

# 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  <b>(Labour Group)</b>	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  <b>(Labour Group)</b>	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  <b>(Labour Group)</b>		Formal Establishment of Joint Scrutiny Arrangements.  (Recommendation 4)
61	Cabinet 5 June 2013 Minute 14  <b>(Councillor Lanzer)</b>	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  <b>(Labour Group)</b>		Changes to the Constitution.  (Recommendation 5)
85	Overview and Scrutiny Commission 8 July 2013 Minute 14.  <b>(Labour Group)</b>	Corporate Plan 2013 to 2018	
93	Cabinet 10 July 2013 Minute 20  <b>(Labour Group)</b>		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)
	<b>(Labour Group)</b>		
95	Cabinet 10 July 2013 Minute 23 <b>(Labour Group)</b>		Treasury Management Outturn for 2012/2013  (Recommendation 8)
96	Cabinet 10 July 2013 Minute 24 <b>(Labour Group)</b>		Living Wage  (Recommendation 9 and call-in)
100	Cabinet 10 July 2013 Minute 32 <b>(Labour Group)</b>	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'Rourke (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**

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Councillor V S Cumper	5 (b)			Petitions - Proposed Cemetery Site at Ewhurst Playing Fields, Ifield	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

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
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.

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
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.

# Crawley Borough Council

## Minutes of the Full Council

Thursday 26 September 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, B J Burgess, 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, L S Marshall-Ascough, C A Moffatt, C J Mullins, C Oxlade, D M Peck, B J Quinn, A J E Quirk, D J Shreeves, B A Smith, P C Smith, G Thomas, K J Trussell, L A Walker, W A Ward and K B Williamson

### Also in Attendance:

Mr A Quine – Honorary Freeman and Alderman.

Mr J G Smith – Honorary Freeman and Alderman.

Mr B Jones – Appointed Independent Person.

Mr P Nicolson – Appointed Independent Person.

Mr A Timms – Appointed Independent Person.

### Officers Present:

Lee Harris  
Ann-Maria Brown  
Peter Browning  
Rachel Cordery  
David Covill  
Brian Cox  
Phil Rogers  
Roger Brownings

Chief Executive  
Head of Legal and Democratic Services  
Director of Environment and Housing  
Principal Planning Officer  
Director of Resources  
Senior Environmental Health Officer  
Director of Community Services  
Democratic Services Officer

### 36. Ian Gordon

The Mayor asked all present at the meeting to observe one Minute's silence in memory of former Councillor Ian Gordon, who had recently passed away.



**37. Apologies for Absence**

There were no apologies for absence.

**38. Members' Disclosures of Interests**

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

**39. Communications**

There were no announcements or communications.

**40. Election of Leader of the Council.**

The Council considered the report of the Head of Legal and Democratic Services, LDS/ 071. The recommendations were considered as follows:-

**First Recommendation** (Paragraph 2.1 (a) of the report)

It was moved by Councillor Lanzer and seconded by Councillor Burrett:-

That in accordance with Article 7 of the Council's Constitution, Councillor Dr H S Bloom be elected as Leader of the Council.

Upon being put to the Council, the motion was CARRIED, and it was

**RESOLVED**

That in accordance with Article 7 of the Council's Constitution, Councillor Dr H S Bloom be elected as Leader of the Council.

**Second Recommendation** (Paragraph 2.1 (b) of the report)

Moved by Councillor Dr H S Bloom, seconded and

**RESOLVED**

That the details of those appointed by the Leader to serve as Deputy Leader and Members of the Cabinet, as set out below, be received:-

<b><u>Councillor</u></b>	<b><u>Portfolio Responsibility</u></b>
Dr. H S Bloom	Chair of the Cabinet and Leader of the Council.
R D Burrett	Housing. Deputy Leader of the Council.
N Boxall	Community Engagement.
D G Crow	Leisure and Cultural Services.

C L Denman	Customer and Corporate Services.
R A Lanzer	Planning and Economic Development.
K J Trussell	Environmental Services.

**Third Recommendation** (Paragraph 2.1 (c) of the report)

Moved by Councillor Dr H S Bloom, seconded and

**RESOLVED**

That it is noted that any consequential amendments to the following documents would be published in the Members' Information Bulletin:

- Elected Leader's delegation of Cabinet functions to Cabinet Members and officers; and
- Terms of Reference and membership of the Town Centre Committee (being the one committee of the Cabinet).

**41. Appointments**

**(a) Chair of the Overview and Scrutiny Commission**

With regard to Councillor Boxall's recent appointment to the Cabinet, the Council was asked to make an appointment to the consequent vacancy in relation to the Chair of the Overview and Scrutiny Commission.

It was moved by Councillor B K Blake and seconded by Councillor B J Burgess that Councillor S A Blake be appointed, whilst it was moved by Councillor Irvine and seconded by Councillor Lloyd that Councillor Jones be appointed. A vote was taken.

**RESOLVED**

That Councillor S A Blake be appointed as the Chair of the Overview and Scrutiny Commission.

**(b) Proportional Allocation of Seats on Council Committees**

The resignation of Councillor Williamson from the Conservative Group in August had resulted in a review of seats held by the two Political Groups. Whilst Councillor Williamson remained a Member of the Council, the Council continued to have two Political Groups for the purpose of the allocation of seats on Committees. As a result of the review, the Licensing Committee and the Licensing Sub-Committee seat allocations would change from 9:6 to 8:7, and the Council was requested to receive the nomination from the Labour Group of a Member to sit on the Licensing Committee and Licensing Sub-Committee.

**RESOLVED**

That the Labour Group's nomination of Councillor Williamson to sit on the Licensing Committee and Licensing Sub-Committee, should he wish to accept it, be received.

**Note by Head of Legal and Democratic Services**

Since this Extraordinary Meeting of the Full Council, Councillor Williamson has confirmed his acceptance to sit on the Licensing Committee and Licensing Sub-Committee.

**42. Report of the Cabinet Meeting of 11 September 2013 –  
Future Growth of Gatwick Airport**

The Cabinet had considered report [CEX/040](#) of the Chief Executive, a copy of which had been made available to all Members of the Council. The report:

- 1) Outlined the work of the independent Airports Commission established to examine the scale and timing of any requirement for additional capacity and to identify and evaluate how any need for additional capacity should be met.
- 2) Explained that Gatwick Airport Limited had made a submission to the Airports Commission which outlined three options for providing a second runway at Gatwick to the south of the existing runway based on the vision that the additional runway capacity that was required to maintain the UK's aviation hub status would be best provided by a constellation of airports around London with Gatwick, Stansted and Heathrow all having two runways, rather than a single "mega hub" airport.
- 3) Emphasised that there was limited detailed information available on many of the impacts at this stage but that more detailed assessments would be undertaken if Gatwick formed part of the shortlist of options put forward by the Airports Commission for more detailed consideration at the end of 2013.
- 4) Set out three broad options for the Cabinet and the Council to consider.
- 5) Noted that the deadline for responses to the Airports Commission for Stage 1 proposals was 27 September 2013 and outlined the next steps in the process.

In receiving the extract of the report of the 11 September Cabinet meeting ([Enclosure B to the agenda for this meeting](#)), the Full Council was asked to determine upon the recommendation contained therein.

The Future Growth of Gatwick Airport had also been considered by the Overview and Scrutiny Commission at its meeting on 9 September 2013. To further assist the Full Council's consideration of this matter, a copy of the Commission's comment sheet to the Cabinet was also before the Full Council ([Enclosure C to the agenda](#)).

In addition to its Recommendation to the Full Council, the Cabinet had also resolved as follows:-

- That the Borough Council, without prejudice to its position with regard to a second runway, seeks to work with Gatwick and other Local Authorities on the detailed assessment of runway options at Gatwick.
- That the Borough Council should highlight in any response to the Airports Commission, the need for the Airports Commission and the government to provide clarity at the earliest appropriate opportunity with regards to the need for future safeguarding of land for additional runways if in the event that particular locations for additional runways are ruled out.
- That due to the significant nature of the issues, the Cabinet support the view of the Overview and Scrutiny Commission that all Members of the Council should

- not be whipped and should be given a free vote on this report at the Extraordinary Meeting of the Full Council on 26 September 2013.

The Full Council undertook a full and detailed debate on this matter and in accordance with the Cabinet's recommendation to this meeting, considered the three broad options (as set out in the report) for the Council to consider.

The Mayor in highlighting the voting process to be undertaken in relation to the Options concerned, advised that a vote on those Options would be taken in the order that they were moved and seconded at this meeting, and that for every vote taken on this Gatwick matter he would call for a recorded vote.

It was moved by Councillor Lanzer and seconded by Councillor B A Smith:-

That this Council adopts Option 1 below as its response to the Airports Commission for Stage 1 proposals regarding additional airport capacity:

Option 1: To determine that, in line with existing policy, the Council does not support a second runway at Gatwick Airport based on what is currently known about the likely impact of a second runway on the area.

It was moved by Councillor P C Smith and seconded by Councillor Dr Bloom:-

That this Council adopts Option 2 below as its response to the Airports Commission for Stage 1 proposals regarding additional airport capacity:

Option 2: Not to express a view on a second runway at Gatwick Airport at this current time until more information especially on environmental impacts is available as part of the next stage of the work of the Airports Commission. As the scale of the impact of a second runway is not fully understood at present, this will enable the environmental implications to be fully considered alongside the economic benefits in light of a wider set of available information.

It was moved by Councillor Walker and seconded by Councillor Ayling:-

That this Council adopts Option 3 below as its response to the Airports Commission for Stage 1 proposals regarding additional airport capacity:

Option 3: To agree that the options for a second runway at Gatwick should be put forward for further consideration by the Airports Commission in the next stage of its work in 2014/15. The Council reserves its view on a second runway pending the outcome of the detailed assessments to be carried out in this next stage. The Council seeks the opportunity to actively engage with Gatwick Airport to ensure that the further assessment of the runway options by Gatwick are robustly undertaken and provide the level of information that would enable the Council and other interested parties to make an informed decision on a second runway.

There was a range of views expressed by Members (with limited support conveyed at this stage for Option 3) in considering the three Options further. Those views mainly related to concerns about the current absence of sufficient evidence and detail (as clearly identified in the report) upon which to develop an informed view on the likely economic, environmental and other implications for the Borough with regard to either any of the proposed runway options or of not having a second runway.

### **Amendment**

It was moved by Councillor Marshall-Ascough and seconded by Councillor Williamson:-

That the following text be added as part 2) to the Recommendation to the Full Council:

“2) That the Council agree in principle to the holding of a Referendum for the electorate of Crawley Borough Council, to provide the electorate with an opportunity to declare their views on the Future Growth of Gatwick Airport. This is subject to:

1. The Airports Commission identifying Gatwick Airport as an airport for future growth.
2. The Council receiving a report from the Council's Returning Officer on arrangements for the management, costs and conduct of a Referendum.”

The Full Council considered this amendment in detail and discussed all the issues raised.

The Mayor called on Councillor Lanzer (who had moved Option 1), Councillor P C Smith (who had moved Option 2), Councillor Walker (who had moved Option 3) and Councillor Marshall-Ascough (who had moved the Amendment) to sum up.

The Mayor then commenced the vote. At the request of the Mayor, and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the Amendment and Options were recorded as set out below:-

### **Vote on the Amendment**

#### **For the Amendment:-**

Councillors I T Irvine, M G Jones, P K Lamb, L S Marshall-Ascough, C A Moffatt, C Oxlade, B J Quinn, D J Shreeves, L A Walker, W A Ward and K B Williamson (11).

#### **Against the Amendment:-**

Councillors M L Ayling, B K Blake, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, B J Burgess, R G Burgess, L A M Burke, R D Burrett, C A Cheshire, D G Crow, V S Cumper, C L Denman, J I Denman, C R Eade, S J Joyce, R A Lanzer, C C Lloyd, C J Mullins, D M Peck, A J E Quirk, B A Smith, P C Smith, K J Trussell (25).

#### **Abstention:-**

Councillor G Thomas.

The Amendment was therefore LOST.

**Vote on Option 1**

**For Option 1:-**

Councillors B K Blake, S A Blake, K Brockwell, R D Burrett, D G Crow, I T Irvine, M G Jones, R A Lanzer, C C Lloyd, D J Shreeves, B A Smith, G Thomas and W A Ward (13).

**Against Option 1:-**

Councillors M L Ayling, Dr H S Bloom, N Boxall, B J Burgess, R G Burgess, L A M Burke, C A Cheshire, V S Cumper, C L Denman, J I Denman, C R Eade, S J Joyce, P K Lamb, C A Moffatt, C J Mullins, C Oxlade, D M Peck, B J Quinn, A J E Quirk, P C Smith, K J Trussell, L A Walker and K B Williamson (23).

**Abstention:-**

Councillor L S Marshall-Ascough.

Option 1 was therefore LOST.

**Vote on Option 2**

**For Option 2:-**

Councillors Dr H S Bloom, N Boxall, B J Burgess, R G Burgess, L A M Burke, C A Cheshire, V S Cumper, C L Denman, J I Denman, C R Eade, S J Joyce, P K Lamb, R A Lanzer, C A Moffatt, C J Mullins, C Oxlade, D M Peck, B J Quinn, A J E Quirk, P C Smith, K J Trussell and W A Ward (22).

**Against Option 2:-**

Councillors M L Ayling, B K Blake, S A Blake, K Brockwell, R D Burrett, D G Crow, I T Irvine, M G Jones, C C Lloyd, D J Shreeves, B A Smith, G Thomas, L A Walker and K B Williamson (14).

**Abstention:-**

Councillor L S Marshall-Ascough.

Option 2 was therefore CARRIED.

As a result of Option 2 being carried, Option 3 had fallen (with, therefore, no vote on that Option being necessary), and it was

**RESOLVED**

That this Council adopts Option 2 below as its response to the Airports Commission for Stage 1 proposals regarding additional airport capacity:-

Option 2: Not to express a view on a second runway at Gatwick Airport at this current time until more information especially on environmental impacts is available as part of the next stage of the work of the Airports Commission. As the scale of the impact of a second runway is not fully understood at present, this will enable the environmental implications to be fully considered alongside the economic benefits in light of a wider set of available information.

**43. Closure of Meeting**

The meeting ended at 10.05 p.m.

