

Crawley Borough Council

Minutes of the Full Council

Wednesday 23 October 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, D G Crow, 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, P C Smith, G Thomas, K J Trussell and W A Ward.

Also in Attendance:

Mr A C W Crane – Honorary Freeman and Alderman.

Mr A Quine – Honorary Freeman and Alderman.

Mr P Nicolson – Appointed Independent Person.

Mr A Timms – Appointed Independent Person.

Officers Present:

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

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

44. Apologies for Absence

Councillors C L Denman, J I Denman, C A Cheshire, B A Smith, L A Walker and K B Williamson.

Mr J G Smith – Honorary Freeman and Alderman.

45. Members' Disclosures of Interests

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

46. Communications

(a) The Birth of the Royal Baby, Prince George

The Mayor informed the Council that he had recently received a reply to his letter sent, on behalf of the Council and the Crawley community, to the Duke and Duchess of Cambridge to congratulate them on the birth of their baby boy, Prince George. As this was the day that Prince George had been christened, the Mayor felt it fitting to read out that reply to the Full Council, which included their Royal Highnesses warmest thanks and best wishes to the Mayor, the Council and citizens of Crawley for their kind wishes and congratulations.

(b) Presentation by Mr George, a Grenadian national, to the Crawley Museum Society

The Mayor had earlier that day hosted a meeting with the Crawley Museum Society and Mr George, a Grenadian national, who had lived in Crawley since 1959 and who had designed the Grenadian flag. As a way of forging links between Crawley and Grenada, Mr George presented to the Museum a glass framed case containing a flag of Grenada and of St George, along with other items, and the Mayor conveyed his pleasure in being part of that presentation.

(c) 40th Town Twinning Anniversary between Crawley and Dorsten

The Mayor announced that he had recently visited Dorsten in Germany – Crawley's Twin Town, to mark the 40th Town Twinning Anniversary between the two towns. The Mayor explained that both he and the Bürgermeister of Dorsten had signed a document which commemorated the Anniversary, and which celebrated the long partnership and the continuing bond of friendship between the towns. West Sussex County Council at its last Full Council meeting had offered its own congratulations regarding this special event.

47. Presentation of long Service Badges

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

AWARD	NAME
15 Years	Councillor Quinn
10 Years	Councillor Burke

48. Public Question Time

A Question asked in accordance with Council Procedure Rule 9 was as follows:

Questioner's Name	Subject	Name of Councillor(s) Responding
Mr J Herbert	Mr Herbert asked why the agenda for the recent Extraordinary meeting of the Full Council, which considered the possibility of a second runway at Gatwick Airport, did not include provision for a public question time.	The Mayor indicated that there was currently no requirement within the Council's constitution to have a public question time at Extraordinary meetings. Whilst this was something that could perhaps be changed in the future, he emphasised that the matter of the possible second runway at Gatwick did form part of a major consultation process being undertaken by the Airports Commission for which the public would have various opportunities to make representations and which the Mayor agreed was a very important issue.

49. Minutes

The minutes of the following meetings of the Full Council were approved as a correct record and signed by the Mayor:-

- (i) [24 July 2013](#) – Ordinary meeting of the Full Council.
- (ii) [26 September 2013](#) – Extraordinary meeting of the Full Council.

50. 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)
46	Development Control Committee 2 September 2013 Minute 27 (Labour Group)		Updating the Council's Code of Conduct on Planning Matters (Recommendation 1)

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)
48	Licensing Committee 4 September 2013 Minute 3 (Labour Group)		Scrap Metal Dealers Act 2013 (Recommendation 2)
53	Overview and Scrutiny Commission 9 September 2013 Minute 27 (Labour Group)	Lifeline Service	
53	Overview and Scrutiny Commission 9 September 2013 Minute 28 (Labour Group)	The Proposed Scrutiny Topic – Supporting the Commemoration of the Centenary of World War One	
60	Cabinet 11 September 2013 Minute 41 (Labour Group)		Quarterly Budget Monitoring 2013-2014 Quarter 1 (Recommendation 3)
68	Audit and Governance Committee 30 September 2013 Minute 14 (Labour Group)	Local Code of Corporate Governance	
69	Audit and Governance Committee 30 September 2013 Minute 16 Councillor S A Blake	Fraud Team Report	
72	General Purposes Committee. 1 October 2013 Minute 7 (Labour Group)	Individual Electoral Registration	
73	General Purposes Committee. 1 October 2013 Minute 8 (Labour Group)	Review of Polling Districts	

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)
74	General Purposes Committee. 1 October 2013 Minute 9 (Labour Group)		Changes to the Constitution (Recommendation 4)
83	Overview and Scrutiny Commission 7 October 2013 Minute 43 (Labour Group)	Scrutiny Panels - Financial Deprivation Scrutiny Panel	
85	Cabinet 9 October 2013 Minute 50 (Labour Group)		Review of the Housing Allocations Scheme following the Localism Act 2011 (Recommendation 5)
89	Cabinet 9 October 2013 Minute 53 (Labour Group)		Review of Pension Discretions (Recommendation 6)
90	Cabinet 9 October 2013 Minute 54 (Labour Group)		Amenity Services Local Pay Agreement (Recommendation 7)

51. 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 – 15 July 2013.
- (b) Development Control Committee – 5 August 2013.
- (c) Development Control Committee – 2 September 2013.
- (d) Licensing Committee – 4 September 2013.
- (e) Overview and Scrutiny Commission – 9 September 2013.
- (f) Cabinet – 11 September 2013.
- (g) Development Control Committee – 23 September 2013.
- (h) Audit and Governance Committee – 30 September 2013.
- (i) General Purposes Committee – 1 October 2013.

- (j) Overview and Scrutiny Commission – 7 October 2013.
- (k) Cabinet – 9 October 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.

52. Reserved Items

The matters identified in Minute No. 50 above were debated by the Council. These included:

(a) Matter raised under the report of the Overview and Scrutiny Commission – 9 September 2013

With regard to the matter of the Proposed Scrutiny Topic – Supporting the Commemoration of the Centenary of World War One (Minute no. 28), and in addition to the issues already raised in the Commission's 9 September report, the Full Council considered a range of matters in moving its support forward on this commemoration. These included the possibility of joining other local authorities / community groups as part of an associated initiative referred to by Councillor Irvine, the use of poppies (both red and white) to reflect all suffering that had taken place, and the need for regular updates on the Council's commemoration support as part of the work of the Crawley Civil Military Partnership (CCMP) Sub Group. The Cabinet Member confirmed that he would feed back the views of Members and that he would provide regular updates to all Members via Information Bulletins on the work of the CCMP's Sub Group. Various people would be invited to join the Sub Group, and the Commission would receive an additional report on firm proposals on the commemorations once they had been devised.

(b) Matters raised under the report of the Audit and Governance Committee – 30 September 2013

(i) With regard to the matter of the Local Code of Corporate Governance (Minute no. 14), a 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 be reflected in this Local Code. In response, the Council was reminded that the Council's current governance 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, whilst the Local Code itself was currently receiving further consideration for submission to the Committee's next meeting. It was emphasised that in terms of the recent appointment of the Chair of the Budget Advisory Group, that appointment had been made in line with the Council's Constitutional requirements.

(ii) With regard to the matter of the Fraud Team Report (Minute no.16), the Council conveyed its thanks and appreciation to the Team for the excellent progress it was achieving.

(c) Matters raised under the report of the General Purposes Committee – 1 October 2013

(i) With regard to the matter of Individual Electoral Registration (Minute no.7), the Council was assured that the Electoral Services Manager and his Team would be doing everything possible to ensure that under the new arrangements all those entitled to vote would be included on the Register, and that over the coming period Members would continue to be updated on the Individual Electoral Registration processes and information relating thereto.

(ii) With regard to the matter of the Review of Polling Districts (Minute no.8), and in response to their comments, It was emphasised to Members that should they have any suggestions for polling district improvements, then they should feed those suggestions into the review process.

(d) Matter raised under the report of the Overview and Scrutiny Commission – 7 October 2013

With regard to the matter of Scrutiny Panels - Financial Deprivation Scrutiny Panel (Minute no.43), and following discussions in reviewing and assessing the Panel's work regime at its meeting of the previous evening, the Council further discussed the matters arising. The Chair of the Panel informed the Council that a report on proposals evaluating the future of the Panel would be submitted to the meeting of the Overview and Scrutiny Commission to be held on 2 December.

(e) The reserved items containing recommendations to Full Council.

These were dealt with as set out in Minute Numbers 53, 54, 55, 56, 57, 58 and 59 below:-

**53. Updating the Council's Code of Conduct on Planning Matters
(Development Control Committee – 2 September 2013)
(Recommendation 1)**

The Committee had considered report [LDS/068](#) of the Head of Legal and Democratic Services.

In the absence of the Committee's Chair, it was moved by Councillor Joyce (as Vice Chair), seconded and

RESOLVED

That the Code of Conduct on Planning Matters, as set out in Appendix B to report LDS/068, be approved and adopted.

**54. Scrap Metal Dealers Act 2013
(Licensing Committee – 4 September 2013)
(Recommendation 2)**

The Committee had considered report [PES/120](#) of the Head of Planning and Environmental Services, which provided details regarding the new Scrap Metal Dealers Act 2013, proposed delegations of powers and a licence fee level. The Committee as part of its considerations on this matter had agreed that licence fees be

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

Moved by Councillor B K Blake, seconded by Councillor Marshall-Ascough and

RESOLVED

- (1) That the proposed delegations as set out in Appendix A to report PES/120 be approved.
- (2) That the Head of Legal and Democratic Services be authorised to amend the Constitution to give affect to (1) above and to delete any delegations relating to legislation repealed by the Scrap Metal Dealers Act 2013.

**55. Quarterly Budget Monitoring 2013-2014 Quarter 1
(Cabinet – 11 September 2013)
(Recommendation 3)**

The Cabinet had considered the report [FIN/307](#) of the Head of Finance, Revenue and Benefits. As part of its consideration on this matter, the Cabinet had decided that: i) The projected outturn for Quarter 1 for 2013/2014 as summarised in the report be noted, and that ii) 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.

Moved by Councillor Dr Bloom, seconded and

RESOLVED

That a supplementary capital estimate be approved of £900,000 to fund the purchase of 20 housing units from the open market through Raven Housing Trust.

**56. Changes to the Constitution
(General Purposes Committee – 1 October 2013)
(Recommendation 4)**

The Committee had considered report [LDS/072](#) 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 October 2013](#), be agreed

**57. Review of the Housing Allocations Scheme following the Localism Act 2011
(Cabinet – 9 October 2013)
(Recommendation 5)**

The Cabinet had considered the report [SHAP/032](#) of the Head of Strategic Housing and Planning Services, which sought approval to make changes to the Council's

Housing Allocations Scheme. The report, which had been noted and supported by the Cabinet, had also been considered by the Overview and Scrutiny Commission at its meeting on 7 October 2013.

