Member	Agenda Item No.	Name and date of Cabinet/ Committee and Minute No.	Minute Book Page No.	Subject or Planning Application No.	Type and Nature of Disclosure.
Councillor R D Burrett	10(1)(d) and 11	Overview and Scrutiny Commission 3 June 2013 Minute 7	p45	Formal Establishment of Joint Scrutiny Arrangements	Personal Interest as a Member of West Sussex County Council, serving on the West Sussex Joint Scrutiny Steering Group.
Councillor M G Jones	10(1)(d)	Overview and Scrutiny Commission 3 June 2013 Minute 4	p43	Lifeline Service	Personal – Member of WSCC
Councillor B A Smith	10(1)(d)	Overview and Scrutiny Commission 3 June 2013 Minute 4	p43	Lifeline Service	Personal – Member of WSCC and is also on HASCSC
Councillors R D Burrett, D G Crow and R A Lanzer	10(1)(f)	Cabinet 5 June 2013 Minute 11	p59	Cabinet Recommendations on Final Report of the Crawley Town FC Travel Partnership Scrutiny Panel	Personal Interest as Members of West Sussex County Council
Councillors R D Burrett, D G Crow and R A Lanzer	10(1)(f)	Cabinet 5 June 2013 Minute 13	p60	Crawley Borough Council – Own Build Programme – Brunel Place (proposed purchase of land for affordable housing at Brunel Place from the Homes and Community Agency (HCA))	Personal Interest as Members of West Sussex County Council
Councillors R D Burrett R A Lanzer	10(1)(j) and 11	Overview and Scrutiny Commission 8 July 2013 Minute 15	p86	Budget Strategy 2014/2015-2018-2019	Personal Interest as Members of the Local Government Pension Scheme
Councillor C C Lloyd	10(1)(j) and 11	Overview and Scrutiny Commission 8 July 2013 Minute 15	p86	Budget Strategy 2014/2015-2018-2019	Personal – A Member of the Local Government Pension Scheme
Councillor B A Smith	10(1)(j) and 11	Overview and Scrutiny Commission 8 July 2013 Minute 15	p86	Budget Strategy 2014/2015-2018-2019	Personal – A Member of the Local Government Pension Scheme
Councillor R D Burrett	10(1)(j)	Overview and Scrutiny Commission 8 July 2013 Minute 18	p89	Health and Adult Social Care Select Committee (HASCSC)	Personal Interest as a Member of West Sussex County Council.

Member	Agenda Item No.	Name and date of Cabinet/ Committee and Minute No.	Minute Book Page No.	Subject or Planning Application No.	Type and Nature of Disclosure.
Councillors R D Burrett R A Lanzer	10 (1)(k) and 11	Cabinet 10 July 2013 Minute 22	p94	Budget Strategy 2014/2015-2018-2019	Personal Interest as Members of the Local Government Pension Scheme
Councillor C C Lloyd	10 (1)(k) and 11	Cabinet 10 July 2013 Minute 22	p94	Budget Strategy 2014/2015-2018-2019	Personal – A Member of the Local Government Pension Scheme.
Councillor B A Smith	10 (1)(k) and 11	Cabinet 10 July 2013 Minute 22	p94	Budget Strategy 2014/2015-2018-2019	Personal – A Member of the Local Government Pension Scheme.