R G Burgess  
**Mayor**

**APPENDIX A**

**Members' Disclosures of Interest**

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Agenda Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Councillor B K Blake	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Living in close vicinity of Gatwick Airport (Resident of Ifield )
Councillor S A Blake	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Living in close vicinity of Gatwick Airport (Resident of Ifield )
Councillor K Brockwell	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Living in close vicinity of Gatwick Airport (Resident of Pound Hill North)
Councillor V S Cumper	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Close relative lives in close vicinity of Gatwick Airport (Resident of Langley Green )
Councillor S J Joyce	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Ward Member for Langley Green and, as a resident of Langley Green, living in close vicinity of Gatwick Airport.
Councillor C C Lloyd	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – by virtue of Councillor Lloyd's wife being employed part-time (1-2 days per month) by a charitable organisation based at Gatwick Airport.
Councillor C J Mullins	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Living in close vicinity of Gatwick Airport (Resident of Langley Green)
Councillor L S Marshall-Ascough	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Employee at a Local Airways Company.
Councillor D J Shreeves	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Ward Member for Langley Green and, as a resident of Langley Green, living in close vicinity of Gatwick Airport.



<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Agenda Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Councillor B A Smith	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Ward Member for Langley Green and, as a resident of Langley Green, living in close vicinity of Gatwick Airport.
Councillor P C Smith	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest - Employee at a Local Airways Company.
Councillor G Thomas	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Living in close vicinity of Gatwick Airport (Resident of Ifield )
Councillor K J Trussell	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Living in close vicinity of Gatwick Airport (Resident of Pound Hill North )
Councillor K B Williamson	7	Cabinet 11 September 2013 Minute 40	3	Future Growth of Gatwick Airport	Personal Interest – Employee at a Local Airways Company.

# Crawley Borough Council

## Minutes of Development Control Committee

15 July 2013 at 7.30pm

### Present:

Councillor	J I Denman (Chair)
Councillor	S J Joyce (Vice-Chair)
Councillors	S A Blake, K Brockwell, B J Burgess, L A M Burke, D G Crow, C L Denman, I T Irvine, C A Moffatt, A J E Quirk, D J Shreeves, P C Smith, G Thomas and W A Ward

### Officers Present:

Angela Tanner	Head of Planning and Environmental Services
Manson Kendall	Principal Planning Lawyer
Jean McPherson	Group Manager (Development Management)
Sally English	Democratic Services Officer

### Apologies for Absence:

None.

### 12. Lobbying Declarations

No lobbying declarations were made.

### 13. Members' Disclosure of Interests

No disclosures of interests were made.

### 14. Minutes

The minutes of the meeting of the Committee held on 24 June 2013 were approved as a correct record and signed by the Chair.

## 15. Planning Applications List

The Committee considered report PES/115 of the Head of Planning and Environmental Services.

### RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report PES/115 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

#### **Agenda item 001** **CR/2013/0160/FUL**

Milton Mount Lake (Grattons Pond), Pound Hill, Crawley.

Works associated with the Grattons Pond flood alleviation scheme including additional footpath links, new auxiliary spillway, amendments to the existing spillway & protecting the existing edge of the pond with rock rip rap & rock mattresses.

Councillors S Joyce, A Quirk and W Ward had attended the site visit.

Councillors K Brockwell and C Moffatt had visited the site independently.

The Group Manager provided a verbal update and the application was then considered by the Members. Concern was expressed by a Member at the loss of bunding that would occur during works to the pond and risk of unauthorised traveller vehicle incursions on the site. The Group Manager advised that reinstatement of a bund would not normally be covered by condition, but she agreed these concerns could be addressed by addition of an additional informative. Councillor Crow also offered to ensure personally that the bunding is reinstated. The new informative to read as follows:

#### Informative 2

The applicants are requested to ensure that during the construction works any site accesses are appropriately secured to prevent any unauthorised vehicle access or incursions to the park.

**Permit** subject to permission time limit and Decision Notice; submission to and approval by the LPA of a mitigation/habitat creation scheme and its implementation and timings; no tree or shrub removal between March and August without written LPA approval; checks for nesting birds by qualified ecologist prior to any clearance of vegetation; retention of occupied nests until after fledging; approval by LPA of location of compensatory nesting provision; checks by licensed bat worker for presence of bats before further tree removal; felling only under supervision of licensed bat worker; submission and approval by the LPA of a Construction Environmental Management Plan detailing mitigation of impact on local ecology during construction; in accordance with National Planning Policy Framework [118], and Crawley Local Plan policies EN1, EN4 and GD5, and to comply with Section 91 of the Town & Country Planning Act 1990.

**Agenda item 002**  
**CR/2013/0249/TPO**

35 The Dingle, West Green, Crawley

Oak – reduction of no more than 1m all round (amended description).

The Group Manager provided a verbal update and the Members then discussed the application.

**Consent** subject to consent time limit; reduction of the oak to be undertaken under the supervision and to the satisfaction of the Borough's Arboriculturist; in accordance with policy BN21 of the Crawley Borough Local Plan 2000

**16. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 7.55pm.

J I DENMAN  
Chair

# Crawley Borough Council

## Minutes of Development Control Committee

5 August 2013 at 7.30pm

### Present:

Councillor	J I Denman (Chair)
Councillor	S J Joyce (Vice-Chair)
Councillors	K Brockwell, B J Burgess, L A M Burke, D G Crow, C L Denman, I T Irvine, C A Moffatt, A J E Quirk, D J Shreeves, P C Smith, G Thomas and W A Ward

### Officers Present:

Angela Tanner	Head of Planning and Environmental Services
Manson Kendall	Principal Property Lawyer
Jean McPherson	Group Manager (Development Management)
Marc Robinson	Principal Planning Officer
Sally English	Democratic Services Officer

### Apologies for Absence:

Councillor S A Blake.

### 17. Lobbying Declarations

Councillors Quirk was lobbied on agenda item 1.

### 18. Members' Disclosure of Interests

Member	Minute Number	Subject	Type and Nature of Disclosure
Cllr G Thomas	Minute 20	CR/2013/0255/FUL	Personal interest. Cllr Thomas is a Northgate councillor.
Cllr Smith	Minute 20	CR/2013/0255/FUL	Personal interest. Cllr Smith declared he had been discussing the item with local residents.

## 19. Minutes

The minutes of the meeting of the Committee held on 15 July 2013 were approved as a correct record and signed by the Chair.

## 20. Planning Applications List

The Committee considered report PES/116 of the Head of Planning and Environmental Services.

### RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report PES/116 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

#### **Agenda item 001** **CR/2013/0255/FUL**

Former GSK Manor Royal, Telecon Metals & Carpenters Technology Site, Napier Way, Northgate, Crawley.

Erection of 2 x B8 data storage buildings, associated external plant, HV substation, future siting of prefabricated data storage building, associated plant, car/lorry parking, site access, internal roads, boundary security fencing & hard/soft landscaping.

Councillors G Thomas and P Smith had visited the site independently.

Jean McPherson, the Principal Planning Officer (JMcP), provided a verbal update and advised the Members of an amendment to the wording of item 5.7 in the report. The last sentence in that item was to be deleted. The Members discussed the application, and raised the following concerns:

- Improvement to lighting on the cycle path to the north of the site was needed
- Development would impact negatively on Residents of Glenview Close & Dalewood Gardens (noise, view)
- Increased traffic through Crawley Avenue

Members suggested the use of the TAD contribution to address the cycle path issue and S106 monies towards mitigation of the anticipated noise (ie. sound-proofing) and requested that the conditions be amended to reflect this. Confirmation on the number of expected employees on the site was also requested.

JMcP addressed the concerns and responded as follows:

- There would be 180 employees
- The TAD contribution had been identified by WSCC as part of the scheme and was to be spent on transport related issues. However, she added that the suggested cycle path improvements could be put forward for further consideration in the spending of the S106 TAD monies
- S106 monies could not be used for mitigating measures for landscaping or to address noise impacts; she added that as the development would be housing

data servers she did not envisage these would significantly disturb nearby residents.

- Regarding impaired views for local residents, JMCP emphasised that there was a landscaping requirement to keep the robust tree screen along the boundary, but she noted Members' concerns and would pick these up when clearing the considerations.

**Permit** subject to the conclusion of an agreement under Section 106 of the Town and Country Planning Act 1990 concerning Total Access Demand and Open Space; permission time limit and Decision Notice; submission and approval by Local Planning Authority of scheme to deal with land and/or ground water contamination and implementation of such a scheme before development begins; schedule of materials and finishes and samples of materials and finishes to be used for external walls (and roofs); surface water drainage scheme; proposed boundary fencing details including precise alignments along the Crawley Avenue frontage; scheme of hard and soft landscaping including indications of all existing trees and hedgerows on the land and details of any to be retained; planting, seeding and turfing to be carried out in the first planting and seeding seasons following occupation of the buildings or completion of the development, whichever is the sooner, and removal or replacement of any damaged, diseased or dead trees in the next planting season; landscape maintenance plan; no occupation of Building 1 until the access road from the building to the A2011 Crawley Avenue has been designed, laid out and constructed; no occupation of Building 2 until the access road from the building to Woolborough Road has been designed, laid out and constructed; approval by the Local Planning Authority of a design, phasing strategy and delivery programme for a controlled link and traffic management system between north and south parts of the development, and no occupation of any building within the final phase of this development until the system has been implemented; construction of a physical barrier between Buildings 1 and 2 to prevent access between the service roads serving each building; details of access roads, servicing and parking areas; details of construction, access to temporary site offices, loading and unloading area, materials and plant storage, construction of employee parking and wheel washing facilities; Bird Hazard Management Plan; approval of Local Planning Authority before any external lighting or floodlighting; rating level for the roof plant not to exceed 42dB (LAeq 1hr) one metre from any noise sensitive premises between 0700 and 2300, and not to exceed 35dB (LAeq5mins) between 2300 and 0700; details of provisions made within scheme design to enable development to be 'network ready' in the event that the Town Centre District Energy Scheme is delivered; in accordance with Section 91 of the Town & Country Planning Act 1990; policies GD1, GD2, GD3, GD5, GD9, GD19, GD25 of the Crawley Borough Local Plan 2000; and in accordance with the principles set out in the Manor Royal Design Guide; and in accordance with Core Strategy policy CS1, saved policy GD3 and advice in SPD1, and PPS1.

**Agenda item 002**  
**CR/2013/0274/FUL**

Deerswood Court, Ifield Drive, Ifield, Crawley

External refurbishment of block throughout to include increase in balcony railing heights, installation of new communal aerial and lighting conductor systems.

Councillors C Moffatt and P C Smith had visited the site independently.

Marc Robinson, the Principal Planning Officer (MR), gave a verbal presentation and Members then discussed the application. Concerns and queries raised included the following:

- Deerswood Court is a 'locally listed' building - clarification was sought on the definition of that status
- Concerns that replacement materials were different from original materials

MR explained that the rating of 'locally listed' was not a statutory definition and applied to any fundamental changes in the character of a building. Although the materials to be used differed from the originals, there was no obligation to replace 'like with like' and, in this case, use of different materials was not altering the character of the building. Use of upvc meant less maintenance was required and overall, the changes would improve the appearance of the building.

**Permit** subject to permission time limit and Decision Notice; no materials other than those listed within the Design and Access Statement to be used; no equipment or building materials to be stacked or stored under the canopy of the retained trees on site during construction period; in accordance with Section 91 of the Town & Country Planning Act 1990; and in accordance with policy GD1 of the Crawley Borough Local Plan 2000.

## **21. Confirmation of Tree Preservation Order P16.11.9**

MR introduced this item stating confirmation by the Committee of the TPO was sought. He was asked by a Member if the granting of the TPO would protect the owner if a neighbour later stated the tree was damaging their property. MR advised that the owner was not directly protected, insofar as if the neighbour produced evidence that the tree were to blame for any damage, CBC would have no objections to its removal. He added that there was no current evidence that that was the case; indeed, the OCA report stated the "the oak tree was not implicated in damage".

**Confirmed.**

## **22. Updating the Council's Code of Conduct on Planning Matters**

Manson Kendall, Principal Planning Lawyer (MK), presented this updated document to the Members and highlighted the significant changes which had been made as a result of the Localism Act 2011. He cited the principal source of these changes as a guide from the LGA and explained that it was a guide on compliance with the legislation and how it was applied.

Members raised various concerns regarding the changes to the Code of Conduct, including:

- Introduction D17  
Unhappy that para 4 refers to 'decision-making in the wider public interest...' and General Principles refers to 'the interests of the whole community...'

Member felt it should be one or the other.

- Predisposition D18  
i. Unhappy with wording stating: 'Members attending Development Control Committee, Local Plan Working Group (or Full Council when Local Plan is being considered)...'



The Members felt the wording should refer only to Development Control.

ii. Use of the word 'alright', para 3. Felt the word 'acceptable' or 'appropriate' should be used instead.

- Decisions which differ from a recommendation D25, para 4  
Use of the word 'putative'. Request to use another word instead.
- Training D26  
Concern that no mention is made of the training of substitute Members.

Members requested they be sent a copy of the LGA guide to which MK had referred during the meeting, in order to better consider the changes they were being asked to endorse and recommend to Full Council. The Committee agreed to defer a decision on the updated Code to the meeting on 2 September.

**Action: MK to circulate LGA guide to Members**

## **22. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 8.50pm.

J I DENMAN  
Chair

# Crawley Borough Council

## Minutes of Development Control Committee

**2 September 2013 at 7.30pm**

### Present:

Councillor	J I Denman (Chair)
Councillor	S J Joyce (Vice-Chair)
Councillors	S A Blake, B J Burgess, L A M Burke, D G Crow, C L Denman, I T Irvine, A J E Quirk, D J Shreeves, P C Smith, G Thomas, W A Ward and C J Mullins (substitute)

### Officers Present:

Angela Tanner	Head of Planning and Environmental Services
Kevin Carr	Principal Lawyer
Jean McPherson	Group Manager (Development Management)
Marie Bolton	Principal Planning Officer
Sally English	Democratic Services Officer

### Apologies for Absence:

Councillors K Brockwell and C A Moffatt.

### 23. Lobbying Declarations

Councillors S Blake, L Burke, D Crow, C Denman, J Denman, S Joyce, A Quirk, D Shreeves, P Smith, G Thomas and W Ward were lobbied on agenda item 003.

Councillor C Denman was lobbied on agenda item 004.

### 24. Members' Disclosure of Interests

There were no disclosures of interest.