The Commission had 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. In response to this matter, the Cabinet Member reiterated that as the associated 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. Comments from Members at this Full Council meeting also supported a policy change to 5 years and suggested that the new consultation exercise referred to should be undertaken immediately. It was reemphasised that this would delay the Scheme's approval by Full Council from 23 October 2013 to 26 February 2014 and its projected implementation from 16 December 2013 to April 2014. It was reiterated that if approved for implementation at this meeting, the Scheme could be reviewed at anytime.

Amendment

It was moved by Councillor Marshall-Ascough and seconded by Councillor S A Blake:-

That the following text be added as part 3) to the Recommendation to the Full Council:

"3) That the operation of the scheme be reviewed six months after implementation, with a view to deciding on whether to consult further on the principle of increasing the residency criteria to 5 years".

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

The Amendment above, upon being put to the Full Council, was declared to be CARRIED. The Recommendation as now amended therefore became the substantive motion.

At the request of Councillor Burrett, and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the substantive motion were recorded as set out below:-

For the substantive motion:-

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, D G Crow, V S Cumper, 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, P C Smith, G Thomas, K J Trussell and W A Ward (31).

Against the substantive motion:-

None.

Abstentions:-

None.

The substantive motion was therefore CARRIED, and it was

RESOLVED

- (1) That it be noted that the Full Council has considered report SHAP/032 including the results of the consultation process (set out in Section 6 of the report) undertaken in respect of the proposed changes.
- (2) That the amendments to the Housing Allocations Scheme as set out in Appendix A to the report (and further amended in the minutes of the Cabinet meeting of [9 October 2013](#)) be approved, to take effect from 16 December 2013 or such subsequent date (to be no later than 6 January 2014) as may be agreed by the Head of Strategic Housing and Planning Services in consultation with the Cabinet Member for Housing.
- (3) That the operation of the Scheme be reviewed six months after implementation, with a view to deciding on whether to consult further on the principle of increasing the residency criteria to 5 years.

**58. Review of Pension Discretions
(Cabinet – 9 October 2013)
(Recommendation 6)**

The Cabinet had considered the report of the Head of People & Technology [PAT/015](#).

Moved by Councillor Dr Bloom, seconded by Councillor Burrett and

RESOLVED

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

**59. Amenity Services Local Pay Agreement
(Cabinet – 9 October 2013)
(Recommendation 7)**

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

Moved by Councillor Dr Bloom, seconded by Councillor Burrett and

RESOLVED

- (1) That the Amenity Services Local Pay Agreement set out in Appendix A to report PAT/016 be approved.
- (2) 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) That the Pay Policy be amended to include reference to the Local Pay Agreement.

60. 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 Joyce.

The Motion was as follows:-

“This council notes with concern the reductions in housing benefit for tenants in social housing on the basis of ‘under occupancy’, popularly known as the ‘Bedroom Tax’.

Tenants hit by the Bedroom Tax are often on the lowest incomes and, according to the Government’s own impact assessment, two-thirds of the households affected contain at least one disabled member.

Even before the introduction of the Bedroom Tax, the demand for smaller social rented properties in Crawley was considerably greater than the demand for larger properties and vastly greater in the case of one-bedroom properties.

Whatever the intentions of the scheme, the shortage of smaller properties in the town and the low incomes of those affected means that increasing homelessness is an inevitable consequence of the Government’s policy.

The impact of enforcing this policy locally comes at a financial cost to the council and a much greater social cost to the wider community.

This council also notes the actions taken by other local authorities to protect their residents from the Bedroom Tax and the recent announcement that, if elected in 2015, the Labour Party will make ending the policy a matter of priority.

As a result, this council resolves:

- (1) To call on the Government to reverse the changes to housing benefit, changes which cut housing benefit from some of Crawley’s most vulnerable residents on the grounds of ‘under occupancy’;
- (2) To instruct officers to investigate the ways other local authorities have protected their residents from the Bedroom Tax (including the re-classification of bedrooms in a property) and bring forward a scheme to that effect at the next meeting of Full Council;
- (3) To require that Crawley Homes officers make every conceivable effort to find alternatives to evicting families who cannot afford to pay the Bedroom Tax.”

In response to this motion (which was similar to that submitted and lost at the Full Council’s meeting in April), and in considering further issues raised, it was reiterated that the reduction in housing benefit for under occupation by one bedroom or more as part of the Government’s welfare reforms was an ongoing attempt to address both overcrowding and housing need - releasing much needed larger homes which could be allocated to local households in the greatest need within the Borough. It was clear that with tenants now downsizing in increasing numbers, this was helping, as intended, to make better use of the Council’s housing stock. With this in mind, and with more Council tenants downsizing, or being helped to downsize, people on the housing waiting list with families could now be housed. There had also been a large increase in mutual exchanges.

To further support tenants who were deemed to be under-occupying their current property to move to smaller homes, the Council had undertaken and continued to undertake significant work with regard to the provision of more housing for Crawley people, whilst in complying with legislation, and in taking on board strong advice issued by the Government, the idea of reclassifying the number of bedrooms in a

property was again dismissed. 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.

Reference was made to the fact that there had been 5 evictions so far this financial year, ie from April to September, which was the same number as the previous year - before the introduction of the reforms. It was emphasised that the Council's primary objective was to help its tenants affected by the reforms. Whilst acknowledging the impact on tenants as a result of the reforms, the Council was working closely with tenants and was providing specialist help and support where needed. It was again emphasised that with the use of initiatives introduced and the wide range of support available, the Council would continue to provide assistance to tenants, with eviction always being the very last resort.

61. 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.

62. Notice of Motion

(Continued)

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

63. Members' Written Questions

A question asked in accordance with Council Procedure Rule 10.3, together with the answer, was tabled as follows:

Questioner	Councillor Irvine
Addressed to	Cabinet Member for Housing
Subject	Sale of Council Houses

64. Announcements by Cabinet Members

Cabinet Member	Subject
Councillor Lanzer (Cabinet Member for Planning and Economic Development).	Councillor Lanzer had recently attended the Federation of Small Businesses' launch of its Procurement Charter for SME's (Small and Medium Enterprises). He suggested that two of the biggest challenges documented by that Charter were in terms of arrangements for prompt payments to SME's and in ensuring that there were no unreasonable barriers in the procurement process. With regard to the first, the Council had adopted a payment term of within 10 days against the minimum 14 days advocated by the Charter, therefore exceeding target. However, whilst

Cabinet Member	Subject
	the Council had in September paid 85% of its SME invoices within its 10 day term, Councillor Lanzer indicated that he had now requested that this be increased to a target of 95%.

65. Questions to Cabinet Members

Questions asked pursuant to Council Procedure Rule 10.1 were as follows:

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
Councillor Ward	The loss of the doctors' surgery in West Green and concerns as to when, and if, it will be replaced. Reference was made by Councillor Ward to recent communications from the Crawley Clinical Commissioning Group (CCG).	Councillor Dr Bloom (as Chair of the Cabinet and Leader of the Council) acknowledged that the loss of the surgery was causing concerns and difficulties to residents in West Green. However, he understood that the CCG were continuing to look into this matter, with constructive ways being considered as to how health service provisions for that community could be taken forward.
Councillor Peck	The impact on boating facilities at Tilgate Park Lake following the recent act of vandalism regarding that site's boating storage hut / equipment.	Councillor Crow (as Cabinet Member for Leisure and Cultural Services) confirmed that the service had been disrupted, but that with replacement equipment having since been borrowed and with further help provided to the facilitator, the service had been able to continue.
Councillor Irvine	Concerns regarding the felling of trees at Worth Park.	This matter was responded to by Councillor Dr Bloom (as Chair of the Cabinet and Leader of the Council) and Councillor Crow (as Cabinet Member for Leisure and Cultural Services). It was emphasised that it was not the Council's policy to remove trees unnecessarily. The trees

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
		<p>removed at Worth Park needed to be so as part of the approved major restoration works currently being undertaken within that Park. It was suggested that as with any project of this size, tree removal would perhaps create less appealing landscapes in the short term - with new planting addressing that issue longer term, whilst the Council was advised that there had been a lot of positive feedback from residents in terms of the overall project to restore the Park's original character.</p>
Councillor S A Blake	The Success of the Go Ape courses at Tilgate Park.	Councillor Crow (as Cabinet Member for Leisure and Cultural Services) confirmed that the Go Ape facilities had received more than 17,000 visitors since they opened in the Summer of this year.
Councillor Shreeves	Assurances sought following technical difficulties with designated telephone line system receiving customer payments.	Councillor Dr Bloom (as Chair of the Cabinet and Leader of the Council), assured Members that no person would be penalised for any late payments which were as a result to the system's temporary failure.
Councillor B K Blake	Assurances sought that appropriate arrangements were in place in readiness for snowfalls this autumn and winter.	Councillor Trussell (as Cabinet Member for Environmental Services) identified the various arrangements in place, and referred to, as an example, the increase in the number of Snow Force volunteers which had now been engaged to assist the community when required. Further volunteers were still being sought and that along with the undertakings of the County Council and the

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
		large number of vehicles that would be on standby, it was felt that this Council was prepared as much as it could be.

66. Duration of the Meeting

The business of the meeting had still not been completed within the earlier agreed 30 minute extension (Minute No. 61 refers), and whilst the item of business on Questions to Committee Chairs was still outstanding, 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.

67. Closure of Meeting

The meeting ended at 10.35 p.m.

R G Burgess
Mayor

APPENDIX A

Members' Disclosures of Interest

Member	Agenda Item No.	Name and date of Cabinet/ Committee and Minute No.	Minute Book Page No.	Subject or Planning Application No.	Type and Nature of Disclosure.
Councillor G Thomas	8(1)(b)	Development Control 5 August 2013 Minute 20	38	CR/2013/0255/FUL	Personal interest. Cllr Thomas is a Northgate councillor.
Councillor P C Smith	8(1)(b)	Development Control 5 August 2013 Minute 20	38	CR/2013/0255/FUL	Personal interest. Cllr Smith declared he had been discussing the item with local residents.
Councillor R D Burrett	8(1)(e) and 9	Overview and Scrutiny Commission 9 September 2013 Minute 27	53	Lifeline Service	Personal Interest as a member of West Sussex County Council.
Councillor R D Burrett	8(1)(e)	Overview and Scrutiny Commission 9 September 2013 Minute 31	55	Health and Adult Social Care Select Committee (HASCSC)	Personal Interest as a member of West Sussex County Council.
Councillor S A Blake	8(1)(g)	Development Control 23 September 2013 Minute 32	66	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.
Councillor R D Burrett	8(1)(j)	Overview and Scrutiny Commission 7 October 2013 Minute 42	83	Health and Adult Social Care Select Committee (HASCSC)	Personal Interest as a member of West Sussex County Council.
Councillor R D Burrett	8(1)(k) and 9	Cabinet 9 October 2013 Minute 53	89	Review of Pension Discretions	Personal Interest as a member of the Local Government Pension Scheme, and also as a member of the Local Government Association Local Government Pensions Committee.
Councillor Dr. H S Bloom	8(1)(k) and 9	Cabinet 9 October 2013 Minute 53	89	Review of Pension Discretions	Personal – a Member of the Local Government Pension Scheme

Member	Agenda Item No.	Name and date of Cabinet/ Committee and Minute No.	Minute Book Page No.	Subject or Planning Application No.	Type and Nature of Disclosure.
Councillor D G Crow	8(1)(k) and 9	Cabinet 9 October 2013 Minute 53	89	Review of Pension Discretions	Personal – a Member of the Local Government Pension Scheme.
Councillor R A Lanzer	8(1)(k) and 9	Cabinet 9 October 2013 Minute 53	89	Review of Pension Discretions	Personal – a Member of the Local Government Pension Scheme
Councillor C C Lloyd	8(1)(k) and 9	Cabinet 9 October 2013 Minute 53	89	Review of Pension Discretions	Personal interest as a member of the Local Government Pension Scheme.
Councillor W A Ward	8(1)(k) and 9	Cabinet 9 October 2013 Minute 53	89	Review of Pension Discretions	Personal interest as a member of the Local Government Pension Scheme.