### 25. Minutes

The minutes of the meeting of the Committee held on 5 August 2013 were considered. Councillor P Smith advised that the reference to him in Disclosures of Interest had been incorrectly listed and asked for this to be corrected. He had been discussing application number CR/2013/0274/FUL, not CR/2013/0255/FUL. The minutes were then approved as a correct record and signed by the Chair.

## 26. Planning Applications List

The Committee considered report PES/117 of the Head of Planning and Environmental Services.

### **RESOLVED**

That in respect of the applications specified below, details of which are more particularly set out in report PES/117 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

#### **Agenda item 001** **CR/2013/0153/ADV**

Deleted from agenda.

#### **Agenda item 002** **CR/2013/0251/TPO**

North of Crossways, Balcombe Road, Pound Hill, Crawley.

Oaks – T1, T3 & T4 reduce via thinning 25%, T2 reduce via thinning 20% and remove lowest limb overhanging property (amended location).

The Principal Planning Officer, Marie Bolton (MB), gave a verbal summation of the application which the Members then discussed. The Members expressed no concerns about the application.

**Consent** subject to consent time limit; and the works to be undertaken under the supervision and to the satisfaction of the Borough's Arboriculturist, in accordance with policy BN21 of the Crawley Borough Local Plan 2000.

#### **Agenda item 003** **CR/2013/0276/FUL**

12 Briarswood Close, Pound Hill, Crawley

Erection of 2 storey side extension.

Councillors B Burgess and A Quirk attended the site visit.  
Councillors L Burke, D Shreeves and P Smith visited the site independently.

The Principal Planning Officer provided a verbal summation of the application and this was followed by presentations by two speakers, an objector and the applicant. The objector's presentation included the following points:

- Lives at 14 Briarswood Close, which enjoys a relatively attractive, light & spacious outlook

- Concerned the bulk, depth & size of proposed extension would have overbearing effect on no. 14 Briarswood Close
- Benefit of slight set back position of no. 14 would be lost if proposed extension goes ahead (as a result of extension extending in line with existing extension at rear)
- 12 Briarswood Close is in a more elevated position than no. 14 – extension would increase this effect & open outlook would be replaced with view of large brick wall
- Proposed ground & first floor windows & back door would face the property and would impact upon privacy, especially when taking elevated position & increased proximity into account
- Angled position of no. 16 Briarswood Close, along with proposed extension would have the effect of making no. 14 appear hemmed in
- Impact on streetscene: attractive, spacious outlook of west side of Briarswood Close would be worsened by demolition of existing garage and extension of existing property
- Feels that the extension would result in overdevelopment of the site and will dominate both existing dwelling and attractive streetscene & create a 'terracing' effect
- Would remove the balance and proportion of the streetscene

The applicant then gave a presentation to the Members, including the following points:

- Parking. Parking facilities would not be altered in any way, as driveway currently can accommodate 6 cars plus one on the street. Planning Regulations stipulate spaces for 3 cars only so already double this amount
- Street View: Original plans for frontage of proposal have been amended to create a design acceptable to planning officers, and has been revised with their advice & guidance.
- Design is not out of keeping with area, is symmetrical, moving the garage towards main house (making it compact)
- Feels there are many variations within the design of other houses nearby; feels this proposal would be individual and yet retain original features
- Acknowledges proposed change in size of the property but this is still within regulations boundaries as per officer recommendations
- Property to the East is circa 105 ft from no 12 Briarswood Close & therefore unaffected
- Property to the West is even further away (3-4 gardens' length)
- Property to the North would be unaffected as proposal will develop the southerly aspect
- Property to the South is nearest. At its closest, it is currently 4ft from the garage wall boundary. Proposal would double this space as garage is moving closer to the main house.
- The garden door of no. 14 is currently 12-13ft away from closest garage wall. Proposal would increase this to 16-17ft away.
- Rearmost extension of no. 14 is currently 14.5ft away from no. 12's border. Even with the proposal, their garden would extend 6-7ft further South than no. 12.
- As the Sun appears from a southerly aspect, it is no. 14 that blocks direct light, not the other way around. No. 12 will remain in the shadow of no. 14.
- Other properties in the area are much larger, as well as one with a double side extension and a large front extension. This proposal would be smaller than those already accepted.

The ward member for Pound Hill, Councillor Bob Lanzer, then gave a brief presentation, and made the following comments:

- Had visited the site and felt the proposal would create massing on the streetscene
- Side elevation would have a detrimental impact on no.14 Briarswood Close
- Proposal has the potential to restrict light, thereby creating a material change to the amenity of no.14

The Members then discussed the application and expressed the following comments:

- Difference in height between no. 14 and proposed extension
- Proposal would make no. 14 feel enclosed
- Ground floor door and side window would impact upon no. 14's privacy
- No. 14 is lower than no. 12 and could be affected by loss of light
- An explanation of the 'horizontal 45 degree test' was requested (paragraph 5.8 of report)

MB advised that regarding building height and privacy concerns, the photos of the site show that the difference in height was only a few brick courses different and that which would not impact greatly on no. 12. The changes were not so significant, bearing in mind the distance between no. 12 and the proposal, as well as the first floor element.

In response to the query about the 45 degree test, MB advised that the case officers look at the principal windows and then draw a 45 degree line from the windows in order to determine whether the extension encroaches over these lines (as out in SPG5), any encroachment indicates extension may not be acceptable

**Permit** subject to permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990; materials and finishes of external walls and roof(s) to match colour and texture of those of existing building(s); no windows to be constructed in southern elevation of extension without prior permission of the Local Authority or separate application; first floor windows to remain obscurely glazed and non opening (unless the opening part of the window is more than 1.7m above floor of room in which it is installed); in accordance with policies GD1 and H19 of the saved Crawley Borough Local Plan 2000, and adopted Core Strategy 2008;

**Agenda item 004**  
**CR/2013/0281/FUL**

Elekta, Linac House, Fleming Way, Northgate, Crawley

Change of use of warehouse space from storage/distribution to research and development, with external plant deck & electric switch room extension and internal plant (amended information received).

The Group Manager, Jean McPherson (JMcP), gave a verbal summation of the application which the Members then discussed. They were largely supportive of the proposal as it would create more jobs and diversify the local employment base.

JMcP was asked what elements would comprise a Travel Plan and she advised that this would be formulated as a result of direct liaison between the applicant and West Sussex County Council's Travel Plan Officer. Numerous initiatives exist and any combination of these might be referenced within the Travel Plan, e.g. Easit reduced rail fares, additional cycle storage, encouraging alternative means of transport etc.

There was some surprise amongst Members that there were no S106 contributions required from the applicant. JMcP explained that as the application was for re-use of existing space, and the new floor was for ancillary plant only, it was not appropriate to request the contribution.

**Permit** subject to permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990; approval of Travel Plan; research & development floor space limited to 1683sqm, and use restricted to B1(b) or B8 Use Class and no other use; provision and construction of 310 parking spaces & turning facilities; in accordance with policy T1 of the Core Strategy of the Local Development Framework 2008, and policy GD3 of the Crawley Borough Local Plan 2000.

**Agenda item 005**  
**CR/2013/0364/FUL**

63 Arden Road, Furnace Green, Crawley

Conversion of garage & outbuilding to habitable accommodation & erection of single storey rear extension.

MB provided a verbal summary of the application which was then discussed by the Members who expressed no concerns.

**Approve** subject to permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 2000; materials and finishes of external walls and roof(s) to match colour and texture of those of existing building(s); provision and maintenance of 2no. parking spaces within curtilage of property; in accordance with policies GD1 and GD3 of the Crawley Borough Local Plan 2000.

**27. Updating the Council's Code of Conduct on Planning Matters**

Kevin Carr, Principal Lawyer (KC), presented the updated document to the Members and highlighted the changes which had been made as a result of the Localism Act 2011. He also pointed out the further revisions that had been made as a result of Members' requests at the previous meeting.

A Member sought clarification on the section of predetermination as he had objected to the rules on predetermination extending to other meetings. KC advised that the guidance on predetermination had changed under the Localism Act 2011 which now emphasised the importance of attending decision-making meetings with an open mind. If a councillor expresses a particular view at a meeting, this did not automatically indicate predetermination on the part of the councillor. It was important to recognise that closed views should not be expressed, such as "xyz will never happen while I am a councillor" or "I will not even consider xyz". The guidance was to remind councillors that they keep an open mind when attending other meetings so that they can take part in subsequent discussions at Development Control. They can still be opposed in principle to a particular proposal but that did not automatically mean predetermination.

KC advised Members that this approach promoted good practice and gives guidance to Members, but in any event, the law applies in this regard. The current Code hadn't caused any problems thus far, but perhaps in a year or so, any problems or issues that may have occurred with the operation of the 'new' Code could be highlighted. He added that Members could seek legal advice from the relevant officers at any time.

Members found the revised Code of Conduct clear, concise and well-written and asked for the officers responsible to be thanked for their work.

**RESOLVED**

**RECOMMENDATION 1**

That the Committee agrees the revisions to the Code of Conduct on Planning Matters and recommends to Council the approval and adoption of the Code.

**28. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 8.30pm.

J I DENMAN  
**Chair**

# Crawley Borough Council

## Minutes of Licensing Committee

4 September 2013 at 7.30pm

### Present:

Councillor B K Blake (Chair)

Councillor L S Marshall-Ascough (Vice-Chair)

Councillors M L Ayling, N Boxall, B J Burgess V S Cumper, C R Eade,  
C J Mullins, C Oxlade, B J Quinn, D J Shreeves,  
K Trussell and W A Ward

### Officers Present:

Tony Baldock	Environmental Health Manager
Mez Matthews	Democratic Services Officer
Astrid Williams	Solicitor

### Apologies for Absence:

Councillor D M Peck

#### 1. Members' Disclosure of Interests

No disclosures of interests were made by Members.

#### 2. Minutes

The minutes of the meeting of the Committee held on 12 November 2012 were approved as a correct record and signed by the Chair.

#### 3. Scrap Metal Dealers Act 2013

The Committee considered report PES/120 of the Head of Planning and Environmental Services which provided detail regarding the new Scrap Metal Dealers Act 2013, proposed delegations of powers and a licence fee level. The Committee was informed that new legislation would come into force on 1 October 2013 and replaced the old registration system for scrap metal dealers with a licensing system. The Committee noted that the Council would be the licensing authority for the new scrap metal licensing regime for the Borough.

The Committee noted that the urgent action procedure had been used to update the Constitution to delegate the fee setting function for the new licences to the Licensing



Committee to ensure that applications could be received and processed in time for the implementation of the Act.

In response to concern that the licence fees appeared high, the Committee's attention was drawn to Paragraph 8.3 of the report which stated that the licence fees had been calculated to recover the administrative expenses incurred to date shared equally amongst known traders and the administrative expenses arising from the processing of applications. It was proposed that the fees be reviewed after a three year period at which time they might be reduced as the initial start costs would no longer apply.

The Committee's attention was drawn to Paragraph 3.7 which explained the differences between the two types of scrap metal licence. The Committee acknowledged that criminal offences would apply nationally and a Disclosure and Barring Service (criminal record) check would raise any relevant offences which had been committed by a scrap metal licence applicant.

The Committee thanked the Environmental Health Manager for such a comprehensive report.

## **RESOLVED**

1. That licence fees be set at £595.52 for a Site Licence and £514.27 for a Collectors' Licence, and that a licence would cover a period of 3 years;

### **RECOMMENDATION 2**

2. That Full Council be recommended to:
  - (a) Approve the proposed delegations as set out in Appendix A to the report;
  - (b) Authorise the Head of Legal and Democratic Services to amend the Constitution to give affect to 2(a) above and to delete any delegations relating to legislation repealed by the Scrap Metal Dealers Act 2013.

## **4. Scheduling of Licensing Sub Committee Dates**

At its meeting on 7 March 2012 (minute 30 refers) the Licensing Committee had agreed that the dates for meeting of the Licensing Sub Committee be set a year in advance. The advance setting of provisional dates had been in operation for 2012/13 and continued to be in use for 2013/14, however it had become apparent that only a few of the scheduled dates were being used and the majority of the scheduled dates had been cancelled. Although other Licensing Sub Committees had taken place, it had not always been possible to use the scheduled dates due to the tight timeframes in which Sub Committee must legally be heard.

The Police, Vice-Chair (in the absence of the Chair) and the Cabinet Member for Customer and Corporate Services (as Portfolio Holder) had agreed that the Committee be asked for a steer on whether provisional dates for Licensing Sub Committees should be set for 2014/15 and beyond.

The Committee considered the proposal, and although some members of the Committee were of the opinion that provisional dates were beneficial as they reminded Councillors to keep the date free, the majority of the Committee was in agreement that provisional dates for Sub Committees should no longer be set.

## RESOLVED

That provisional Sub Committee dates cease to be set for 2014/15 and beyond.

### 5. Licensing Sub Committee Minutes

The minutes of the following meetings of the Licensing Sub Committee were approved as a correct record and signed by the Members indicated below:-

Date	Sub Committee Minutes	Minutes signed by
5 November 2012	Application for the Grant of a New Premises Licence – Marston’s PLC – ‘(New Build)’, Maidenbower Office Park, Balcombe Road, Crawley.	Councillor B J Burgess (Chair of the Panel)
30 May 2013	Application for a Personal Licence – Mr V Rajakumar. Summary of Part B Proceedings	Councillor D J Shreeves (Chair of the Panel) subject to minute 31a being amended to read as follows:  “The Sub Committee gave further consideration to the application and to the relevant matters raised at the meeting. The Sub Committee considered the application against the promotion of the licensing objectives, particularly the prevention of crime and disorder objective. The Sub Committee carefully considered the objection from the Police, Mr Rajakumar’s evidence and the relevant guidance issued by the Secretary of State.  <b>RESOLVED</b>  That, having considered all the relevant matters it was appropriate to reject the application for the promotion of the crime prevention licensing objective. Mr Rajakumar’s application was consequently rejected.”

<b>Date</b>	<b>Sub Committee Minutes</b>	<b>Minutes signed by</b>
30 May 2013	Application for a Personal Licence – Mr V Rajakumar. (The information contained in these unabridged minutes was exempt from disclosure by virtue of Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.)	Councillor D J Shreeves (Chair of the Panel)

**6. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 8.30pm.

**B K BLAKE**  
**Chair**

# Crawley Borough Council

## Minutes of the Overview and Scrutiny Commission

Monday 9 September 2013 at 7.00pm

### Present:

Councillor M G Jones (Vice-Chair / Acting Chair)  
Councillors B K Blake, S A Blake, B J Burgess, R G Burgess, C A Cheshire  
and C C Lloyd.