Crawley Borough Council

Minutes of Development Control Committee

14 October 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, C L Denman, I T Irvine, R A Lanzer, C A Moffatt, A J E Quirk, D J Shreeves, P C Smith, G Thomas and W A Ward

Officers Present:

Jean McPherson	Group Manager Development Management
Marie Bolton	Principal Planning Officer
Manson Kendall	Principal Property Lawyer
Sally English	Democratic Services Officer

Apologies for Absence:

None.

34. Lobbying Declarations

The following lobbying declarations were made by Members:

Councillor Blake had been lobbied regarding application CR/2012/0465/FUL.

Councillors J Denman, I Irvine, S Joyce and W Ward had been lobbied regarding application CR/2013/0409/FUL.

35. 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 37	CR/2013/0422/TPO Miltons Mount Lake (Grattons Pond), Pound Hill, Crawley	Personal Interest as she sits on Worth Park Committee (but had had no discussions on this item).
Councillor C Denman	Minute 37	CR/2013/0422/TPO Miltons Mount Lake (Grattons Pond), Pound Hill, Crawley	Personal Interest as she sits on Worth Park Committee (but had had no discussions on this item).

36. Minutes

The minutes of the meeting of the Committee held on 23 September 2013 were approved as a correct record and signed by the Chair.

37. Planning Applications List

The Committee considered report PES/121 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/121 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

CR/2012/0223/FUL

Zurich House, formerly Allied Dunbar House, East Park, Southgate, Crawley.

Demolition of existing building & erection of a part two/three/four & five storey building comprising 59 flats with associated car parking, cycle storage & private amenity space.

Councillor K Brockwell had visited the site independently.

The Group Manager (Jean McPherson) (JMCP) reminded the Committee that this item had been approved in July 2012 subject to S106 contributions but negotiations regarding the 40% affordable housing element had been protracted, resulting in the delay. She stressed that since the application was agreed last year, there had been no changes to it or planning policy. The only issue to be discussed was the prematurity argument and the impact of this site on the area should it be designated part of a conservation area in the future, a matter which was currently out to public consultation.

Although there was some concern amongst Members about the possibility of the site being designated as part of a conservation area, it was recognised that the Committee had already agreed to the development and Members agreed that any development would improve the site.

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, in accordance with Section 91 of the Town & Country Planning Act 1990; plans & particulars of the land levels and finished floor levels; landscaping scheme 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; no development permitted until all existing trees/bushes/hedges have been protected by a fence (around each tree or group of vegetation) and ground level of fenced off areas to be neither raised nor lowered from existing levels, and no materials, temporary buildings plant machinery or surplus soil to be placed or stored on these areas without Local Authority approval; scheme to deal with contamination of the site to be approved by Local Authority before

development begins; parking spaces, turning facilities and garages (as shown on plan 9905/PL/102) to be constructed before any occupation of building; construction of accesses serving development at East Park; all access(es) to the site other than those approved to be stopped up permanently and obliterated; provision for the temporary parking, loading and unloading of vehicles associated with the development; provision of temporary contractors' buildings, plant and stacks throughout period of work on the site; installation of wheel-cleaning facility; submission & approval of a Green Travel Plan; implementation of archaeological works with written specification and timetable; drainage strategy; schedule and samples of materials and finishes including those for external walls (& roofs); combined aerial facilities to serve all flat development; submission of surface and foul water drainage and disposal details; scheme for sound insulation and ventilation; Bird Hazard Management Plan; provision of 70 parking spaces utilising the wohn parklift (or similar car stacking system); PV and solar thermal scheme including 'safety assurance' documentation; in accordance with saved policies BN17, GD1, GD2, GD3, GD5, GD19, GD20, GD24, GD34 of the Crawley Borough Local Plan 2000; and policies T1 and T3 of the Crawley Borough Core Strategy

CR/2012/0465/FUL

Land r/o Pullcotts Farm Cottages, Peeks Brook Lane, Horley, Surrey.

Retrospective change of use for the stationing of caravans for residential accommodation, a temporary utility building, the construction of a new access, the erection of fencing/gates, a stable block, an open-fronted barn and polytunnel. Non-retrospective application for the installation of a septic tank (amended description & plans received).

Councillors S Blake, S Joyce and W Ward had attended the site visit.
Councillors K Brockwell and C Denman had visited the site independently.

JMcP gave a verbal summary of the application which the Committee then considered. There was considerable concern over the levels of noise residents of this site would, if permitted, endure, as well as concern over an increase in residents on the site, other than those named in the conditions. It was also queried why the site was listed as Surrey, not Sussex. In response to the questions raised above, the Committee noted that:

- Noise. Although it was recognised the site was subject to significant levels of noise from aircraft and therefore not ideal, it was to be noted that the permission was temporary only, that the applicant had elected to live there, and that there was no alternative site on which to house the applicant should the application be refused. The Human Rights Act (which states there should be no interference by a public authority with the individual's right to respect for their private and family life) was a consideration and that officers had had to balance the application with the acknowledgement that there was no alternative provision available.
- The conditions had been very carefully worded to ensure permission applied to those individuals only; any increase in people dwelling at the site would be a clear breach of the permission and would be enforceable. There was also a clear control on the number of caravans permitted on the site
- The Surrey address was an anomaly from the Post Office following the boundary changes; it is accepted that the Surrey boundary used to be lower

down and some addresses in Horley were not changed to being within Sussex as they should have been

JMcP added that condition 8 had been re-worded, and would read as follows:

Condition 8:

Within three months of this permission, details of the proposed surface water and foul drainage and means of disposal shall be submitted in writing to the Local Planning Authority. Within one month of the details being approved in writing by the Local Planning Authority, the development shall be implemented fully in accordance with the approved details.

REASON: To ensure that the proposed development is satisfactorily drained in accordance with Policy GD24 of the Crawley Borough Local Plan 2000.

At the request of Cllr Brockwell and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the motion and abstentions were recorded as follows:

For the motion (to permit):

Councillors S Blake, B Burgess, L Burke, C Denman, J Denman, I Irvine, S Joyce, R Lanzer, C Moffatt, D Shreeves, P Smith, G Thomas, W Ward.

Against the motion (to permit):

Councillors K Brockwell and A Quirk.

Permit subject to: temporary permission time limit of four years from permission date, and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990; permission shall ensue only for the benefit of named persons for four years or until such time as the named persons cease to satisfy definition of gypsies and travellers as defined within annex 1 of the Planning Policy for Traveller Sites (2012), whichever is the sooner; no more than two static and one touring caravan to be stationed on the site at any time; surface bound materials for the access to be submitted to the Local Authority within 3 months of the permission; no internal or external storage of materials used for commercial purposes on the site at any time; no development within Class A of Part 5 of Schedule 2 of the Town & Country Planning Order without permission from the Local Authority; details of surface and foul water drainage, and no occupation of buildings until all drainage works have been carried out; in accordance with the National Planning Policy Statement, the Planning Policy for Traveller Sites; Crawley Borough Local Plan policies GD17, GD24 and H14; and policies C1, C2 and H7 of the Crawley Borough Council Core Strategy 2007

CR/2013/0167/FUL

21 Bolton Road, Maidenbower, Crawley.

Erection of 1 x one-bedroom detached dwelling and associated works (amended plans received).

Councillors S Blake, S Joyce and W Ward had attended the site visit.
Councillor K Brockwell had visited the site independently.

The Principal Planning Officer, Marie Bolton (MB) gave a verbal summation of this item to the Committee, and was then followed by a speaker, the applicant (Mr Panter), whose presentation included the following points:

- Permission for a dwelling at the site already permitted in 2009. New application has identical footprint but is for a detached dwelling (0.75m gap between the two)
- The application provides 2 parking spaces and as such exceeds the 1.2 spaces recommended by CBC
- Planning Officer has visited the site and confirmed sufficient room for disabled access to the proposed dwelling
- Proposed dwelling is single storey and will not overlook any neighbouring properties. The nearest property behind the site is 15m away.
- Feels the application for a small one-bedroomed house tucked away at the end of Bolton Road will not adversely affect any neighbouring properties

There were concerns raised regarding:

- Noise levels for neighbours
- Loss of light and outlook
- Integrity of bund, and bank and trees potentially falling onto M23
- Proximity to motorway

MB addressed these as follows:

- Noise. Condition 12 specifically restricts development of the roof as Environmental Health had raised their own concerns about noise levels from any residential use at first floor level. It was also felt by the case officer that the noise attenuation bund rendered the noise levels acceptable and appropriate for a single-storey property.
- Loss of light/outlook. It was felt that the aspect was largely similar to that of adjoining properties and adjoining terrace and therefore not a concern
- Integrity of bund. Additional plans were received regarding a retaining wall and precise details of the bund were to be finalised in consultation with the Highways Agency (in condition 4).
- Proximity to motorway. Although the proposed development was closest to the motorway, there had been no objections from the Highways Agency or Environmental Health.

Permit subject to: permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990; approval by Local authority of schedule of materials and finishes for external walls and roof; scheme to demonstrate structural integrity of motorway bund during and after construction; no construction operation within 1 metre of the western face of the M23 noise barrier; construction of parking provision for 2 cars for the proposal and 2 cars for 21 Bolton Road; scheme of hard and soft landscaping works including fences and walls to be implemented before occupation; all planting, seeding and turfing in landscaping scheme 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 any trees or plants which within five years from completion of development die, are removed, or become seriously damaged or diseased to be replaced in the next planting season; provision for cycle parking and refuse area; approval of plans and particulars of land levels and finished floor levels of the dwellings; approval of plans and details of site set-up during construction, including details of temporary buildings, plant and stacks of materials, provision for temporary parking of contractors' vehicles and loading and unloading of vehicles; no external or external alteration under Classes A, B and C without permission of the Local Authority; in accordance with policies GD1, GD2, GD3 and GD5 of the Crawley Borough Local Plan 2000; and in accordance with policy T3 of

the Crawley Borough Core Strategy 2007 and SPD Development Contributions and S106 Agreements.

CR/2013/0195/FUL

11 St Hildas Close, Pound Hill, Crawley.

Retention of single storey rear extension, conversion of garage to a habitable room and insertion of 2 side windows (1 ground floor & 1 first floor) and proposed change of use of amenity land to garden (amended description).

Councillors S Blake, S Joyce and W Ward had attended the site visit.
Councillors K Brockwell and P Smith had visited the site independently.

The Principal Planning Officer gave a verbal summary of the application, and this was followed by an objector (Mr Phillips), whose presentation included the following points:

- Main concern was enclosing the external area in Grattons Drive with fences or hedges or walls (no objection to main house extensions)
- These would restrict visibility from 77 Grattons Drive of traffic from St Hilda's Close
- This applied to pedestrians and children on the Grattons Drive pathway
- Existing boundary wall already restricted view of the road
- Overgrown shrubs at front of property restrict view into St Hilda's, and traffic from St Hilda's cannot see drivers either
- Would like to keep open plan policy in the area
- Rear garden at No. 11 had been raised in the past to a higher level
- The garden soil is now over the top of speaker's damp proof course on garage wall & is also up against boundary fence
- This has caused flooding to the property
- Feel this needs rectifying as property is on a flood plain
- Some planting of shrubs had taken place on day of meeting (14/10/13) without consultation

Mrs Hussain (daughter of the applicant) then spoke, and made the following points:

- In response to the previous speaker, she stated that it was only following consultation with the senior enforcement officer that shrubs had been planted as it had been established she was entitled to do so and it did not breach any planning rules; slow-growing hedges had been specifically sought
- The request for a 1.8m fence had been retracted in order to address concerns of neighbours
- Desire to enclose was for reasons of safety (occupants had young grandchildren), and security (there had been a number of burglaries in the area recently)
- All corner plots in Grattons Drive had enclosed side parts of their amenity space
- Ground level of garden was not the responsibility of the current residents and therefore it was not felt fair to request that the applicant rectified that

Councillor R Burrett, ward member for Pound Hill North, then spoke as an objector, making the following points:

- He had been asked to speak by two residents specifically regarding the change of amenity use of amenity space and enclosure, and associated potential highway safety
- Established design of the area was open plan and there was a strong feeling amongst residents that further enclosure would detract from the area's feel

- Concerned that the issues for residents of No.77 Grattons Drive (Mr & Mrs Phillips) the reversing issues meant there was potential for an accident
- Felt that even a small hedge could conceal view of a small child

Concerns from Members including loss of open space, reduced garden size and maintenance of shrub height were addressed by MB as follows:

- The request for a fence was removed from the scheme specifically to address issues of loss of open space; and the applicants were entitled to plant shrubs
- Although the applicant owns the land it was part of an original open plan layout, which is why the application was for change of use. Planting of shrubs was seen as an acceptable compromise
- Rear garden space was 8m from the fence; as the extension had been in place since 2008 and WSCC had made no objection had made no objection to the development, the garden size was considered acceptable
- As Highways had had no objection to the application and there is no control over the planting of shrubs, no condition could be imposed to restrict height of shrubs

Permit subject to: permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990.

CR/2013/0400/FUL

Quiagen House Dialog, Unit 4, Fleming Way, Northgate, Crawley.

Change of use from light industrial (B1C) to car showroom (sui generis) including increase to the internal mezzanine floor area & alterations to the external appearance of the buildings & new covered parking canopies.

Councillor P Smith had visited the site independently.

MB gave the Committee a verbal summary of the application. The only query raised was the size of the S106 contribution as it was felt to be low at £800. MB advised that it could only be based and calculated upon the new floor area (the mezzanine) only.

Permit subject to: permission time limit, and Decision Notice, in accordance with Section 92 of the Town & Country Planning Act 1990; premises used for the purpose of a motor vehicle showroom only; customer and staff/valet parking areas to be laid out and maintained in accordance with drawing numbered H8169/05; the development to be carried out strictly in accordance with the material schedule shown on drawings numbered H8169/08 Rev C and H8168/09 Rev; in accordance with policy TC4 of the Local Development Framework Core Strategy; and in accordance with saved policies GD1 and GD3 of the Crawley Borough Local Plan 2000; and policy EN5 of the LDF Core Strategy.

CR/2013/0409/FUL

15 Pelham Court Business Centre, Pelham Place, Broadfield, Crawley.

Change of use from storage & distribution (B8) to martial arts community dojo (D2) with ancillary retail shop & café for members.

Councillors C Moffatt and A Quirk had visited the site independently.

MB provided a verbal update for the Committee and this was followed by three speakers. The first was Mr Hussain, an objector, whose presentation included the following points:

- Mr Hussain was the owner of units 16 & 17, Pelham Court and operated his business from the units
- Objected to change of use for the proposed development at unit 15
- Estate already busy with flow of car in and out
- During last half hour of trading (5-5.30pm), the site is very busy with clients arriving for MOT retests and/or collecting cars
- Concerned about children walking through the state to get to the propped classes, especially as there are no pathways for them to use
- Feels estate will not be able to cope with increased flow of human and vehicular traffic safely and effectively
- Parking is already a significant issue on the estate
- Units were designed for light industrial use, not assembly & leisure, which was why there were no public walkways and no lighting after dark
- AS the security gates will need to remain open for access to the proposed classes, this would impact upon security of the units. Insurance and security system would need to be upgraded to address this
- There was no room for proposed cycle bays

A second speaker/objector, Mr Ashdown, then made a presentation to the Committee and made the following points:

- Mr Ashdown was the owner of unit 18, Pelham Court and operated his business from the unit
- Objected to change of use for the proposed development at unit 15
- Specifically chose Pelham Court for his business because of strong security as customer stock held at premises; felt strong gates that were locked out of hours were ideal
- Feels change of use and proposed type of business does not fit 'light industrial' specification, nor sit well with wellbeing of existing businesses
- Concerned over risk to human life because of daily traffic
- Insubstantial parking; there were already daily issues with parking
- Impact on security: have been advised by insurers security would need to be increased if gates are left open beyond their trading hours
- Advised by CBC Health & Safety Enforcement Officer 18 months ago that speed limit signs should be erected due to amount of heavy goods vehicles delivering to Pelham Court; he was also concerned that pedestrian have to walk on the road
- Service charges and upkeep of the grounds would increase due to the increased number of vehicles on site
- Gates left open would generate an increase in dumped rubbish on the site (this had already happened when a boxing club was briefly on the premises)

The last speaker on this application was the applicant, Mr Cashman, whose presentation included the following:

- Intends to create a safe, welcoming environment for families upon arrival and departure. The business relies on its ethos of providing a safe and positive experience
- Local community-based club looking to centralise its activities in one location
- Hopes the proposed change of use would have a positive impact upon Pelham Court: activity for longer, an increase in the number of visitors would be

beneficial for neighbouring businesses resulting from increased visibility.
Greater footfall would reduce anti-social issues

- Intends to operate under tenancy restrictions re number of parking bays. Any parents waiting for children will be made aware of alternative local parking areas ie. Broadfield Barton (more than 300 spaces)
- Upon taking the unit (should permission be granted), all students will be given an information pack with details of arrival by car, public transport etc, parking, and stressing the importance of local neighbours
- The karate school has been operating for 15 years from a number of community centres and these have a mix of neighbours (residential, businesses etc) and there have been no issues. The school is known as an excellent neighbour
- Residential use is planned for the remaining units. These will also have parking restrictions in line with council policy.
- There is a vested interest in working with neighbours insofar as the club stresses importance of pride, respect to children and families and this reflects on relationships with neighbours
- Additional lighting will be provided
- Classes don't begin until 5.30pm reducing the contact with clients from other units, and most finish around 9.30pm

Members expressed concerns on security and the gates being left open and MB advised that this was a matter for the landlord and the tenants to resolve between themselves.

Permit subject to: permission time limit, and Decision Notice, in accordance with Section 92 of the Town & Country Planning Act 1990; premises to be used only by Sports Karate Federation (SKF) and for no other purpose in Use Class D of the schedule to the Town & Country Planning (Use Class) Order 1987; provision of secure and covered cycle parking facilities for 6no. cycles; submission of Travel Plan within 3 months of permission date and before occupation; specified business hours (09:00-23:00 Mondays-Fridays, Saturdays, Sundays and Bank Holidays, and shall only be open until 24:00 one Saturday per calendar month); in accordance with policies GD3 and T28 of the saved Local Plan 2000 and guidance within the Supplementary Planning Document on Planning Obligations and S106 Agreements.

CR/2013/0422/TPO

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

(G1) P14 Yew – Crown lift to 3m, P15 Yew – fell, P2 Holly – fell. (G2) P3 group of laurel, holly & bramble overshadowing yews to be removed. (G3) 399 Yew – fell, P4 plum – fell. (G4) 425, 426, 437 & 428 yews – crown lift to 3.5m (G5) removed suppressed 3m high yew adjacent to 462 yew, 463 yew – crown lift to 2m. (A1) Yew adjacent to alder 450 crown forming including removal of untidy branches. (A3) 469, 470, 556 & 557 yews – crown lift to 3.5m. (South west corner) 449 & 500 yews – crown lift to 3.5m on lake side, P6 yew – fell & 5m high yew – crown lift to 2.5m.

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

MB provided a verbal summation of the application for the Committee and this was followed by a presentation by Councillor Richard Burrett, ward member for Pound Hill North, in which he made the following points:

- He had been asked to speak by residents concerned about path access and storage of equipment during tree works

- Wished to see condition regarding works being carried out under supervision of Borough's Arboriculturist strengthened to include attention to access paths and storage during works in order to reassure residents

JMcP advised that it was not expedient to add a condition regarding access paths and storage but would add an informative specifying these issues.

Members were concerned at the loss of numerous trees but were reassured that although replacement was not required for smaller trees, new planting would be taking place within the park and that the trees to be felled were poor specimens and their removal would enable better growth of remaining trees.

Consent subject to: consent time limit; and 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.

CR/2013/0437/TPO

Land s/o 79 Denchers Plat, Langley Green, Crawley.

Oak – prune south west side of canopy by no more than 2m & to appropriate growth points.

Councillor K Brockwell had visited the site independently.

The Principal Planning Officer provided a verbal summation, and the Committee supported the application.

Consent subject to: consent time limit; and 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.

CR/2013/0438/TPO

107 Ifield Drive, Ifield, Crawley.

Oak – fell.

Councillor K Brockwell had visited the site independently.

Members expressed concern that numerous oak trees had already been lost from Ifield Drive and asked specifically that the condition regarding replacement be upheld.

Consent subject to: consent time limit; applicant shall plant a Quercus robur English Oak in the next planting season in a location as close as possible to the felled tree as practical; and felling 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.

CR/2013/0441/FUL

Premier Inn Gatwick, Northway, Gatwick, Crawley.

Change of use of top floor from vacant offices (B1) to hotel (C1).

JMcP updated the Committee on the application and advised that Mole Valley DC had raised no objection to the application, and that the plans had been amended to incorporate the disabled access requirement for number of bedrooms.

The Committee supported the application.

Permit subject to: permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990.

38. Confirmation of Tree Preservation Order P16.4.39 (1 Slinfold Walk)

MB introduced this item stating confirmation by the Committee of the TPO was sought. She stated that the tree had been judged worthy of the TPO in view of its prominence in the street and its amenity value.

Confirmed.