### Also in Attendance:

Councillors Dr H B Bloom, R D Burrett, N J Boxall and G Thomas  
  
Peter Nicholson – (Appointed Independent Person)

### Apologies for Absence:

Councillors L S Marshall-Ascough, B A Smith and C A Moffatt

### Officers Present:

Rachel Cordery Principal Planning Officer  
Brian Cox Senior Environmental Health Officer  
Karen Dodds Head of Crawley Homes  
Lee Harris Chief Executive  
Manson Kendall Principal Property Lawyer  
Sallie Lappage Forward Planning Manager  
Chris Pedlow Democratic Services Officer - Scrutiny

## 24. Members' Disclosure of Interests and Whipping Declarations

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor R D Burrett	Minute 27	Lifeline Service	Personal – Member of WSCC

## 25. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [8 July 2013](#) were approved as a correct record and signed by the Chair. The Commission also noted the Cabinet's response to the comments sheet contained within report [OSC/201](#).

## 26. Public Question Time

Mr Herbert, from Southgate, asked a question in relation to the Future Growth of Gatwick Airport agenda item; as to whether all Councillors would be able to vote at Full Council unwhipped due to the highly sensitive nature of the report. In response he was informed that the Commission could not confirm that it would be the case, as that decision would be down to each political group, however when the Commission discusses the item all Members had confirmed they had not been whipped.

Councillor Jones on behalf of the Labour party confirmed that they had discussed the issue and they would not be whipped. Councillor Dr Bloom addressed the issue on behalf of the Conservative Councillors and stated that they had not discussed the matter as yet, but he would expect that they would not be a whipped either. Councillor Bob Burgess stated as the Mayor, he would be chairing the Full Council meeting and would be requesting a recorded vote on the item.

## **27. Lifeline Service**

The Commission considered report [CH/139](#) of the Head of Crawley Homes, which provided the Members with the requested information on the options, including both financial and the practical implications, for subsidising the continuation of the Lifeline service. Clarity was sought on a number of issues which included confirmation that in cases of domestic violence, Sussex Police did fund Lifeline for victims for a short period, when they deem it appropriate.

In examining the options there was a clear split across the Commission on which option to support due to differing options on what should the Council be funding. In making a decision a vote was held on the recommendation contained within the report, which was carried by four to three.

### **RESOLVED**

That the Commission supports the Council's current position of not subsidising the Lifeline service and thus did not request that a growth proposal being put forward on the matter to the Budget Advisory Group.

## **28. The Proposed Scrutiny Topic – Supporting the Commemoration of the Centenary of World War One**

The Commission considered report [CTY/098](#) of the Community Services Manager. The Cabinet Member for Community Engagement presented the requested report on the role of the Crawley Civil Military Partnership (CCMP), and how the work of the CCMP might link with, or duplicate, the proposed scrutiny topic regarding how to the commemoration of the centenary of World War One. He informed the Commission that CCMP had agreed in principle to establish a sub group to look at this matter. That group would not be solely made up from CCMP, but it would seek further partners from the wider community.

Councillor Thomas was invited to address the meeting as he had put forward the initial scrutiny proposal. He said that he submitted the proposal to raise the profile of the centenary commemoration and if as a result the ball had started rolling on the matter then that was a positive. He hoped, however it was taken forward, that significant thought be given to the commemorations, such as how other forums were commemorating and what funding was available national to support it. An idea he had would like to be considered that a poppy garden be incorporated within the Memorial Gardens.

In considering what they had heard, the Commission felt that holding a Panel would likely duplicate the work of the CCMP's sub group. But there were some aspects that they hoped would be considered as part of the sub group work, which included ensuring getting both primary and secondary schools involved, possibly having some Head Teachers as members of sub group. Also ensuring that all cultures within the Borough were involved, as many nations were part of the World War One and

incorporating how it affect them would provided another perspective on the impact of the war. Members commented that they were aware that West Sussex County Council (WSSC) had already started work on their plans for the commemorations and hoped that CCMP's sub group would with WSSC to ensure there was no duplication of efforts. The Commission hoped the commemoration would not end up being simple a reworking of Remembrance Sunday, but done with imagination.

The Cabinet Member confirmed he would feed back their views and offered to keep all Members informed on the sub group work and provide the Commission with a report of any proposals for the commemorations.

## **RESOLVED**

That the Commission:

- i) agrees not to establish a scrutiny panel to investigate the supporting the commemoration of the centenary of World War One but to support the work of CCMP in this matter
- ii) accepts the offer by the Cabinet Member for Community Engagement to provide regular updates to all Members via the Information Bulletin on the work of the CCMP's sub group and that the Commission receives a further report on firm proposals on the commemorations had been devised.

## **29. Future Growth of Gatwick Airport**

### **Note by Head of Legal and Democratic Services**

*Members are reminded that this Item was subsequently considered and decided upon at the extraordinary meeting of the Council held on 26 September 2013, and that in accordance with Council Procedure Rule 2.1, there shall be no further debate on this particular decision at this meeting of the Council.*

The Commission considered report CEx/040 of the Chief Executive regarding the Future Growth of Gatwick Airport. Members held a discussion on the proposal especially with regard to the Options contained within the recommendations. The views expressed included:

- It was felt that it was an excellent report as it clearly outlines the issues that needed to be considered by the Full Council.
- Concerns were expressed over the general lack of detail required for this stage of the process by the Airport Commission. Members felt that residents needed to understand as soon as possible what implications there would be for the Borough with regards to any of the proposed runway options and the related changes to infrastructure surrounding the airport, including housing demands.
- It was confirmed by the officers present that within Gatwick Airport's dossier, they had submitted to the Airport Commission their preference for the location of a proposed second runway which was either option D, E and F, which were much closer to the Town Centre compared to a number of the other options.
- Questions were raised as to what evidence was available that proves that by not having a second runway it would significantly impact economically on the Borough as implied in Paragraph 5.4, especially as paragraph 7.8 of the report seems to counter that claim.
- Views were expressed as to why a second runway was required, when currently Gatwick Airport was not running at it maximum capacity, which was agreed by the Council in 2003.

A number of the Commission Members stated that they had reservations if the Council put forward the officers' recommendation of Option 3 as its view, to the Airport Commission, that in the later stage of the Airport Commission investigations, this view would be seen by default as the Council supporting a second runway. With that in mind the Commission felt it should express a preference between the options set out in the report, as that view would be based from a broad cross-section of "backbench" Councillors from across the Borough. By providing such a view it was felt it would assist both the Cabinet and other members of the Full Council when deciding which option to support.

On examining the recommendations including the 3 options, all Members were of support of recommendations 2 and 3. Following a vote the majority of the Members felt that due to the lack of detail over the impact of a further runway on the Borough, Option 3 was too strong in support. Instead it was felt that Option 1 should be the preferred option put forward to the Full Council, via Cabinet.

The Commission agreed unanimously that all votes on the Future Growth of Gatwick Airport should be taken without any form of Group whipping.

### **RESOLVED**

That the views of the Commission be feedback back to the Cabinet via the Commission's Comments sheet.

## **30. Assets of Community Value**

The Commission considered report [OSC/203](#) of the Principal Property Lawyer. Councillor Jones requested the report, to provide the Commission with a greater understanding of how the use of Assets of Community Value (ACV) system works in practice. The Principal Property Lawyer guided Members through the report, providing further information and answered their related questions. Specifically, the following aspects were noted:

- Listing a property or an area as ACV, would not safeguard a change of use, such as Ewhurst playing field, but was only relevant in the context of a potential sale of the asset.
- A provision exists for an appeal for property owners against their asset being listed as an ACV.
- The listing of ACV does not grant an automatic right to buy, for those that had put forward ACV, just the ability to bid on the sale. Also there is no compulsion on an owner to sell to them.

Members requested that a copy of the Community Right to Bid: Non-statutory advice note for Local Authorities be sent to them electronically.

### **RESOLVED**

The Commission noted the report and request a copy of the Community Right to Bid: Non-Statutory: advice note for Local Authorities.

## **31. Health and Adult Social Care Select Committee (HASCSC)**

Councillor R G Burgess provided the Commission with a tabled briefing note on the HASCSC meeting held on 6 September 2013 which was a project day on the future changes to Health Care and Adults' services. Members requested that they receive a copy electronically of the presentations views during the training session.

## 32. Scrutiny Panels

### **Financial Deprivation Scrutiny Panel**

It was noted that the next meeting of the Scrutiny Panel, which all Members had been invited to would be held on 19 September 2013 where the Panel will be receiving an update on the Welfare changes and also discussing the Council Tax Reduction Scheme.

### **Performance Monitoring Scrutiny Panel (PMSP)**

The Commission noted the [notes](#) from the Panel meeting held on 18 July 2013. Members were reminded that the PMSP was holding a special meeting, open to all Councillors, on the 10 September at The Hawth, to discuss the performance of Parkwood Leisure's (PL) management of The Hawth a year on. The next standard meeting was scheduled for 16 September 2013.

## 33. Forward Plan – 1 October 2013 and Provisional List of Reports for the Commission's Following Meetings

The Commission considered the latest version of the Forward Plan and the provisional lists of reports for future Commission's meetings:

### **RESOLVED**

That items 13 and 14, respective, that being *Consultation on potential new Conservation Areas in Southgate, and Living Wage* items be provisionally referred from the Forward Plan whereby a draft copy of the report would be sent to all Commission Members to enable them to decide whether or not it should be included on the Commission's agenda.

## 34. Closure of Meeting

The meeting ended at 9.26pm.

M G JONES  
Chair



# Crawley Borough Council

## Minutes of Cabinet

Wednesday 11 September 2013 at 7.30pm

### Present:

Councillor	C L Denman	(Acting Chair of Cabinet and Leader of the Council)
	Dr. H S Bloom	(Cabinet Member for Customer and Corporate Services)
	N J Boxall	(Cabinet Member for Community Engagement)
	R D Burrett	(Cabinet Member for Housing)
	D G Crow	(Cabinet Member for Leisure and Cultural Services)
	R A Lanzer	(Cabinet Member for Planning and Economic Development)
	K J Trussell	(Cabinet Member for Environmental Services)

### Also in Attendance:

Councillors K B Blake, S A Blake, M G Jones and G Thomas

### Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Peter Browning	Director of Housing and Transformation
Rachel Cordery	Principal Planning Officer
David Covill	Director of Development and Resources
Lee Harris	Chief Executive
Phil Rogers	Director of Community Services
Steve Lappage	Democratic Services Manager

### 35. Members' Disclosure of Interests

No disclosures of interests were made by Members.

### 36. Minutes

The minutes of the meeting of the Cabinet held on [10 July 2013](#) were approved as a correct record and signed by the Acting Chair.

### 37. Public Question Time

Public question time took place and Mr Jeffrey Herbert, a Southgate resident asked whether or not all Councillors would be allowed a free vote (i.e. not whipped) on the Future Growth of Gatwick Airport item when it is considered at the Extraordinary Meeting of the Full Council on 26 September 2013.

In response, Mr Herbert was informed that that both of the political groups intended not to whip their Members and allow them a free vote on this item at the Council meeting on 26 September.

**38. Further Notice of Intention to Conduct Business in Private and Notifications of any Representations**

The Head of Legal and Democratic Services reported that no representations had been received in respect of item 12 on either the Civils and Hard Landscaping Minor Works Contract (Leader's Portfolio) or on item 13 on the Review of Oracle Licensing (Leader's Portfolio) which had been withdrawn from the agenda.

**39. Matters Referred to the Cabinet**

It was confirmed that no matters had been referred to the Cabinet for further consideration.

**40. Future Growth of Gatwick Airport (Planning and Economic Development Portfolio)**

**Note by Head of Legal and Democratic Services**

*Members are reminded that this Item was subsequently considered and decided upon at the extraordinary meeting of the Council held on 26 September 2013, and that in accordance with Council Procedure Rule 2.1, there shall be no further debate on this particular decision at this meeting of the Council.*

The Cabinet considered report [CEX/040](#) of the Chief Executive which:

- 1) Outlined the work of the independent Airports Commission established to examine the scale and timing of any requirement for additional capacity and to identify and evaluate how any need for additional capacity should be met.
- 2) Explained that Gatwick Airport Limited had made a submission to the Airports Commission which outlined three options for providing a second runway at Gatwick to the south of the existing runway based on the vision that the additional runway capacity that was required to maintain the UK's aviation hub status would be best provided by a constellation of airports around London with Gatwick, Stansted and Heathrow all having two runways, rather than a single "mega hub" airport.
- 3) Emphasised that there was limited detailed information available on many of the impacts at this stage but that more detailed assessments would be undertaken if Gatwick formed part of the shortlist of options put forward by the Airports Commission for more detailed consideration at the end of 2013.
- 4) Set out three broad options for the Cabinet and the Council to consider with the recommendation of officers that given the current limited level of detailed information available, particularly on the environmental impact of a second runway, that options for a second runway should be shortlisted by the Airports Commission to enable more detailed assessments to be carried out.
- 5) Noted that the deadline for responses to the Airport Commission for Stage 1 proposals was 27 September 2013 and outlined the next steps in the process.

The matter had been considered at the meeting of the Overview and Scrutiny Commission (OSC) held on 9 September 2013. Councillor Jones (in referring to the Commission's comment sheet to the Cabinet) outlined to the Cabinet:

- 1) The range of views expressed which mainly related to concerns about:
  - a) the current absence of sufficient evidence and detail (as clearly identified in the report) upon which to develop an informed view on the likely economic,

environmental and other implications for the Borough with regards to either any of the proposed runway options or of not having a 2<sup>nd</sup> runway.

- b) supporting the officers' recommendation of Option 3 in case, in the later stage of the Airport Commission investigations, this view would be seen by default as the Council supporting a 2<sup>nd</sup> runway.
- 2) The requests of the OSC for the Cabinet to note that:
    - a) the majority of the OSC Members felt that due to the lack of detail on the impact of a further runway on the Borough, Option 3 was too strong in support and, instead, agreed that Option 1 should be the preferred option put forward to the Full Council;
    - b) it endorsed recommendations 1(i), 2 and 3;
    - c) due to the significant nature of the report, the Cabinet be asked to support their view that all Members of the Council should not be whipped and should be given a free vote on this report at the Extraordinary Meeting of the Full Council on 26 September 2013.