39. Exclusion of 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

40. Planning Enforcement 15 October 2013: ENF/2012/0058 16 Tilgate Way

JMcP advised the Committee that its authority to take direct action was sought in order to make repairs to the building and clear the site. The owner of the land has not responded to communications or addressed the requirements of the notice. She advised that a land charge would be placed on the property and when it was sold, the charge would be passed on to the new owner(s). The proposed works were not intended to make the property habitable but to lessen the impact on neighbours and the amenity scene. Residents in neighbouring properties would be kept informed of progress regarding clearing the site and public notices would be displayed.

Recommendation: that direct action under Section 219 of the Town and Country Planning Act 1990 be authorised to enter the land at 16 Tilgate Way, Tilgate, Crawley, and take the steps required by the notice, and recover from the person who is the owner of the land any expenses reasonably incurred in doing so.

41. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 10.48pm.

J I DENMAN
Chair

Crawley Borough Council

Minutes of Development Control Committee

4 November 2013 at 7.30pm

Present:

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

Officers Present:

Jean McPherson	Group Manager Development Management
Marc Robinson	Principal Planning Officer
Manson Kendall	Principal Property Lawyer
Sally English	Democratic Services Officer

Apologies for Absence:

Cllr K Brockwell, Cllr B Burgess and Cllr C Moffatt.

42. Lobbying Declarations

There were no lobbying declarations.

43. Members' Disclosure of Interests

There were no disclosures of interest.

44. Minutes

The minutes of the meeting of the Committee held on 14 October 2013 were approved as a correct record and signed by the Chair.

45. Planning Applications List

The Committee considered report PES/126 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/126 of the Head of Planning and Environmental

Services and in the Register of Planning Applications the decisions be given as indicated:-

CR/2013/0423/FUL

Land north of Tilgate Forest Business Centre, Forest Gate, Brighton Road, Tilgate, Crawley.

Extension of time limit for CR/2010/0182/FUL – erection of 2 office buildings with associated parking and landscaping.

Councillors A Quirk, G Thomas and W Ward had visited the site independently/.

The Group Manager, Jean McPherson (JMcP), gave a verbal summation of the application which the Committee then considered.

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 (5 years from permission date) and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990; approval of schedule and samples of materials and finishes including those for external walls (& roofs); hard and soft landscaping scheme; landscaping scheme 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 any trees or plants which, within five years of completion of the development, die, are removed or become seriously damaged or diseased to be replaced in the next planting season; provision for car parking; roads serving the development to be constructed, surfaced and drained; provision for the temporary parking, loading and unloading of vehicles associated with the development; provision of temporary contractors' buildings, plant and stacks throughout period of work on the site; installation of wheel-cleaning facility; erection & maintenance of notice(s) at the site exit indicating to drivers the agreed route for traffic leaving the site; submission of plans and particulars of land and finished floor levels of the dwellings and construction of buildings in accordance with such levels; scheme for site surface water drainage system, and assessment of hydrological & hydro geological context of development; submission of extended phase one habitat survey, and ecological mitigation and enhancement scheme, to include bat-sensitive lighting scheme, within 12 months of application approval and before commencement of any site works; in accordance with policies GD1, GD2, GD3, GD5, GD25, GD34 of the Crawley Borough Local Plan 2000; saved policies EN1 and EN4 of the Crawley Local Plan; and NPPF 109 & 118.

CR/2013/0434/FUL

Land at North East Sector, north of Crawley Avenue, Pound Hill, Crawley.

Proposed alternative junction and link road arrangement (junctions 8, 9 & 14) to serve the southern part of the consented mixed use development (CR/1998/0039/OUT) at North East Sector.

Councillors G Thomas and W Ward had visited the site independently.

JMcP gave a verbal summary of the application and advised that conditions 2 and 4 were to be deleted as they were repetitions of conditions in the original application. The Committee then considered the application.

A query was raised over the statement in planning consideration 6.8 that a much larger new area of replanting would take place to mitigate the loss of Ancient Woodland and JMcP was asked if this would take place. JMcP advised that there was a lot of land in and around the southern area of the development and there was potential for replacement and relaying of Ancient Woodland but she advised that this was for the consortium to work through. JMcP was also asked how the potential for traffic build-up would be addressed and she advised that WSCC had considered all aspects of traffic, flow and priority regarding delivery of a safe neighbourhood junction. She was also about speed limit reductions to 30mph and she advised she would expect the Balcombe Road speed limits to be reduced.

Members also asked for the definition of Ancient Woodland and were advised it was an area of woodland that had existed continuously since 1600 or before (at least 400 years).

Conditions 2 and 4 to be deleted.

Permit subject to: Decision Notice; construction management plan, to include: provision for plant & stacks of materials, wheel-cleaning facilities, provision for temporary parking of vehicles and for loading & unloading of vehicles, provision for segregation and recycling of waste generated on site during construction; detailed drainage strategy, to include: details of compensatory flood storage works, implementation programme, proposals for subsequent management and maintenance of drainage system; scheme (prepared by suitably qualified ecologist) showing location, type & number of artificial bat roosts; final check for bats by Ecological Clerk of Works before any development of the site; if any trees are identified as having potential to support roosting bats, they will be subject to specific surveys following Natural England guidelines before removal; if any bats are recorded, a European Protected Species Licence will be required before any removal takes place; bat-sensitive lighting strategy scheme to cover construction & operational phases; no tree or hedgerow removal to be carried out between 1st March and 31st July inclusive; if vegetation must be cleared during bird breeding season, a qualified ecologist to undertake to check for nesting birds; scheme to effectively minimise dust and noise detrimentally affecting retained parts of ancient woodland; trees identified on drawing CSa/667/105 (Rev A) to be protected in accordance with BS5837:2012 before any development to take place; ground level of fenced off areas to be neither raised nor lowered from existing levels, and no materials, temporary buildings plant machinery or surplus soil to be placed or stored on these areas; if trenches within fenced off area are required for services, they shall be excavated and backfilled by hand and any trees roots encountered with a diameter of 25mm or more shall be left unsevered; biodiversity management plan for the sensitive removal, storage and re-use of affected ancient woodland soils and compensatory measures for loss of any habitats; in accordance with the adopted Core Strategy policy EN1; policies GD5, GD23, GD25 and GD34 of the saved Crawley Borough Local Plan; and in accordance with The Conservation (Natural Habitats etc) Regulations (1994/2010); and the Wildlife and Countryside Act 1981.

CR/2013/0457/FUL

6, 16, 18 & 20 Beckett Lane, Langley Green, Crawley.

Installation of external rendered insulation to all elevations.

The Principal Planning Officer, Marc Robinson (MR), gave a verbal summation of the application which the Committee then considered.

MR responded to Members' queries and advised that the application had come before the Committee as the proposed use of render over the insulation would result in a finish different from the existing colour of the buildings – had the same colour been selected, there would have been no need to seek permission. Approval by CBC of the colour of render to be used was one of the conditions in the officer recommendation to permit and this was in order to control the appearance of the render. He also advised that it was not known why some properties were proposed for the insulation procedure and others were not but suggested it may be part of a British Gas initiative.

Permit subject to: permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990; submission of details and approval by the Local Authority of colour of render to the front and rear of the properties; in accordance with policy GD1 of the Crawley Borough Local Plan 2000.

CR/2013/0458/FUL

2, 14 & 24 Beckett Lane, Langley Green, Crawley.

Installation of external rendered insulation to all elevations.

MR gave a verbal summation of this item which the Committee then considered.

Permit subject to: permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990; submission of details and approval by the Local Authority of colour of render to the front and rear of the properties; in accordance with policy GD1 of the Crawley Borough Local Plan 2000.

46. Confirmation of Tree Preservation Order P16.12.28 (Westfield Road No.1)

MR introduced this item stating confirmation by the Committee of the TPO was sought.

Confirmed.

47. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.29pm.

J I DENMAN
Chair

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission

Monday 11 November 2013 at 7.00pm

Present:

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

Also in Attendance:

Councillors	Dr H B Bloom and K J Trussell
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Apology for Absence:

None received

Officers Present:

Lee Harris	Chief Executive
Phil Rogers	Director of Community Services
Dave Rawlings	Head of Finance, Revenues and Benefits
Christopher Pedlow	Democratic Services Officer

46. Members' Disclosure of Interests and Whipping Declarations

No disclosures of interests or whipping declarations were made.

47. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [7 October 2013](#) were approved as a correct record and signed by the Chair. The Commission also noted the Cabinet's response to the comments sheet report [OSC/209](#).

48. Public Question Time

No questions from the public were asked.

49. New Crawley Cemetery – Provision of Burial Services

The Commission considered report [DCS/023](#) of the Director of Community Services, which detailed the need for the Council to identify and acquire a suitable site for a new cemetery by April 2016. It proposed that in the interim that Snell Hatch cemetery be extended; for additional plots for Muslim burials. The report also proposed that Ewhurst Playing Fields as a potential site for a replacement/new cemetery be rejected, and justified why the location was not suitable.

The Commission held an in-depth discussion with the Director of Community Services (DCS) and the Cabinet Member for Environmental Services over the report, which included:

- Further clarification by the DCS on the processes and events surrounding Ewhurst playing field being considered as a potential site for the new cemetery, including the role of the Local Plan consultation, the types of tests required to assess if the site was suitable and how the views of Sport England and the Environment Agency had been sought.
- The criteria required for a suitable cemetery site. Members felt that there was a need to amend the current noise level criteria for identifying a new cemetery, especially considering that Snell Hatch would not have been deemed suitable under the current criteria
- On debating the current position of Snell Hatch, Members were informed of how much additional time the proposed Snell Hatch extension would provide the Council in its search for a new cemetery site. Members also discussed the costing for Snell Hatch; however, the DCS did not have all the financial information available, but he confirmed he would send it to them.
- It was confirmed by the Cabinet Member that the search for a new site was still very much a Council priority and he would look at all options both in and outside of the Borough.
- Members queried the apparent lack of a clear vision in the search for a new site and questioned as to whether that was the case or was it simply that Members were not aware of the process being undertaken. Members also hoped that there would be a clear set of milestones detailing progress until a new site has been identified and that all Members should be kept informed. The Cabinet Member responded that there had been some miscommunication over Ewhurst playing field, but in the future, he would ensure that Councillors would be kept informed and he offered a Member seminar in early 2014 to update them on the search for a site.

In considering their comments the Commission felt that the main areas of its discussion should be passed on to the Cabinet. Also Members agreed to support the proposal contained within the report and to accept the offer of the Cabinet Member that an all Member seminar in early 2014 be established to keep Councillors informed on the latest position.

RESOLVED

- 1) That the Cabinet be asked to:
 - i) note the Commission's supports of the recommendations set out in the report
 - ii) endorse the proposal made verbally by the Cabinet Member for Environmental Services to establish an all Member seminar in early 2014 to keep Councillors informed on the work of finding a new cemetery site for Crawley.
- 2) That the Director of Community Services be requested to send to the Commission Members (electronically) a copy of the current burial fees for Snell Hatch cemetery.

50. Treasury Management Mid Year Review 2013/2014

The Commission considered report [FIN/316](#) of the Head of Finance, Revenues and Benefits, which detailed the treasury management operational activity for the first half of the year. The Commission held a discussion on the report with the Leader and Head of Finance, Revenues and Benefits, which included noting that the return on capital investments remained low because of low interest rates.