Members of the Cabinet acknowledged:

- 1) that the conclusions reached by the Airports Commission and any subsequent decisions by the Government would have a fundamental effect on the character and economy of Crawley and the surrounding area;
- 2) that the issues were complex and with the options both for Gatwick and other airports still to be refined and the implications adequately evidenced it was difficult to achieve an essential aim to balance strategic and economic considerations with environmental concerns;
- 3) that views expressed in the various consultations and surveys undertaken so far had reflected the division of opinion in the town;
- 4) the importance of not wanting to commit the Council to a particular stance before all of the issues and implications had been fully evaluated.

Members of the Cabinet:

- 1) welcomed the OSC's support for recommendations 2 and 3 and its request for a free vote;
- 2) considered that they should not put forward a preferred option to enable individual Councillors to fully represent their Wards and not to appear to undermine the principles of a free vote;
- 3) also emphasised the need to be fully engaged in the process so as to be able to more effectively represent the public particularly when the absence of detailed information and evidence suggested it was too early to make an informed decision on what the Council would be supporting or opposing.

The Cabinet agreed to delete recommendation 1(ii) which put forward Option 3 for support at the Extraordinary Meeting of the Full Council to facilitate a more open and free debate and vote.

The Cabinet also expressed its thanks to the officers, particularly Rachel Cordery, for producing such an excellent report which clearly and concisely set out the issues that needed to be considered by the Full Council and requested that this be minuted.

## **RESOLVED**

- 1) That the Full Council be RECOMMENDED at the Extraordinary Meeting of the Full Council on 26 September 2013 to consider the following range of options:

Option 1: To determine that, in line with existing policy, the Council does not support a second runway at Gatwick Airport based on what is currently known about the likely impact of a second runway on the area.

Option 2: Not to express a view on a second runway at Gatwick Airport at this current time until more information especially on environmental impacts is available as part of the next stage of the work of the Airports Commission. As the scale of the impact of a second runway is not fully understood at present, this will enable the environmental implications to be fully considered alongside the economic benefits in light of a wider set of available information.

Option 3: To agree that the options for a second runway at Gatwick should be put forward for further consideration by the Airports Commission in the next stage of its work in 2014/15. The Council reserves its view on a second runway pending the outcome of the detailed assessments to be carried out in this next stage. The Council seeks the opportunity to actively engage with Gatwick Airport to ensure that the further assessment of the runway options by Gatwick are robustly undertaken and provide the level of information that would enable the Council and other interested parties to make an informed decision on a second runway.

- 2) That the Borough Council, without prejudice to its position with regards to a second runway, seeks to work with Gatwick and other Local Authorities on the detailed assessment of runway options at Gatwick.
- 3) That the Borough Council should highlight in any response to the Airports Commission, the need for the Airports Commission and the government to provide clarity at the earliest appropriate opportunity with regards to the need for future safeguarding of land for additional runways if in the event that particular locations for additional runways are ruled out.
- 4) That due to the significant nature of the issues, the Cabinet support the view of the Overview and Scrutiny Commission that all Members of the Council should not be whipped and should be given a free vote on this report at the Extraordinary Meeting of the Full Council on 26 September 2013.

**Reason for Decision –**

The report indicates that there is a range of recommendations that Full Council could consider in determining its view on a second runway at Gatwick. It is the view of officers that the Council should support Gatwick being included in the Airports Commission's shortlist of options for additional runway capacity being put forward for more detailed assessment. This would enable any decision with regards to the Council's position on second runway to be made in the light of a more detailed assessment of the environmental impacts can then be considered alongside the economic benefits.

**41. Quarterly Budget Monitoring 2013-2014 Quarter 1 (Leader's Portfolio)**

The Cabinet considered the report [FIN/307](#) of the Head of Finance, Revenue and Benefits which indicated the financial position at Quarter 1 and the estimated full year effects in 2013/2014 of current levels of expenditure and income.

The Director of Development and Resources presented the headline details including the following points which the Cabinet discussed and noted:

- 1) That the latest projected overall position on the General Fund showed a projected underspend of £101,000;
- 2) That the latest projected overall position on the Housing Revenue Account (HRA), showed a projected overspend of £221,000;
- 3) Some of the major variances outlined in the report including:
  - Projected increase in planning income of £70,000
  - Projected shortfall in investment income of approximately £170,000
  - Increased demand for temporary housing accommodation with projected increased costs of £100,000
  - Increased sales of Council houses resulting in a projected reduction of rental income of £299,000
  - Use of the Council's Right to Buy receipts to purchase housing units for use as temporary accommodation.

### **RESOLVED**

- 1). That the projected outturn for Quarter 1 for 2013/2014 as summarised in this report be noted.
- 2). That the use of 1-4-1 receipts in the sum of up to £900,000 to fund the purchase of 20 housing units from the open market through Raven Housing Trust be approved.

### **RECOMMENDATION 3**

- 3). That the Full Council be RECOMMENDED to approve a supplementary capital estimate of £900,000 to fund the purchase of 20 housing units from the open market through Raven Housing Trust.

#### **Reason for Decision –**

To report to Members on the projected outturn for the year compared to the approved budget.

#### **42. Exclusion of the Public**

### **RESOLVED**

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraphs specified against the item.

- 43. Civils and Hard Landscaping Minor Works – Contract Award (Leader's Portfolio)**  
*(Exempt – paragraph 3 – Information relating to financial and business affairs of any particular person (including the Authority holding that information))*

The Cabinet considered report PSD/111 of the Head of Property Services which detailed the tender, procurement and evaluation process used for a replacement Civils and Hard Landscaping Minor Works Contract to facilitate its use for traditional minor schemes less than £10,000 and for larger scheme over £10,000 up to approximately £250,000.

Under these contract arrangements:

- 1) the need to undertake additional complex tendering arrangements was removed;
- 2) the Council was not committed to any expenditure with the actual expenditure being dependent on the works commissioned under the approved capital works programme.
- 3) The contractors had provided a Schedule of Rates with their tender submissions and these rates would be used to price individual contract commissions which provided the Council with the flexibility to tailor work to the budgets available in any given year.

## **RESOLVED**

That both contracts (Lot 1 for schemes under £10,000 and Lot 2 for schemes from £10,000 to £250,000) for the Civils and Hard Landscaping Minor Works be awarded to Edburton Contractors Ltd.

### **Reason for Decision –**

- 1) To replace the previous contract and provide the basis for letting individual project commissions.
- 2) Following a robust competitive procurement exercise, value for money would be achieved for individual projects.
- 3) The Council would gain from not having to continually obtain quotations and tender each individual, smaller, repetitive projects.

#### **44. Review of Oracle Licensing (Leader's Portfolio) (Exempt – paragraph 3 – Information relating to financial and business affairs of any particular person (including the Authority holding that information))**

Members had previously been informed that this item had been withdrawn with the agreement of the Chair because further work was required as part of the review. It was now scheduled to be considered by the Cabinet at its' meeting on either 9 October or 13 November 2013.

#### **45. Closure of Meeting**

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.04 p.m.

C L Denman  
**Acting Chair**

# Crawley Borough Council

## Minutes of Development Control Committee

23 September 2013 at 7.30pm

### Present:

Councillor	J I Denman (Chair)
Councillor	S J Joyce (Vice-Chair)
Councillors	S A Blake, B J Burgess, L A M Burke, D G Crow, I T Irvine, C A Moffatt, A J E Quirk, D J Shreeves, P C Smith, G Thomas and W A Ward

### Officers Present:

Michelle Harper	Principal Planning Officer
Manson Kendall	Principal Property Lawyer
Jean McPherson	Group Manager Development Management
Mez Matthews	Democratic Services Officer

### Apologies for Absence:

Councillor C L Denman

### 29. Lobbying Declarations

The following lobbying declarations were made by Members:

Councillors B J Burgess and W A Ward had been lobbied regarding application CR/2013/0379/FUL.

Councillors S J Joyce and D J Shreeves had been lobbied regarding application CR/2013/0388/FUL.

### 30. Members' Disclosure of Interests

The following disclosure of interest was made by a Member:

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor S A Blake	Minute 32	CR/2013/0388/FUL Scout Group and Guides Hall and garages adjacent to 53 Lark Rise, Langley Green, Crawley	Personal Interest as her husband was the President of Crawley District Scouts.

**31. Minutes**

The minutes of the meeting of the Committee held on 2 September 2013 were approved as a correct record and signed by the Chair.

**32. Planning Applications List**

The Committee considered report PES/119 of the Head of Planning and Environmental Services

**RESOLVED**

That in respect of the applications specified below, details of which are more particularly set out in report PES/119 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

**CR/2013/0345/TPO**

Woldhurstlea Wood adjacent to 26 Buckswood Drive, Gossops Green, Crawley.

T1, T3, T5, T6, T7 Oaks, T2 Hornbeam and TG1 mixed species of Cherry x 1, Hornbeam x 3 and Ash x 2 – fell. T4 Maple – reduce height to 5m. T8 Hazel – reduce height to 4.5m.

The Principal Planning Officer provided a verbal summation of the application and the application was then considered by the Committee. The Committee acknowledged that felling trees was necessary due to the damage they were causing to the neighbouring property, but were saddened at the number of mature trees which would be lost and the impact the loss of trees could have on the streetscene. The Committee questioned whether a condition could be added to plant replacement trees in a location deemed suitable.

The following additional condition was agreed:

“Before the works are commenced the applicant shall submit to the Local Planning Authority a scheme identifying the location for replacement specimens including the age and species of replacements. The scheme shall then be implemented in the next planting season following removal of the trees.

REASON: To mitigate for the loss of the mature specimens within Woldhurstlea Wood in accordance with saved policy GD5 and BN21 of the Crawley Borough Local Plan”

**Consent** subject to permission time limit, supervision by Borough’s Arboriculturist, supervision by qualified ecologist and replacement trees.

**\* CR/2013/0379/FUL**

108 Malthouse Road, Southgate, Crawley.

Alterations to roof space incorporating roof lights to front, side and rear of main elevation and small dormer to back addition roof.

Councillors B J Burgess, S J Joyce and W A Ward had attended the site visit. Councillor P C Smith had visited the site independently.



The Principal Planning Officer provided a verbal summation of the application. Two objectors (Mr Gareth Harris and Mr Michael Pickett) addressed the Committee. Mr Harris raised the following concerns:

- He lived at 110 Malthouse Road (which adjoined 108 Malthouse Road) and was concerned that the loft conversion could cause a noise nuisance to his property;
- The property was within a Conservation Area and should remain in-keeping with the area's heritage;
- He spoke on behalf of his neighbour (106 Malthouse Road) who was concerned that the dormer window would overlook their garden and conservatory.

Mr Pickett reiterated Mr Harris' concerns and raised the following additional points:

- As Chairman, he spoke on behalf of both the Southgate Community Forum and the Southgate Conservation Area Advisory Committee;
- The proposal could change the character of the area;
- The property could become a House in Multiple Occupation (HMO) in future which would be detrimental to the location;
- The proposal had been made as a 'Householder Application' but the owner did not reside at the property.

Having heard the summation from the officer and the presentations by the objectors, the Committee considered the application in detail and asked whether:

- The property's location within the Conservation Area increased the weight of the objections received;
- The possibility that the property could be used as a HMO in the future was a consideration for the Committee;
- The dormer/roof lights would be in keeping with the character of the area;
- Other properties within the vicinity had dormer windows, and if so whether the specification of the dormer in relation to this property would be of a tighter specification, given that the area was now a designated Conservation Area;
- The possible increase in noise from the loft conversion had been considered and whether the risk of noise could be 'designed out';
- The dormer would be over looking the neighbour's garden and conservatory;
- Conservation Area Advisory Committees were a statutory consultee.

In response to the questions raised above, the Committee noted that:

- The Council had specific planning policies relating to Conservation Areas which contained detailed requirements for any development within such areas;
- The owner of the property would need to submit an application if the property were to become a HMO in the future if occupied by more than 6 residents, but those issues were not a current consideration for the Committee;
- The roof lights would be in keeping with the style of the property;
- The dormer window would have a tighter specification due to the property's location within the Conservation Area;
- The dormer would be top-hung and of obscured glaze, so over looking of the neighbouring property should not be possible;
- Building Regulations should ensure that the design of the loft conversion did not allow noise to be a nuisance to the neighbouring property;
- Conservation Area Advisory Committees had sight of planning applications, and as such had the opportunity to comment.

**Permitted** subject to standard detailed conditions concerning permission time limit, Decision Notice, materials/finishes, sections and profiles of new dormer window and glazing/fixing of window (east facing elevation).

**CR/2013/0388/FUL**

Scout Group and Guides Hall and garages adjacent to 53 Lark Rise, Langley Green, Crawley.

Demolition of existing single storey scouts hall and erection of 9 x two bedroom flats with associated landscaping works. Demolition of existing single storey garages and erection of a new single storey scouts hall (D1 use) with associated landscaping works.

Councillors B J Burgess, S J Joyce and W A Ward had attended the site visit. Councillors S A Blake and P C Smith had visited the site independently.

The Principal Planning Officer provided a verbal summation which the Committee then discussed. The Committee supported the application.

**Permitted** subject to standard detailed conditions concerning permission time limit, Decision Notice, land/floor levels, landscaping, tree retention, tree replacement, cycle parking, parking spaces/turning, temporary parking, loading/unloading of vehicles, stacking/storage, wheel-cleaning facilities, window (north east facing elevation), noise control scheme, wildlife leaflet, tree protection, bat sensitive light strategy, materials/finishes, combined aerial facilities and surface water discharge.

**37. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 8.30pm.

J I DENMAN  
Chair

# Crawley Borough Council

## Minutes of Audit and Governance Committee 30 September 2013 at 6.30pm

### Present:

Councillor	A J E Quirk (Chair)
Councillor	I T Irvine (Vice Chair)
Councillors	C R Eade, P K Lamb and L A Walker

### Also in Attendance:

Alan Witty, Audit Manager, of Ernst and Young LLP.  
Paul King, Engagement Lead, of Ernst and Young LLP.  
Martin Young of Ernst and Young LLP.

### Officers Present:

Gillian Edwards	Audit and Risk Manager
Dave Rawlings	Head of Finance, Revenues and Benefits
Paul Windust	Corporate Accounting Manager
Roger Brownings	Democratic Services Officer

### 10. Apologies for Absence

Ann-Maria Brown – Head of Legal and Democratic Services.  
Chris Corker – Fraud and Inspections Manager.