The main discussion related to the performance of the In-House investment team, who had performed extremely well, out-performing the Council's External Fund Manager (Investec). The Commission was also informed that a decision had recently been taken to bring all investments back in-house so that the portfolio would be managed by the team, which would save the fees normally paid to the external provider. Members supported that approach.

The Commission asked that their congratulations to the in-house investment team be recorded for achieving such a high level of returns, especially in light of the low interest rates.

RESOLVED

That the Commission endorse the report to the Cabinet, and ask that the Cabinet join them in passing on their congratulations to the in-house investment team on achieving such a high level of returns.

51. Proposed Scrutiny Topic – Accountability of dealing with Complaints

The Commission considered report [OSC/210](#) of the Democratic Services Officer, which detailed the scrutiny suggestion by a member of the public, in respect of the accountability within the Council of dealing with complaints. The Commission was guided through the report which provided a description of the issue to be considered, the original suggestion (Appendix A), along with the Head of People and Technology's view of the proposal who had responsibility for complaint handling, and guidance on which areas of the complaints system the Commission could investigate.

Members were sympathetic to the proposed scenario, but felt that the proposal was too closely related to an individual complaint, which constitutionally they were not permitted to investigate. Also, it was felt that rather than a Scrutiny Panel being established, the Performance Monitoring Scrutiny Panel (PMSP) would be better placed to look over the Council's complaints process as each meeting of the PMSP examined the quarterly complaints report. The Commission therefore requested that the PMSP meeting in February 2014 look at the complaints handling process.

Members asked that the Commission's decision be fed back to the member of the public along with their sympathy. Also, that it be emphasised to the member of the public that the Local Government Ombudsman could investigate an individual complaint, if the complainant was not happy with the Council's response to the complaint.

RESOLVED

1. That a Scrutiny Panel on Accountability of Dealing with Complaints be rejected
2. That the January 2014 Performance Monitoring Scrutiny Panel be tasked to have a light touch examination of the Council's complaints process.

3. That the Democratic Services Officer advise the proposer of the topic of the Commission's decision.

52. Joint Scrutiny – Flooding Task & Finish Group

Prior to the meeting, Councillor B K Blake had provided Members with an electronic update on the work of the joint review. A copy of that briefing note is attached as Appendix A to these minutes. Members were informed that the next Panel meeting would be held on 29 November 2013.

53. Scrutiny Panels

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

Financial Deprivation Scrutiny Panel

Councillor L S Marshall-Ascough informed Members that he would present a report to the next meeting of the Commission on the work the Panel had undertaken since the last interim report. The report would include a recommendation to the Commission requesting that it considers where the future of the Panel lies.

Town Centre Parking Scrutiny Panel

Councillor B K Blake informed the Commission that the Town Centre Parking Scrutiny Panel was due to commence in early 2014, and that he was hoping to hold an informal meeting this year to look at the scope.

Recording How Members Vote Scrutiny Panel

Councillor B A Smith confirmed that the date of the first meeting of the Panel had yet to be set but that she would speak to Democratic Services to arrange the date soon. However, as a member of the Democratic Services team was due to leave soon the commencement of the review might have to be slightly delayed.

Performance Monitoring Scrutiny Panel (PMSP)

Councillor C C Lloyd informed the Commission that representatives from Capita would be present at the next Panel meeting on 18 November to discuss the recent telephony issues.

Members also noted the Panel's meeting notes from its last two meetings held on [10 September 2013](#) and [16 September 2013](#). Concern was raised regarding the continuing lack of box office cover at The Hawth, which had been highlighted to Parkwood Leisure at the PMSP on 10 September. The Chief Executive stated if Councillors had any problems regarding The Hawth/ Parkwood Leisure, they should speak directly to the Cabinet Member for Leisure and Cultural Service, the Director of Community Services or the Head of Community Services, as they all held regular meetings with Parkwood Leisure.

54. Forward Plan – 1 December 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 meetings:

RESOLVED

1. That items 15 and 22, *Extending Partnership Working With WSCC Highways*, and *Three Bridges Station Forecourt Project*, 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 agenda for the Commission's meetings on 15 January 2014 and 12 February 2014 respectively.
2. That items 3-4 and 16-17, *North East Sector – Approval of the Co-Operation Agreement*, and *Proposed Disposal of CBC Owned Land East of Crawley* now be provisionally referred rather than being full referrals.
3. That the requested 'scrutiny only' report on *Community Arts* be moved from the 2 December 2013 meeting to the 15 January 2014 meeting.
4. Due to the size of the expected agenda for the 2 December 2013 meeting, it was agreed that the Commission commence at 6.30pm, rather than the usual 7.00pm

55. Closure of Meeting

In closing the meeting the Commission asked that its thanks and best wishes for the future be recorded to Chris Pedlow, Democratic Service Officer, who had supported the Commission, its Chairs and Scrutiny Panels for the past seven years and who was soon to commence in his new post at the London Borough of Merton.

The meeting ended at 9.19pm.

S A BLAKE
Chair

Appendix A

West Sussex Joint Scrutiny Task and Finish Force Group on Flooding

21st October 2013

Joint Scrutiny set up across West Sussex to enable County, District and Borough councils to work together on topics of common interest.

Flooding identified as key topic and TFG agreed in December 2012.

Objective:

To review the multi-agency responsibilities, roles, involvement in and management of major flooding incidents across West Sussex – to include during, after and between flood events.

Overview – presentation by Andrew Gilham, Environmental Agency - Solent & South Downs and Coastal Risk Management Manager

- The Flood and Water management Act 2010
- Overview of risk from all sources of flooding in West Sussex.
- West Sussex as Lead Local Flood Authority
- Key Challenges for the future.

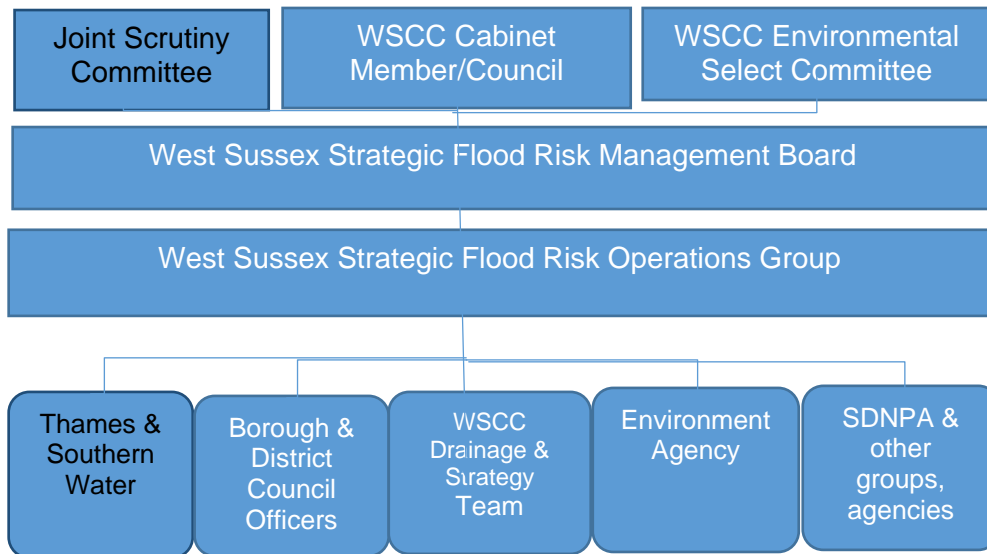
Before, During and After a Flood – Shane Gindra WSCC Resilience and Emergencies Advisor.

- Before a Flood : Community Preparation and resilience, planning for flood events and administering warnings.
- During a Flood : Multi Agency emergency Response
- After a Flood : Recovery and Clean up

Between the Floods – Glen Westmore, WSCC Principal Drainage Engineer

- Flood Risk Management Activities
 - Identification and Communication of Flood Risk
 - Prioritisation, construction, protection and maintenance of Assets.
 - Strategic Planning, Enforcement, Investigation and consent.
 - Dealing with residual risks, warnings and resilience.
- Coastal Protection , fluvial, Tidal, Sewer, Surface Water and ground water flooding issues.
- Key Messages
 - Distributed Roles and Responsibilities
 - Good Starting Level of Experience
 - Shared / Collaborative Resources
 - Strategic Direction : 1-5 year view
 - Clear Leadership and Support

- Partnership in Flood Risk Management



Summary of Next Session 29th November 2013

- The local Flood Risk Management Strategy
- Capital Works Programme and Prioritisation
- Partnership Funding
- Non capital Works : resilience
- Other FWMA issues : Sustainable Drainage Systems Approval Body

Crawley Borough Council

Minutes of Licensing Committee

12 November 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 J Mullins, C Oxlade, D M Peck, B J Quinn, D J Shreeves, K Trussell, W A Ward and K B Williamson

Also in Attendance:

Mr Martin Feasey	Secretary (Crawley Hackney Carriage Drivers Association)
Mr Zahid Hussain	Chair (Crawley Hackney Carriage Drivers Association)
Mr Derek Kearnan	Committee Member (Crawley Hackney Carriage Drivers Association)

Officers Present:

Tony Baldock	Environmental Health Manager
Kevin Carr	Principal Lawyer
Mike Lyons	Licensing Officer
Mez Matthews	Democratic Services Officer
Bill Nailen	Licensing Officer

Apologies for Absence:

Councillor C R Eade

7. Members' Disclosure of Interests

No disclosures of interests were made by Members.

8. Minutes

The minutes of the meeting of the Committee held on 4 September 2013 were approved as a correct record and signed by the Chair.

9. Hackney Carriage Fares: 2013-2014

The Committee considered report [PES/128](#) of the Head of Planning and Environmental Services which considered proposals for a requested increase to the Hackney Carriage table of fares for the year 2013-2014. The increase had been requested by the Crawley Hackney Carriage Drivers Association (CHCDA) further to the balloting of its members.

It was noted that although the report detailed an additional request that vehicles carrying more than 4 passengers be entitled to charge Tariff 3 between midnight and 6am, that request had been omitted from the recommendations. It was noted that, should the Committee be agreeable, an additional recommendation relating to that issue be included. It was drawn to the Committee's attention that the CBC licence cost for 2013 detailed in Appendix B to the report included the £50 contribution towards the Unmet Demand Survey, and therefore the actual licence fee increase was 20.8% (and not 38% as suggested).

The Secretary of the CHCDA, Martin Feasey, addressed the meeting and made the following submissions:

- 92 of the 122 CHCDA members had voted on the proposed increase, with 68 (74%) in favour and 24 (26% against);
- A comparison in Hackney Carriage costs could not be fairly drawn between Crawley and Mid Sussex. It was more costly to run a Hackney Carriage vehicle in Crawley as all taxis were required to be white and under 4 years old. Mid Sussex did not operate a colour requirement and Hackney Carriages within its Borough had a maximum age restriction of 14 years old;
- Two of the four Local Authorities sited in the report operated booking fees and some neighbouring Authorities charged extra for additional pick ups. Crawley Hackney Carriages did not charge either of those extra costs;
- Tariff 2 times for Crawley only operated from midnight until 6am. Tariff 2 hours for three of the four Local Authorities operated for longer (one from 2200 until 0700);
- Crawley had restricted/frozen an increase in Tariff 2 over the past 4 years, whereas other Local Authorities had not. The proposed increase would bring Tariff 2 back in line with that of neighbouring Authorities;
- The soilage charge reflected the minimum amount which could be taken to the small claims court. That amount had increased from £55 to £75 and it was therefore proposed that the soilage charge also be increased.

Following a question from the Committee, the Licensing Officer (BN) stated that the £75 soilage charge would be a maximum, and not a minimum, charge.

Concern was raised that Hackney Carriage drivers might lose trade if fares were increased. Several members of the Committee were of the view that the CHCDA's proposal should have provided a comparison between 2012 running costs and that of 2013 (not 2006 and 2013). It was suggested that the CHCDA provide more detailed information in future when requesting an increase. Several Committee members were of the opinion that both fuel and insurance costs had decreased in the past year, and that the figures contained within the proposal did not enable the Committee to make an accurate assessment of how costs had changed over the past year.

Some Committee members expressed the view that fares should stay the same for 2013/14 as, due to the current economic climate many of the Borough's residents were subject to a pay freeze, and that in their opinion fuel and insurance costs had actually decreased over the past year. There was also a perception amongst the

public that Hackney Carriage fares were expensive, although the Committee acknowledged that the perception might not be accurate.

The majority of the Committee supported the proposals and suggested that residents had a choice whether or not to use Hackney Carriages. Several Committee members however, expressed concern that the proposed increase to Tariffs 2 and 3 were extremely high and it was suggested that the CHCDA consider a staged increase over the next few years instead. The Committee discussed the proposed increase to Tariffs 2 and 3 in detail and considered the options available. It was suggested, and agreed by Mr Feasey, that the fares for Tariff 2 remain unchanged. It was noted that the distance of a running mile for all tariffs would be decreased, which would result in an increase in fares for journeys beyond 1,609 metres (1,760 yards).

The Licensing Officer (BN) informed the Committee that the Council had received several complaints about Hackney Carriage drivers overcharging. The Committee noted that it was possible for Hackney Carriage vehicles to operate calendar control meters which would operate at the times specified in the tariff card and so it would not be possible for drivers to overcharge by using the wrong tariff. It was noted that currently 83% of Hackney Carriage meters within Crawley were capable of operating calendar control, although it was acknowledged that it would not be possible to operate the control on vehicles which were capable of carrying more than 4 passengers. The Committee was informed that many Local Authorities only operated two Tariffs. It was proposed that officers work with the CHCDA over the next year to produce a more simplified tariff structure.

RESOLVED

- (1) That the existing table of fares for Hackney Carriage fares be varied as follows:
 - (i) That the starting tariff (for Tariff 1) which is currently £3.80 be increased to £4.00, which would equate to an overall increase of 20p regardless of distance;
 - (ii) That the current "running mile" of £2.11 (on Tariff 1) be increased by 20p to £2.31;
 - (iii) That the waiting time, currently set at £15.00 per hour (on Tariff 1) be increased by 8% to £16.20;
 - (iv) That the current "running mile" of £3.00 (on Tariff 2) be increased by 19p to £3.19;
 - (v) That the current "running mile" of £4.00 (on Tariff 3) be increased by 20p to £4.20;
 - (vi) That Tariff 3 return to double time. That would set Tariff 3 at £8.00 for the first mile;
 - (vii) That the soilage charge be increased from £55.00 to £75.00;
 - (viii) That vehicles carrying more than 4 passengers be entitled to charge Tariff 3 between midnight and 6am.
- (2) That Council Officers, over the next 12 months, work with the Hackney Carriage trade to explore and develop a more simplified tariff structure for 2014/15.
- (3) That a public notice of the proposed variation of fares be published in the local press.

- (4) That should any objection be made to the public notice duly placed, the Committee must meet to consider any objection lodged within the specified time period. If no objection is received that the revised table of fares be implemented on 4 December 2013.

9. 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 Cabinet

Wednesday 13 November 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 Transformation & Housing
David Covill	Director of Development & Resources
Lee Harris	Chief Executive
Phil Rogers	Director of Community Services
Sally English	Democratic Services Officer

56. Members' Disclosure of Interests

There were no disclosures of interest.

57. Minutes

The minutes of the meeting of the Cabinet held on [9 October 2013](#) were approved as a correct record and signed by the Chair.

58. Public Question Time

There were no questions from the public.

59. Matters Referred to the Cabinet

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

60. Treasury Management Mid Year Review 2013/2014 (Leader's Portfolio)

The Cabinet considered the report of the Head of Finance, Revenues & Benefits, [FIN/316](#). The report detailed the treasury management operational activity for the first half of the year.

The Leader presented the headline details including the following points which the Cabinet discussed and noted:

- 1) the return on capital investments remained low because of low interest rates
- 2) current investment looked positive but this was because it was only mid-year but remaining budget will be used over remainder of year
- 3) the in-house investment team had performed extremely well. The decision to take all investments back in-house for the team to manage the portfolio would save fees normally paid to the external provider

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 11 November 2013. The Cabinet noted the Commission's praise of the investment team and endorsed this, adding they were also very impressed with the team's achievements. It was agreed that taking management of investments back in-house had been a very positive course of action, and analysis suggested the high level of returns had been sustained and were not just a short-term gain.

RESOLVED

That the report outlining the treasury activity for the first two quarters of 2013/2014 be noted.

Reason for Decision

The Council's financial regulations, in accordance with the CIPFA Code of Practice for Treasury Management, required a Treasury Management Mid Year Review to be approved. The report complied with that requirement.

61. New Crawley Cemetery – Provision of Burial Services (Environmental Services Portfolio)

The Cabinet considered the report of the Director of Community Services, [DCS/023](#), which:

- 1) sought approval to extend the existing space available for Muslim burials at Snell Hatch cemetery;
- 2) set out the costs of and funding source for the proposed extension;
- 3) sought approval to reject Ewhurst Playing Fields as a potential site for a replacement/new cemetery for Crawley, and outlined the reasons this site was not suitable;
- 4) sought approval to request that the Heads of Property and Amenity Services evaluate all potential burial sites identified through the recent consultation process, and; notwithstanding the above, progress the search for a suitable site, extending this search to include consideration of suitable sites which may be located outside the Borough boundary;
- 5) requested the Cabinet to note the need to identify and acquire a suitable site for a new cemetery by April 2016

The Cabinet Member for Environmental Services stated the search for a suitable site was ongoing, and he would be meeting with officers within the next fortnight to progress this. He wished to convey his sincere thanks to Phil Rogers, Director of Community Services, and officers, for his, and their, excellent support and assistance throughout the process. The Cabinet Member for Housing concurred with thanks to Phil Rogers and officers, but expressly thanked the Cabinet Member himself for his own efforts in this regard.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 11 November 2013. The Commission requested that the noise level criteria applied when considering potential sites be amended as this would widen the parameters when considering new sites, and allow previously discounted sites to be re-considered. The Portfolio Holder agreed to consider this going forward, and advised that an all-Member seminar on the subject was to be arranged in the New Year. The Cabinet Member for Customer & Corporate Services also asked that while the search for a site continued, those involved did not lose sight of the reality that it would be used by grieving relatives, and that although noise level criteria would need to be reviewed, the needs of those using the cemetery remained a consideration.

RESOLVED

- 1) That approval be given to extend the existing space available for Muslim burials at Snell Hatch cemetery;
- 2) That approval be given to reject Ewhurst Playing Fields as a potential site for a replacement/new cemetery for Crawley;
- 3) That approval be given to the Heads of Property and Amenity Services to evaluate all potential burial sites identified through the recent consultation process, and; notwithstanding the above, progress the search for a suitable site, extending this search to include consideration of suitable sites which may be located outside the Borough boundary;
- 4) That the noise level criteria be amended
- 5) That the need to identify and acquire a suitable site for a new cemetery by April 2016 was noted.

Reason for Decision

To facilitate the creation of additional space for Muslim burials; to endorse the search for a suitable site, extending this to outside the Borough boundary; and through revision of noise level criteria to allow potential sites to be considered and to allow previously discounted sites to be re-considered in order to help identify an appropriate site for a new cemetery.

62. Quarterly Budget Monitoring 2013/2014 (Quarter 2) (The Leader's Portfolio)

The Cabinet considered the report of the Head of Finance, Revenues & Benefits, [FIN/314](#), which indicated the financial position at Quarter 2 and the estimated full year effects in 2013/2014 of current levels of expenditure and income, and also recommended the Cabinet approve an increase to the Purchase of Property Budget by £600,000, to be financed by a reduction in the Major Energy Efficiency Works programme.

The Leader introduced this item by stating the budget was at expected levels.

The Cabinet Member for Housing made the following points regarding the Property to purchase budget, which the Cabinet discussed and noted:

- 1). Three properties had been purchased already in the first two quarters of 2013/14
- 2). the original budget of £250,000 was insufficient to enable further purchases to replenish stock following the sales of properties under the Right to Buy scheme
- 3). Purchase of further properties was necessary, given the housing/homeless situation in the town

RESOLVED

- 1). That the projected outturn for Quarter 2 for 2013/2014 as summarised in this report be noted.
- 2). That the increase of the Purchase of Property budget by £600,000 (which would be financed by a reduction in the Major Energy Efficiency Works programme which was slipped in Quarter 1) be approved.

Reason for Decision –

To report to Members on the projected outturn for the year compared to the approved budget. To facilitate the replenishment of housing stock.

63. Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 7.50p.m.

DR H S BLOOM
Chair

Crawley Borough Council

Minutes of Development Control Committee

25 November 2013 at 7.30pm

Present:

Councillor J I Denman (Chair)
Councillor S J Joyce (Vice-Chair)

Councillors L A M Burke, I T Irvine, C Moffatt, A J E Quirk,
D J Shreeves, P C Smith, G Thomas and W A Ward

Officers Present:

Jean McPherson	Group Manager Development Management
Marc Robinson	Principal Planning Officer
Manson Kendall	Principal Property Lawyer
Sally English	Democratic Services Officer

Apologies for Absence:

Councillors S Blake, B Burgess, C Denman and R Lanzer.

48. Lobbying Declarations

Councillors S Blake, L Burke, J Denman, I Irvine, S Joyce, C Moffatt, A Quirk, D Shreeves, P Smith, G Thomas, and W Ward were lobbied on item 1, CR/2013/0397/FUL.

49. Members' Disclosure of Interests

Member	Minute Number	Subject	Type and Nature of Disclosure
Cllr G Thomas	Minute 51	CR/2013/0454/LBC & CR/2013/0455/RG3	Personal interest as Cllr Thomas is a member of the Central Crawley Conservation Committee.
Cllr W Ward	Minute 51	CR/2013/0454/LBC & CR/2013/0455/RG3	Personal interest as Cllr Thomas is a member of the Central Crawley Conservation Committee.

50. Minutes

The minutes of the meeting of the Committee held on 4 November 2013 were approved as a correct record and signed by the Chair.