### 11. Members' Disclosures of Interests

There were no disclosures of interest.

### 12. Minutes

The minutes of the meeting of the Committee held on [25 June 2013](#) were approved as a correct record and signed by the Chair.

### **13. Variation to the Order of Business**

In view of the need for Gillian Edwards (the Audit and Risk Manager) to leave the meeting early, the Chair announced a change in the order of business, so that the next item to be considered by the Committee would be the report on the Local Code of Corporate Governance (Item 5 of the Agenda, which Gillian would be presenting in the absence of the Head of Legal and Democratic Services) and then Gillian's report on Internal Audit Progress as at 31 August 2013 (Item 6 of the Agenda).

### **14. Local Code of Corporate Governance**

The Committee considered report [LDS/069](#) of the Head of Legal and Democratic Services. The aim of the report was to seek to recommend to the Full Council the replacement of the existing Corporate Governance Statement with a new Code of Corporate Governance for inclusion in the Constitution. The proposed Local Code was attached as Appendix A the report. As part of its consideration of this matter, Members expressed doubt as to what purpose the Code actually achieved. Members perceived the Code as merely a statement of intent, against which there were no obvious measures identified to judge whether the requirements of the Code were being met - and thus whether there was a need for challenge, whilst there appeared to be no indication as to how any breaches would be addressed. One Member reiterated his view that there should be further transparency of governance processes (including those in respect of working groups, project groups and forums), and suggested that the development of transparency in such areas of operation should thus be reflected in the Local Code.

In response to the issues raised, it was felt that the Council's Constitution could contain a stronger link to the Code, with perhaps matters addressed as to how the Code should operate, whilst the Committee was reminded that the Council's current governance practices and structures were continuing to be the focus of a wide range of work being undertaken, and which was to be reported to Members in due course. In view of the comments received from Members at this meeting, including a request that the existing Corporate Governance Statement be presented to Members for comparison purposes, it was felt that the proposed Local Code should be deferred for further consideration at the Committee's next meeting.

#### **RESOLVED**

- (1) That further consideration of a new Local Code of Corporate Governance be deferred until the Committee's next meeting.
- (2) That in the meantime, should Members have any further observations to make on this matter, then these be emailed within the next two weeks to the Chair, who will consider and discuss any issues raised with the Head of Legal and Democratic Services in preparation for reporting to that next meeting.

### **15. Internal Audit Progress Report as at 31 August 2013**

The Committee considered report [FIN/312](#) of the Audit and Risk Manager. The purpose of the report was primarily to update the Committee on the progress made towards the completion of the 2013 / 2014 Internal Audit Plan, and to report on the progress made in implementing the previous recommendations of the Committee. The report also included the Annual Internal Audit Plan for the period 1 July 2013 to 31 March 2014, as revised, to take account of the engagement of audit staff

resources on the work forming part of the Council's Systems Thinking Intervention. A copy of that Plan was attached as Appendix B to the report. The Audit and Risk Manager informed the Committee that since the last update:

- And following the publication of the report, the Review of Commercial Properties, including Rents, had been completed, with an audit opinion received of full assurance. Other work had been completed where an audit opinion was not applicable, and this, and details of work being implemented, were set out in Section 3 of the report.
- There were no high priority findings to report in this quarter.

In response to issues raised with regard to the commitment of working days to meet the wide and extensive work programme set out in the Annual Internal Audit Plan, the Committee was advised that as part of the work to further streamline the undertakings of the Internal Audit Team, an agreement had been reached with Mid-Sussex District Council on a shared service arrangement. The arrangement had just been confirmed that morning, and was due to commence on 1 April 2014, and full details of this matter would be the subject of a report to the Committee's next meeting.

Whilst receiving clarification on a number of issues raised, the Committee noted all the Audit Plan reviews in progress, along with other work.

Alan Witty of Ernst and Young LLP took this opportunity to thank Gillian Edwards (the Audit and Risk Manager) and the Internal Audit Team for all their work and assistance in relation to the Year End Testing work, which had now been completed.

## **RESOLVED**

That the Internal Audit Progress report, and the progress made for the period up to 31 August 2013 be noted,

### **16. Fraud Team Report**

The Committee considered report [FIN/311](#) of the Fraud and Inspections Manager, which focused on activity for the period from 1 April to 31 August 2013.

- The Committee acknowledged that service performance continued to improve, including the application of various sanctions, of which there had been three successful prosecutions.
- Including Department of Works and Pensions (DWP) benefits overpayments, in excess of £191,000 had been identified.
- With the assistance of the previously reported Government grant awarded to the Council, and with additional resources engaged as a result of that grant, the Fraud Team continued to actively investigate housing tenancy fraud. A number of properties had already been recovered from the initial work on data matching, and the total number of properties recovered since April had risen to seven.
- A summons had just been issued for a prosecution relating to an applicant making a reckless application for housing under the Housing Act 1996, and the outcome of this matter would be reported to the Committee in due course.

The Committee was advised of Officers' deep concerns regarding a document that was recently and unexpectantly released by the DWP on intended future working arrangements in respect of housing benefit fraud. The document included intentions by the DWP to transfer all housing benefit fraud work currently undertaken by local authorities to the DWP itself. Apart from the considered operational problems and difficulties that the intended arrangements would create, it was strongly felt that the way that this had all been publicised, was at the very least, totally out of order. The Committee recognised that this whole matter had been very unsettling for staff, particularly as the DWP were currently undertaking four national pilot schemes in relation to the work concerned. This matter had also been reported to the recent meeting of the Financial Deprivation Scrutiny Panel who had asked the Leader of the Council to write on its behalf to the Secretary of State to convey the Council's significant concerns regarding this matter.

### **RESOLVED**

- (1) That the report be noted.
- (2) That the letter to be sent by the Leader of the Council to the Secretary of State conveying the Council's significant concerns in relation to the issues raised above, be also sent on behalf of this Committee.

## **17. Ernst and Young LLP – Audit Results Report – ISA 260**

The Committee considered the [Audit Results Report – ISA 260](#) and welcomed Alan Witty, Paul King and Martin Young of Ernst and Young LLP to the meeting. The report summarised Ernst and Young's findings from the 2012/13 audit.

The Committee acknowledged all the issues raised, including in particular that it was proposed to issue an unqualified opinion on the financial statements (2012/13) and that it was also intended to issue an unqualified conclusion in relation to value for money. Paul King considered that the audit had gone very smoothly and he thanked all Council Officers concerned for their help and assistance in undertaking this exercise.

The Committee sought and obtained clarification on a number of issues raised, whilst the Chair congratulated Officers and the representatives of Ernst and Young LLP in achieving a positive and successful working partnership.

### **RESOLVED**

That the report from Ernst and Young LLP be received and noted.

## **18. Approval of the 2012/2013 Statement of Accounts**

The Committee considered report [FIN/310](#) of the Head of Finance, Revenues and Benefits. The purpose of the report was to seek Committee approval of the 2012/2013 Statement of Accounts, to comply with the statutory deadline of 30 September 2013.

The 2012/2013 Statement of Accounts was attached as Appendix 1 to the report and as stated in Ernst and Young's Audit Results Report – ISA 260 (Minute No. 17 above refers) it was proposed to issue an unqualified opinion. The following clerical corrections were report:-

Note 24 (Cash Flow Statement – Investing Activities), Page 72 of the Statement:  
Delete in the column of figures for 2012/13 the figures of £6,828 and £1,269 and replace with the figures of £7,009 and £1,088 respectively.

Note 35 (Leases), Page 86 of the Statement:  
Delete in the column of figures for 31 March 2013 the figures of £3,011, £8,912, £12,925 and £24,848 and replace with the figures of £3,009, £3,906, 12,774 and 24,689 respectively.

In response to a Member's comments, the Chair reminded the Committee that the emphasis of the report was to approve the Statement of Accounts, whilst reiterating that issues around the Council's governance structure would be the subject of further reports to Members.

The Committee reiterated its sincere thanks to all staff in the Finance Team, with particular reference to Paul Windust (the Council's Corporate Accounting Manager) for the excellent work the Team had undertaken, and indeed to the representatives of Ernst and Young LLP for all their work and assistance during this time.

#### **RESOLVED**

- (1) That the 2012/2013 Statement of Accounts be approved.
- (2) That the Chair of the Committee be authorised to sign the 2012/2013 Statement of Accounts on behalf of the Council

#### **19. Closure of Meeting**

The meeting ended at 8.05 pm.

A J E QUIRK  
Chair

# Crawley Borough Council

## Minutes of General Purposes Committee

1 October 2013 at 7.00pm

### Present:

Councillor	L A M Burke (Chair)
Councillor	C A Cheshire (Vice–Chair)
Councillors	M L Ayling, R D Burrett, D G Crow, C R Eade, P K Lamb, R A Lanzer, C A Moffatt and L A Walker

### Officers Present:

Andrew Oakley	Electoral Services Manager
Mez Matthews	Democratic Services Officer

### Apologies for Absence:

Councillor C Oxlade (and Councillor S J Joyce – substitute)

### 5. Members' Disclosure of Interests

No disclosures of interests were made by Members.

### 6. Minutes

The minutes of the meeting of the Committee held on [1 July 2013](#) were approved as a correct record and signed by the Chair.

### 7. Individual Electoral Registration

The Committee considered report [LDS/073](#) of the Head of Legal and Democratic Services which informed the Committee about the transition to Individual Electoral Registration which would take place in 2014, and the postponed annual canvass for 2013. The Committee's attention was drawn to Paragraphs 3.2 to 3.7 which detailed the transitional arrangements, implementation timetable and an explanation of the data matching techniques which would be used to verify an elector's registration.

Some concern was expressed that the new system could create a significant amount of additional work and could result in a decrease in registration levels. It was noted that the Council would be able to use data from other Government Organisations to invite individuals, such as those nearing the age of 16, to register. It was also noted that the Council would continue to carry out the annual electoral canvass.



The Committee was informed that although the Council already had the ability to prosecute those who failed to provide a response to Electoral Services, the Electoral Administration Act 2013 would give the Council the option to issue a civil penalty for a failure to register. It was acknowledged however, that the decision on whether the Council should issue penalty charges and the criteria the Council should use in its decision to issue a penalty charge would be considered in 2016 once the new system was in place and was not a current consideration for the Committee.

Although it was not a consideration for the Committee, Members debated whether verification of a person's right to vote should also be required when casting their vote on the day of the election.

The Electoral Services Manager was thanked for the interesting and informative report. It was suggested that information regarding Individual Electoral Registration be circulated to all Councillors via the Members' Information Bulletin.

## **RESOLVED**

That the changes to the Electoral Registration process be noted.

### **8. Review of Polling Districts**

The Committee considered report [LDS/067](#) of the Head of Legal and Democratic Services which informed the Committee of the arrangements for the statutory review of Polling Districts that must be undertaken before the next General Election in May 2015.

The report also highlighted the issues relating to polling arrangements at the County Council Elections in May 2013. It was noted that the Committee would have the opportunity to consider the proposed polling arrangements later in the year once the review of polling districts had taken place, and the decision on polling places was not a current consideration for the Committee.

It was suggested that The Holiday Inn on The Square about in Three Bridges also be investigated as a possible polling place for Three Bridges Ward – Pembroke Park due to its central location, possible meeting room vacancies, access and ample parking. It was proposed that the review also investigate whether Polling District LHB (Maidenbower) contained any public land which would be large enough to accommodate a temporary building which could be used as a polling station. It was noted that the review would investigate whether it would be possible for Broadfield South and Broadfield North Wards to be served by two separate polling places.

The Electoral Services Manager agreed that the figures detailed in Appendix B to the report (turnout by polling station voters) would, in future, also include the actual number of people who voted. The Committee's attention was drawn to Paragraph 3.7 of the report, and the significant amount of work which had carried out by the Council's Access Officer was acknowledged.

## **RESOLVED**

That the Review of the Polling Districts be conducted as set out in Paragraph 3 of the report.

## 9. Changes to the Constitution

The Committee considered report [LDS/072](#) of the Head of Legal and Democratic Services which proposed changes to the Constitution. It was noted that the Localism Act 2011 had made changes to the Local Government Act 2000 and as a result, the section numbers of the Act had been altered. The proposed amendments to the General Purposes Committee functions relating to a change in governance arrangements (specifically functions (c) and (j)) were a result of those changes in section references and did not fundamentally change the responsibilities of the General Purposes Committee.

### RESOLVED

#### RECOMMENDATION 4

That the Full Council be recommended that the amendments to the Constitution proposed in Appendix 1 to these minutes be agreed.

## 10. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 7.40pm.

L A M BURKE  
Chair

**APPENDIX 1**

**CHANGES TO THE CONSTITUTION**

Function	Proposed amendment	Reason for amendment
<p>Article 7: The Leader and Cabinet– Page 25  (Ann-Maria Brown)</p>	<p>Amend the penultimate paragraph of paragraph 7.3 (Leader) as follows:  “In the event of there being a vacancy in the office of Leader, the Council shall elect a new Leader at its next <del>ordinary</del> meeting.”</p>	<p>There is no statutory reason why the Leader must be elected at an ordinary meeting. This amendment will ensure the efficient running of the Council.  Deleted wording shown as crossed through.</p>
<p>Functions of the General Purposes Committee – Page 130  (Ann-Maria Brown)</p>	<p>Amend function 2 to read as detailed in Appendix 1a.</p>	<p>To reflect legislative changes made by the Localism Act 2011 to the Local Government Act 2000.</p>

**EXCERPT FROM FUNCTIONS OF THE GENERAL PURPOSES COMMITTEE**

<b>Functions of the General Purposes Committee</b>	<b>Delegation of Functions (concurrently with the General Purposes Committee)</b>
<b>(2) Functions relating to a change in governance arrangements</b>	
(a) Take decision whether to <del>make a proposal for a change in governance arrangements (relating to Sections 33A and 33B of the Local Government Act 2000)*</del>	
<del>(b) Duty to consult prior to drawing up proposals (relating to Section 33E(6) of the Local Government Act 2000)</del>	
<del>(c) Duty to draw up proposals (relating to Section 33E(2) of the Local Government Act 2000)*</del>	
<b>(b)</b> Duty to comply with direction given by the Secretary of State <del>(relating to Section 33I of the Local Government Act 2000)</del>	This function is delegated to the Head of Legal and Democratic Services
<b>(c)</b> Take decision whether a change of the kind set out in Sections <b>9MA and 9MB</b> <del>33A of the 2000 Act</del> should be subject to approval in a referendum under Section <b>9M</b> <del>33E(5) of the Local Government Act 2000 *</del>	
<b>(d)</b> Duty to hold referendum <del>(relating to Section 33K(2) of the Local Government Act 2000)</del>	This function is delegated to the Head of Legal and Democratic Services

Functions of the General Purposes Committee	Delegation of Functions (concurrently with the General Purposes Committee)
(e) Duty to publish notice if proposals not approved in referendum ( <del>relating to Section 33K(6) of the Local Government Act 2000</del> )	This function is delegated to the Head of Legal and Democratic Services
<del>(h) Duty to obtain written consent of elected Mayor (relating to Section 33N of the Local Government Act 2000)</del>	<del>This function is delegated to the Head of Legal and Democratic Services</del>
(f) Duty to deal with a referendum by Petition *	
(g) Duty to implement new governance arrangements ( <del>relating to Sections 33G and 33H of the Local Government Act 2000</del> )	This function is delegated to the Head of Legal and Democratic Services
<del>(j) To make a change in the form of Executive (relating to Schedule 4 of the Local Government and Public Involvement in Health Act 2007)**</del>	
*These matters may be considered by the General Purposes Committee but shall be referred to the Council for determination	
<del>** This matter may be considered by the General Purposes Committee but shall be referred to a meeting of the Full Council specially convened for the purposes of deciding the resolution with notice of the object during the permitted resolution period (Local Government and Public Involvement in Health Act 2007, Schedule 4, paragraph 3(4))</del>	

# Crawley Borough Council

## Minutes of the Overview and Scrutiny Commission

Monday 7 October 2013 at 7.00pm

### Present:

Councillor S A Blake (Chair),  
Councillor M G Jones (Vice-Chair)  
Councillors B K Blake, K Brockwell, B J Burgess, R G Burgess,  
L S Marshall-Ascough, C A Moffatt and B A Smith

### Also in Attendance:

Councillors Dr H B Bloom, R D Burrett, R A Lanzer, P C Smith and G Thomas

### Apologies for Absence:

Councillors C A Cheshire and C C Lloyd

### Officers Present:

Lee Harris Chief Executive  
Nick Hobbs Housing Needs Manager  
Susanne Holloway Principal Planning Officer  
Sallie Lappage Forward Planning Manager  
Chris Pedlow Democratic Services Officer

### Also in Attendance:

Steve Sawyer Executive Director - Manor Royal Business District

## 35. Members' Disclosure of Interests and Whipping Declarations

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor B A Smith	Minute 42	Health and Adult Social Care Select Committee (HASCSC)	Personal – Member of WSCC and on the HASCSC

## 36. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [9 September 2013](#) were approved as a correct record and signed by the Chair. The Commission also noted the Cabinet's response to the comments sheet contained within report [OSC/204](#).

## 37. Public Question Time

No questions from the public were asked. However, Mr Deacon, who put forward a scrutiny topic for the Commission's consideration, was invited to address the Commission, under that item (which was to be considered later at this meeting) rather than during Public Question Time.

### **38. Proposed Scrutiny Topic Recording Councillor Voting on Key Council Decisions**

The Commission considered report [OSC/206](#) of the Democratic Services Officer – Scrutiny, which detailed the scrutiny suggestion by a member of the public Mr Deacon, in respect of investigating a method to record how individual Councillors vote at Full Council for significant decisions.

Mr Deacon was invited to address the Commission on his proposal. He commented that he put forward the proposal following attending a Full Council meeting where there was a vote on a petition that he put forward, and it was not clear how each Councillor had voted. Subsequently he had contacted Members to ask how they had voted, but the majority of respondents would not say. He stated however that was completely different to Parliament, where all MP's votes were logged and shown online, meaning they were publicly accountable for their votes.

The Commission were then guided through the remainder of the report by the Officer which provided details from the Constitution as to how currently Members could choose for their votes to be recorded. It also emphasised details of the areas that should be considered when weighting up the value of establishing a Scrutiny Panel. Members were reminded that a Systems Thinking Redesign was currently ongoing into the 'Decision Making' processes and it was expected that at the start of 2014 the Redesign would be looking at Full Council's processes including the recording of decisions, which would duplicate the work of a Panel.

In considering the proposals Members collectively felt that there was a need for this review and it was an issue that they should investigate themselves, rather than by Officers through the Redesign. That was because it related to how accountable Members were for the votes and decisions that they take. The Commission emphasised that such a review should be Member lead with support from Officers, rather than officer doing the majority of the work.

Councillor Bob Burgess commented that as the Chair of the Full Council, via his position as Mayor, he felt he should be involved on the Panel.

### **RESOLVED**

That a scrutiny review be established to review How the votes of individual Councillors are recorded for public record, with Councillor Brenda Smith as the Chair, comprising of 5 Members (i.e. 3 Conservative and 2 Labour Group Members to accord with political proportionality) and, that the Chair work with officers on devising the scope, so that it can be considered at the first meeting of the Panel.

### **39. Review of the Housing Allocations Scheme following the Localism Act 2011**

The Commission considered report [SHAP/032](#) of the Head of Strategic Housing and Planning Services. The report was presented by the Cabinet Member for Housing and the Housing Needs Manager and it detailed the proposed changes to the Housing Allocation Scheme, following a legislative change made in the Localism Act 2011. It was emphasised to the Commission that the proposal had gone out for consultation and views had been taken into consideration. Members received further background information which was tabled, which provided some answers to a number of enquiries raised by Members. In introducing the report the Cabinet Member for Housing also proposed a number of changes, mainly clerical corrections, including the removal of last line in the 3<sup>rd</sup> bullet point down of Section 2.4.2.1 *Qualification – Local Connection and Residency*.

In discussing the proposal the Commission specifically, debated the following aspects:

- Members expressed concerns that the proposed changes would mean that residents who had been evicted or breached tenancy conditions at another local authority or social rented housing providers, would now be assessed as a non qualifying person. With that in mind along with other criteria that might mean more people might now no longer qualify, Members wanted assurances that there was a right of review to allow the resident to put forward their case and that review work be examined by more than one officer. In response, Appendix 1 to the scheme was highlighted.
- In discussing the *Location Connection* Members felt that the change to 3 years was a positive step but many they felt that the Connection criteria should be strengthen and extended to 5 years. It was highlighted to the Commission that 3 years had been in consultation and it received near universal support.
- Members understood why there was a need for the removal of the line in 2.4.2.1 as highlighted by the Cabinet Member, to ensure that the scheme was fair to all.
- Views were expressed that there were a number of areas within *Labelling the Property* criteria that would be of benefit to residents, i.e. *Where the Bathroom had been modified for Showers only, Where the stair access to the property is solely from the outside, Where there is no direct access to the garden.* It was confirmed that the criteria could easily be amended, if required.
- Queries were raised over the cost of continuing to have the Band C and D on the housing register, (currently 248 and 738 respectively) as they were unlikely to even be eligible for a property and that under the new scheme no further applications would be added to those bandings.

## RESOLVED

That the Cabinet be requested to:

1. Note that the Commission endorses the report and the revised allocations scheme, including the clerical amendments and the removal of last line in the 3<sup>rd</sup> bullet point down in Section 2.4.2.1 *Qualification – Local Connection and Residency*
2. In relation to the *Qualification – Local Connection and Residency*, amend and strengthen the criteria so that it reads that applicants must be living for five years continuously within the Borough without a break, rather than the proposed 3 years.
3. On Section 5.21 *Labelling the Property Advertisement*, that the list be enhanced to include aspects such as *Where the Bathroom had been modified for Showers only, Where the stair access to the property is solely from the outside, Where there is no direct access to the garden*, as an example.
4. Ensure that the process for requesting a review of the Council's decision on a housing application, be explained very simply to the applicant and that the process of the review be followed carefully to ensure that residents have the utmost confidence that their case and appeal had been fairly considered.

## 40. Crawters Brook Project Update

The Commission considered report [SHAP/033](#) of the Principal Planning Officer. Councillor Jones explained to the Commission why he had requested the report that he had heard good things about the Crawters Brook project work but nothing officially, and that as it seems a positive scheme, then the Council should be promoting it.



The Cabinet Member for Planning and Economic Development, the Principal Planning Officer and, the Executive Director of the Manor Royal Business District (MRBG) the project lead, guided Members through the report, provided further information and answered related questions. Specifically, the following aspects were noted:

- It was confirmed that the project had been funded by the MRBG including £300,000 via the kick start funding gained from West Sussex County Council. No Crawley Borough Council (CBC) funds had been used on the project; CBC's only contribution had been officer time.
- It was confirmed that following the BID successful vote, MRBG was set up and all businesses in Manor Royal were part of and represented by MRBG.
- The total budget for the project including 5 year maintenance was £ 370,000.
- On the maintenance and up keep of the site, no discussions have been held as yet between MRBG and CBC's Amenities Services, but those discussions were planned for the future.
- A question was raised as to whether the expenditure on such a project was a good use of public/ MRBG funds, especially with the poor roads in Manor Royal? In response Members were informed that part of MRBG role was to improve the whole of Manor Royal from the infrastructure to general look and feel of the area, which included added amenity facilities. It was emphasised that all the major industrial estates had those types of facilities as it added to the package that business look for when locating.
- It was confirmed that other projects and work streams continues to look at other issues such as security, roads and parking, and other projects including those identified in the Public Realm Strategy adopted by the Council in July 2013 would be looking at a number of options for further improvements. Therefore spending on the Crawters Brook project did not channel funds away from those other streams of work.

## **RESOLVED**

The Commission noted the report and thanked the officers and Steve Sawyer for attending the commission to discuss the Crawters Brook Project.

### **41. Proposed Scrutiny Topic Background report on Parking in the Town Centre and Manor Royal**

The Commission considered report [OSC/205](#) of the Democratic Services Officer, which provided the requested information and evidence from the Enforcement and Parking Team (EPT) and the Forward Planning Team (FPT) as well as from the Manor Royal Business District (MRBD), on their views as to the value and need for a Scrutiny review into Parking in the Town Centre and Manor Royal. It also detailed what each was doing to mitigate the problems. The report contained the key criteria that Members should consider when evaluating the value of establishing a Scrutiny Panel.

Members were guided through the report as well as being provided with some further information, the following was highlighted:

- A Systems Thinking Intervention into Parking and Enforcement would be commencing on 14 October, which would be looking at all parking related matters that the Council was involved with including the management of two Council owned Car Parks and the enforcement of CPZ across the Borough. West Sussex County Council had committed to being involved with the STI, as the responsibly authority for highways including on street parking.
- There was concern from the PET that a significant amount of duplication between the interventions and the Panel proposed work might.

- Many of the parking related planning requirements were set via the national regulations or through the Council's Local Plan and the parking SPD. The FPT would be revaluating the parking SPD in Autumn 2014 and that might be a more appropriate time for Members to consider the related issues.
- Work had already started between the FP team and MRBD on the parking related problems within Manor Royal, to devise ways to mitigate some of the problems.

Councillor Peter Smith was then invited to present the reasoning behind his proposal. He reemphasised the rationale contained within his scrutiny suggestion form over the chronic parking problems within Manor Royal. He discussed how the Town Centre was not providing the right sort of parking at the right price to meet customers' wants, especially with regards to short stay, and that was having an adverse impact on the Town Centre's already struggling economy.

In discussing the propose topic, there was a clear feeling by the Commission that it was a good topic for a scrutiny review. Members acknowledged that the STI was about to start but Members stated that it would be too officer driven and about process, and would not likely address their issues. At this point Members were offered the chance to been given the 'Check' presentation in early 2014 once the first stage of the STI had been completed, so they could see what would be examined. Members felt strongly that there were clear parking issues and that they should be seen to be tacking and taking a lead on addressing those problems on behalf of their residents, irrespective of the officer's STI. However seeing the 'Check' presentation would certainly help their investigation.

On discussing what should be considered within the review, following advice from officers, Members conceded that the proposed topic was too large for one Panel. As FPT and the MRBD had already started work on tackling the parking problems in Manor Royal that aspect should not be considered currently. They also felt that they could make more of a difference for residents focussing solely on town centre parking. Aspects that the Commission identified that should be investigated in the review included the types of parking available (both long and short stay), the costing (both compared against the car parks in the town centre and against other local towns), the times when parking was available, who owns and were running the car parks.

As with the previous proposed scrutiny topic Members emphasised that they should be leading on the review, rather than the officers doing the majority of the work, especially with many of the relevant officers being involved in the STI.

## **RESOLVED**

1. That the Commission to receive the 'Check' presentation from the Systems Thinking Intervention into Enforcement and Parking, in early 2014.
2. That a scrutiny review be established to review the Parking within the Town Centre, with Councillor Keith Blake as the Chair, comprising of 5 Members (i.e. 3 Conservative and 2 Labour Group Members to accord with political proportionality) and, that the Chair to work with officers on devising the scope, so that it can be considered at the first meeting of the Panel. The review would not be looking at parking issues relating to Manor Royal. The Panel is to commence in early 2014 once the 'Check' stage has been completed.
3. That the joint work of the Forward Planning team and Manor Royal Business District in looking at parking issues within Manor Royal continue and a further report be produced for the Commission, on the options devised.

**42. Health and Adult Social Care Select Committee (HASCSC)**

Councillor R G Burgess tabled a written update on the HASCSC meeting held on 3 October. The major items discussed relating to Crawley at the meeting were updates on Dementia Services across the county, and Accident and Emergency (A&E) services, including East Sussex Hospital.

**43. Scrutiny Panels**

Below is a brief update on the Commission's Panels:

**Financial Deprivation Scrutiny Panel**

Councillor L S Marshall-Ascough informed the Commission that the Financial Deprivation Scrutiny Panel met on 19 September 2013 where they discussed proposed changes to the Council Tax Reduction Scheme and received an update on the current position on the Welfare changes. The next meeting will be held on 22 October 2013.

**Performance Monitoring Scrutiny Panel (PMSP)**

It was noted that the PMSP had met twice since the last update, on 10 September and 16 September, which included the special meeting at The Hawth with Parkwood Leisure. A copy of the notes would be circulated to Members separately for their information. The Commission asked that their thanks be recorded to the work of Councillor Lloyd as the Panel's Chair for the improvements made recently in the work of PMSP.

Members were informed that at the Panel's next meeting on 18 November 2013 representatives from Capita would be present to discuss the Council's telephony system.

**44. Forward Plan – 1 November 2013 and Provisional List of Reports for the Commission's Following Meetings**

The Commission considered the latest version of the Forward Plan and the provisional lists of reports for future Commission's meetings:

**RESOLVED**

That items on pages 10, 11 and 12-13 *Consultation on potential new Conservation Areas in Southgate, Living Wage and Proposed Disposal of CBC Owned Land East of Crawley* respectively be fully referred from the Forward Plan, to be looked at by the Commission on the 2 December 2013.

**45. Closure of Meeting**

The meeting ended at 9.35pm.

S A BLAKE  
Chair

# Crawley Borough Council

## Minutes of Cabinet

Wednesday 9 October 2013 at 7.30p.m.

### Present:

Councillor	Dr H S Bloom	(Chair of Cabinet and Leader of the Council)
	R D Burrett	(Deputy Leader of the Council and Cabinet Member for Housing)
	N J Boxall	(Cabinet Member for Community Engagement)
	D G Crow	(Cabinet Member for Leisure and Cultural Services)
	C L Denman	(Cabinet Member for Customer and Corporate Services)
	R A Lanzer	(Cabinet Member for Planning and Economic Development)
	K J Trussell	(Cabinet Member for Environmental Services)

### Also in Attendance:

Councillor S A Blake

### Officers Present:

Ann-Maria Brown	Head of Legal & Democratic Services
Peter Browning	Director of Housing & Transformation
David Covill	Director of Development & Resources
Lee Harris	Chief Executive
Phil Rogers	Director of Community Services
Steve Lappage	Democratic Services Manager

## 46. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor R D Burrett	Minute 53	Review of Pension Discretions	Personal – a Member of the Local Government Association Local

Councillor R D Burrett	Minute 53	Review of Pension Discretions	Government Pensions Committee Personal – a Member of the Local Government Pension Scheme
Councillor Dr. H S Bloom	Minute 53	Review of Pension Discretions	Personal – a Member of the Local Government Pension Scheme
Councillor D G Crow	Minute 53	Review of Pension Discretions	Personal – a Member of the Local Government Pension Scheme
Councillor R A Lanzer	Minute 53	Review of Pension Discretions	Personal – a Member of the Local Government Pension Scheme

#### **47. Minutes**

The minutes of the meeting of the Cabinet held on [11 September 2013](#) were approved as a correct record and signed by the Chair.

#### **48. Public Question Time**

Public Question Time took place and Mr Graham Henshall, a Bewbush homeowner, asked for details on how he could object to the proposals for development in Bewbush having been away during the draft Local Plan additional sites consultation in June. The Cabinet Member for Planning and Economic Development asked Mr Henshall to e-mail him at [robert.lanzer@crawley.gov.uk](mailto:robert.lanzer@crawley.gov.uk) with his views so that he could ensure they were properly represented before Cabinet on 4 December and Full Council on 18 December when the Submission Draft Local Plan would be considered.

#### **49. Matters Referred to the Cabinet**

It was confirmed that no matters had been referred to the Cabinet for further consideration.

#### **50. Review of the Housing Allocations Scheme following the Localism Act 2011 (Housing Portfolio)**

The Cabinet considered the report of the Head of Strategic Housing and Planning Services, [SHAP/032](#), which:

- 1) sought approval to make changes to the Council's Housing Allocations Scheme.
- 2) outlined the drivers for amending the Council's Scheme, including:
  - the continuous rise of homeless households and the pressures on bed and breakfast and temporary accommodation within the borough;
  - Welfare reform and the impact on those who live in under-occupied social housing;
  - the legislative changes brought in by the Localism Act 2011 which provided the Council with greater discretion in tailoring allocation policy to meet local needs whilst continuing to comply with statutory

requirements to ensure those in the greatest housing need through homelessness, overcrowding, medical needs, unfit housing were afforded appropriate priority.

- 3) outlined the key proposed changes, which mainly related to qualifying criteria and the classes of persons who would not be deemed to be qualifying persons, and the rationale for change.
- 4) outlined the consultation process and results thereof in paragraphs 6.1-6.7 of the report.

The Cabinet Member for Housing also clarified a few matters and proposed a number of changes, mainly clerical corrections, to the amended scheme set out under Appendix A to the report including:

- 1) Paragraph 5.2.6 (page 1/4) of the report re 'Non-homeless' applicants who refuse 2 offers of suitable accommodation. It was confirmed that the full detail of this proposal was in the second paragraph under heading 2.4.2.6 of Appendix A and that no change was proposed to paragraph 1 of this section.
- 2) Section 2.3.1 (Transfer applicants) of the amended scheme – 2<sup>nd</sup> paragraph 3<sup>rd</sup> line should refer to Band A and not Band A+.
- 3) Section 2.4.2.1 (Qualification – Local Connection and Residency) – in the 3<sup>rd</sup> bullet point down delete “or who have a confirmed offer of permanent employment lasting for more than 2 years” to ensure the scheme was fairer.
- 4) Section 3.2.1 (Bandings) Band D (Low Priority) – the last 2 lines before Section 3.3 as follows to be deleted “-All other applications accepted on or after 16<sup>th</sup> December 2013 and who do not fit into any of the categories set out above in Bands A+, Band A, Band B or Band C.”

The report had been considered by the Overview & Scrutiny Commission at its meeting on 7 October 2013 and the Cabinet:

- 1) Welcomed the Commission's endorsement of the report and revised scheme;
- 2) Agreed to take on board, where there were justifiable grounds, the Commission's suggestion that the list under Section 5.21 (Labelling the Property advertisement) be enhanced to include, for example, whether: *the Bathroom has been modified for Showers only; the stair access to the property is solely from the outside; there is no direct access to the garden.*
- 3) Confirmed it would take on board the Commission's request to ensure that the process for requesting a review of the Council's decision on a housing application be explained very simply to the applicant and that the process of the review be followed carefully to ensure that residents would have the utmost confidence that their case and appeal had been fairly considered.

The Commission had also requested the Cabinet to amend and strengthen the criteria (in relation to the *Qualification – Local Connection and Residency*) so that applicants must live for 5 (rather than 3) years continuously within the Borough.

However, the Cabinet Member explained that, as the consultation had been based on proposals for 3 years' residency (which no one had objected to), if there was a major policy change to 5 years a new 12 week statutory consultation exercise would need to be undertaken. That would delay its approval by Full Council from 23 October 2013 to 26 February 2014 and its projected implementation from 16 December 2013 to April 2014. As the scheme could be reviewed anytime, the Cabinet Member proposed that Full Council be recommended to approve the scheme with a 3 (rather than 5) year residency qualification and that it be reviewed 6-12 months after

implementation and, if still required, a consultation on extending the residency qualification to 5 years could be undertaken in the future.

The Cabinet Member expressed his thanks to those involved in reviewing the Housing Allocations Scheme, particularly Nick Hobbs (Housing Needs Manager).

## **RESOLVED**

- 1) That report SHAP/32 be noted and supported.

### **RECOMMENDATION 5**

- 2) That Full Council be RECOMMENDED to consider the report including the results of the consultation process (set out in Section 6 of the report) undertaken in respect of the proposed changes.
- 3) That Full Council be RECOMMENDED to approve the amendments to the Housing Allocations Scheme as set out in Appendix A to report SHAP/032 (further amended as minuted above) to take effect from 16<sup>th</sup> December 2013 or such subsequent date (to be no later than 6<sup>th</sup> January 2014) as may be agreed by the Head of Strategic Housing and Planning Services in consultation with the Cabinet Member for Housing.

### **Reason for Decision**

To ensure the Council's Allocations Scheme fairly prioritised those eligible applicants in the greatest housing need and the Council continued to meet the needs of the local community by:

- introducing residency, behaviour and arrears qualifying criteria; and
- making best use of the available social housing stock in the Borough.

## **51. Revision of Tenancy Agreement (Housing Portfolio)**

The Cabinet considered the report of the Head of Crawley Homes, [CH/140](#), which:

- 1) sought approval to vary the terms of the Council's Introductory and Secure Tenancy Agreements;
- 2) outlined the reasons for undertaking the review and varying the existing tenancy conditions;
- 3) outlined the consultation process and the feedback thereon;
- 4) included a summary of the proposed changes to the Introductory/Secure Tenancy Agreements, the reasons for the changes and the effect of the proposed amendments;
- 5) explained that although the Tenancy Agreement had been thoroughly reviewed, much of the agreement remained unchanged and simply clarified the wording to ensure the rights and responsibilities were easier to understand;
- 6) explained about the Preliminary Notices sent out to tenants to set out the proposed changes and their effect.

The Cabinet Member also:

- 1) explained, with reference to paragraphs 4.3-4.4 of the report, that following the late issue of a Preliminary Notice to a small number of tenants whose tenancy had been granted since 30 June 2013 only 2 had since responded (before the deadline of 8 October) and they fully supported the proposals and had no further comments;
- 2) confirmed the new Tenancy Agreement would be introduced in January 2014;
- 3) confirmed the changes to rent payments (from a 48 week basis with 4 rent free weeks which didn't fit with the Universal Credit arrangement to a 52 week basis) would take effect from Monday 7 April 2014. There would be no increase in rent payments resulting from this change and it was supported by tenants;
- 4) expressed his thanks to the Tenancy Review Group particularly Sam Scott (Tenancy Services Manager).

## **RESOLVED**

- 1) That the consultation feedback received from tenants during the consultation period as summarised in Appendix 4 to report CH/140 and as reported to Cabinet during the meeting on 9 October 2013 be noted.
- 2) That the inclusion of the proposed changes into a new Tenancy Agreement as set out in Appendix 2 to report CH/140 be approved to take effect from January 2014.
- 3) That the Head of Crawley Homes be authorised to issue to all tenants a Notice of Variation.

### **Reason for Decision**

The Tenancy Agreement was the main contract document between the Council as landlord and Crawley Homes tenants. The contract was legally binding and the revised terms and conditions gave an up to date focus for tenants and staff and would ensure that the agreement remained in line with legislation and good practice within the housing sector. By adopting the proposed changes we would ensure Crawley Homes had a Tenancy Agreement fit for purpose enabling us to deliver a first class housing management service.

## **52. Tilgate Walled Garden Café – Inviting expressions of interest (Leisure and Cultural Services Portfolio)**

The Cabinet considered the report of the Head of Amenity Services, [AM/055](#), which:

- 1) sought approval to invite expressions of interest for the leasing of the Tilgate Walled Garden Café and to proceed with the lease arrangements as appropriate;
- 2) aimed to safeguard the future viability of the Walled Garden Café whilst both providing opportunities for an improved service and generating income which could be used towards funding the maintenance of Tilgate Park;
- 3) set out the reasons for the proposals including the growing popularity and success of the services provided within the park, the considerable improvements made to the café and the increases in running and support costs for the Café;
- 4) outlined the proposed and alternative options and the implications of these.



## RESOLVED

- 1) That approval be given to invite expressions of interest for the Tilgate Walled Garden Café.
- 2) That authority to conclude a lease agreement with the successful bidder be delegated to the Head of Amenity Services, in consultation with the Portfolio Holder for Leisure and Cultural Services.

### Reason for Decision

- 1) To further improve the service offered to customers and safeguard the viability of the service.
- 2) To increase income as a contribution towards the cost of maintaining Tilgate Park.

## 53. Review of Pension Discretions (Customer and Corporate Services Portfolio)

The Cabinet considered the report of the Head of People & Technology, [PAT/015](#), which explained:

- 1) that West Sussex County Council which administered the Local Government Pension Scheme (LGPS) on behalf of Crawley Borough Council had asked all councils in the West Sussex Pension Scheme to review their current scheme of discretions to ensure that they had guidance on any discretion on which the Council would rely in a retirement situation.
- 2) the main changes including:
  - a) the requirement under Regulations relating to pension provision for all Councils to have an Industrial Injury Scheme;
  - b) clarification of the additional discretion to allow early access to retirement on exceptional compassionate grounds;
  - c) discretions to claim back pension payments in particular circumstances.
- 3) that the new scheme set out in Appendix 2 to the report had been redesigned to make it much easier for employees to understand.

## RESOLVED

### RECOMMENDATION 6

That Full Council be RECOMMENDED to approve the Employer Pension Discretions Policy and The Industrial Injury Scheme set out as Appendices 2 and 3 to report PAT/015.

### Reason for Decision

To ensure that the Council had arrangements in place to meet the discretionary requirements of the regulations related to the Local Government Pension Scheme.

#### 54. **Amenity Services Local Pay Agreement (Customer and Corporate Services Portfolio)**

The Cabinet considered the joint report of the Head of People & Technology and the Head of Amenity Services, [PAT/016](#), which:

- 1) outlined the review carried out in consultation with staff and unions on a local pay agreement created in 2004 to set out payments for non-standard working including weekends and bank holidays across the Amenity Services Division;
- 2) explained that the new agreement, set out in Appendix 1 to the report, had been drawn up to address inconsistencies and some inequalities in the previous agreement whilst maintaining affordability and the principles of equal pay;
- 3) indicated that the draft agreement was subject to a 30 day consultation with all affected staff and the agreement would be signed by union representatives if it was acceptable to staff and confirmed at Cabinet and Council;
- 4) indicated that both management and the union representatives had agreed to review the document after one year and to make any minor amendments that were deemed necessary for the smooth running of the arrangements.

The Cabinet Member:

- 1) explained that changes to non-standard rates of pay would be backdated to 1 April 2013 as a gesture of good will and in appreciation of the staff's hard work and commitment;
- 2) expressed her thanks to the staff and trades union representatives who had worked on the negotiations and in producing the draft agreement.

#### **RESOLVED**

##### **RECOMMENDATION 7**

That Full Council be RECOMMENDED to:

- 1) approve the Amenity Services Local Pay Agreement set out in Appendix A to report PAT/016;
- 2) agree that delegated authority be granted to the Head of People and Technology and Head of Amenity Services to agree any minor changes to the Agreement after the 12 month review date;
- 3) agree that the Pay Policy be amended to include reference to the Local Pay Agreement.

##### **Reason for Decision**

To address inconsistencies and some inequalities in the previous agreement whilst maintaining affordability and the principles of equal pay.

#### 55. **Closure of Meeting**

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.07p.m.

DR H S BLOOM  
**Chair**