51. Planning Applications List

The Committee considered report PES/127 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/127 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

CR/2013/0397/FUL

117 – 121 Ifield Road, West Green, Crawley

Demolition of existing buildings, formation of new access road & residential development comprising the erection of 12 x dwellings, 3 x detached (1 with integral garage), 6 x semi-detached and 3 x terraced houses, 22 parking spaces and associated landscaping (amended plans & documents received).

Councillors S Joyce, G Thomas and W Ward had attended the site visit.

Councillors I Irvine, C Moffatt, D Shreeves and P Smith had visited the site independently.

Jean McPherson, Group Manager (JMcP), gave a verbal summation of the application, and the first speaker, Mr John Cossey gave a presentation objecting to the application, in which he made the following points:

- Little had changed since last application, and same issues remain prominent
- Developer's changes have had little effect
- 2 x 2-bed dwellings had been removed and replaced with 1 x 3-bed dwelling
- Too many houses on small site
- Petition with 115 signatures submitted in opposition to proposed development
- At least 2 more houses need to be removed from plans
- Concerns over lack of resident and visitor parking, adding pressure to existing residents wishing to park
- Will have to park on blind bend in Ifield Road, and on both sides of the road, making it even more dangerous – it is already a bus route
- Plot 4 still had undersized garden
- Proposed Dormer windows not in keeping with Victorian properties nearby
- West facing dwellings would overlook existing properties
- Request for those overlooking windows to be removed or have obscured glass
- Renaming some bedrooms as studies was believed to be to circumnavigate the parking bay obligations
- Tandem parking bays do not work in practice

- Access on Ifield Road has been extended by 4.5m – insufficient for fire access and refuse collection vehicles
- Cycle stores have been removed and refuse bin areas inadequate

This was followed by a presentation by the agent, Mr John Escott, in which he made the following points, and addressed the comments made by the previous speaker:

- Claims of too many dwellings: guidelines state 40 per hectare
- Inadequate parking: proposals comply with standards
- Highway Safety: full audit and no objection by WSCC, the Highways Authority
- No justifiable planning reasons for refusing planning permission
- Site is in sustainable and accessible location
- Previous scheme was 14 houses; garden sizes, design & access and highway considerations needed to be addressed
- Current application addressed those matters: gardens comply with CBC's guidance document, design amended, and highway/access arrangements have been altered in order to comply with Highways Authority
- Important trees on site were being retained. Scheme designed to ensure no unreasonable impact on neighbouring residents

The ward member for West Green, Councillor Vanessa Cumper, spoke in objection to the application. Her presentation included the following comments:

- Felt previous refusals reasons had not been addressed
- Highway/pedestrian safety issues: can't see around bend currently, will not improve with increased traffic
- Victoria Road on bus route – bus already mounting pavement just to manoeuvre down road
- Increased strain on West Green School
- Garden size inadequate for 1 property
- More than one bus journey required to access new GP surgery
- Ugly windows proposed for development
- Insufficient parking proposed
- Tree had been felled by developers before application was made

Members discussed the application, which they felt had numerous failings, including:

- Concern at density and overdevelopment of site from too many dwellings
- Lack of footway for pedestrians and use of shared surface access
- Pressure on West Green School
- Concern at residents having to wheel waste bins to the road for collection and proposed refuse collection arrangements
- The surrounding development had noticeably fewer dwellings and the development was out of character
- Pressure for additional parking for residents and visitors, provision on site for off-street parking was inadequate
- Highway safety
- Garden below size standard – amenity space for all plots should be addressed
- Discrepancies with the plan drawings

JMcP responded to Members' queries as follows:

- WSCC as the Highway Authority had had no objection regarding the highway safety issues raised

- Waste bin management was an issue to be resolved between residents and management company
- Density: 40 dwellings per hectare was comparable with other recent permissions of this sort
- Infrastructure contribution of £75k for education/library: this would be spent on provision for local schools connected with development of the site
- Access: width had been increased by 0.5m and highway officer is satisfied
- Access Design: this was subject to safety audit and the highway officer is satisfied

Refused for the following reason:

The proposed development by reason of its cramped design and layout would constitute overdevelopment, which would be harmful to the character and appearance of the site, would adversely affect the streetscene and would fail to provide an adequate environment for future occupants. The proposed development would therefore be contrary to policies GD1, GD2, GD3, GD5, GD6, H20 and H22 of the Saved Local Plan (2000), policy EN5 of the Core Strategy (2008) and would prejudice the aims and objectives of Supplementary Planning Guidance Note 4 on Private Outdoor Space.

CR/2013/0439/FUL

Land adjacent to 13 Squirrel Close, Langley Green, Crawley

Erection of 1 x three bedroom end of terrace dwelling (amended description).

Councillors S Joyce, G Thomas and W Ward had attended the site visit.
Councillors D Shreeves and P Smith had visited the site independently.

Marc Robinson, Principal Planning Officer (MR), gave a verbal summary of the application and the Committee then heard the presentation of the applicant, Ms Spence, who made the following points:

- Tree planted to replace diseased tree had died due to replanting at wrong time of year; a new tree will be planted shortly
- No plans to harm or damage large oaks at front of house; independently funded tree survey proposed tree & root protection plans
- Dwelling had been designed in order to avoid any further disruption to the trees ie bathrooms & front bedrooms to front of house where natural light was reduced
- Many neighbours supportive of the application
- Many new builds in Langley Green with oak trees even closer than those involved in this application

The ward member for Langley Green, Councillor Brenda Smith, then spoke in support of this application and made the following points in her presentation:

- Applicant had spent time trying to establish best solution
- Felt it was unfair to list house as a 3-bed dwelling when it was actually a 2-bed – the downstairs bedroom would be listed as a dining room in any other application
- Felt human need outweighed those of trees in this instance
- Proposed garden would be twice as big as that of the previous application heard earlier in meeting

- No harm was proposed to any of the trees on the site
- Development was now 9 feet further back in order to protect trees
- Applicant had undertaken to maintain the trees

Members voted to overturn the officer recommendation to refuse this application, on the basis that the development could be constructed so as to avoid damage to trees and subsidence. They then voted a second time to permit the development under the following conditions:

Permit subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development shall be carried out unless and until a schedule and samples of materials and finishes to be used for external walls (and roofs) of the proposed building(s) have been submitted to and approved by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved materials and finishes.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy GD1 of the Crawley Borough Local Plan 2000.
4. The existing trees to be retained, shall be protected in accordance with the and details in an arboricultural method statement and tree protection plan before the development commences and for the duration of the development. The trees shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority.
REASON: To ensure the retention of trees important to visual amenity in accordance with GD5 and GD34 of the Crawley Borough Plan 2000.
5. No development shall commence until exact details of the foundations of the approved dwelling have been submitted to and been approved in writing by the Local Planning Authority. The foundations shall thereafter be implemented in accordance with the approved details.
REASON: To ensure the retention of trees important to visual amenity in accordance with GD5 and BN21 of the Crawley Borough Local Plan 2000 and EN4 and EN5 of the Core Strategy of the Local Development Framework 2007.
6. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 1995 and amended or orders amending or revoking and re-enacting the same, the building shall not be extended in any way unless permission is granted by the Local Planning Authority on an application in that behalf.
REASON: To avoid over development of the dwellinghouse and to protect the amenities of neighbouring properties and surrounding trees, in accordance with Policy GD1, BN10 and BN21 of the Crawley Borough Local Plan 2000.
7. No development shall commence until exact details of the foundations of the approved dwelling have been submitted to and been approved in writing by the Local Planning

Authority. The foundations shall thereafter be implemented in accordance with the approved details.

REASON: To ensure the retention of trees important to visual amenity in accordance with GD5 and BN21 of the Crawley Borough Local Plan 2000 and EN4 and EN5 of the Core Strategy of the Local Development Framework 2007.

8. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 1995 and amended or orders amending or revoking and re-enacting the same, the building shall not be extended in any way unless permission is granted by the Local Planning Authority on an application in that behalf.
REASON: To avoid over development of the dwellinghouse and to protect the amenities of neighbouring properties and surrounding trees, in accordance with Policy GD1, BN10 and BN21 of the Crawley Borough Local Plan 2000.
9. No windows (other than those shown on the plans hereby approved) shall be constructed above the 1st floor in the south west facing elevation of the extension hereby permitted which faces the side boundary with Mole Close without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities and privacy of the adjoining property in accordance with Policies GD1 and H19 of the Crawley Borough Local Plan 2000.
10. No windows (other than those shown on the plans hereby approved) shall be constructed above the 1st floor in the north east facing elevation of the extension hereby permitted which faces the side boundary with 13 Squirrel Close without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities and privacy of the adjoining property in accordance with Policies GD1 and H19 of the Crawley Borough Local Plan 2000.

CR/2013/0454/LBC

The Tree, 103 High Street, Northgate, Crawley.

Listed building consent for the demolition of two 19th/20th century additions to The Tree (Grade II listed building) & internal alterations (amended site location plan received).

Councillor W Ward had visited the site independently.

MR gave a verbal summation of the application which the Committee then considered.

Members commented that the design was considered to be good.

Subject to notification to the Secretary of State it was resolved to grant consent with the following conditions: a three year time limit, in accordance with Section 18 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990; and conditions requiring: it to be in accordance with the approved plans, the submission and approval of schedule of materials and finishes and samples of materials and finishes to be used for all external walls, glazed panels, metal cladding, roofs, doors and windows of the proposed building; the submission and approval of method statements setting out how the works will be undertaken; the approval of the materials for the following works: finished internal elevations and proposed detailing, building interface between proposed two storey link extension and the existing buildings, new internal and external doors and windows, glazing details for the two storey link extension between the two buildings, provision of services including heating, lighting and cabling within and attached to the historic listed buildings, details of any proposed

insulation, details of any new flooring, ramps and lifts and details of any rain watergoods, in accordance with policy BN11 of the Crawley Borough Local Plan 2000.

CR/2013/0455/RG3

The Tree, 103 High Street, Northgate, Crawley.

Change of use (The Tree, Grade II listed building & the annexe) from offices (B1) to museum (D1), demolition of two 19th/20th century additions to The Tree & the erection of a two storey link building (amended site location plan received).

Councillor W Ward had visited the site independently.

MR gave a verbal summation of this item which the Committee then considered.

Members questioned the proposed access arrangements from High Street.

Permit subject to: a 3 year time limit; and the conditions requiring the development to be undertaken in accordance with the approved plans, the submission and approval of: a schedule of materials and finishes and samples of materials and finishes to be used for all external walls, glazed panels, metal cladding, roofs, doors and windows of the proposed building; a requirement for an archaeological organisation or appropriately qualified archaeologist, arranged by the developer, to observe the building alterations and to observe ground excavations and record archaeological evidence that may be uncovered as a result of the development and to produce a written drawn and illustrated report on the findings of the observation and recording in accordance with a specification and timetable which shall be submitted and approved by the Local Planning Authority before commencement of the development; a restriction that the proposed building/premises to be used as a Museum and for no other purpose (including an other purpose in use class D1) of the Town & Country Planning (Use Classes) Order 1989; that prior to the demolition of the single storey extension adjacent to the Boulevard or any ground works, tree protection measures to be implemented and retained during the course of the development in accordance with the details submitted in the Arboricultural Impact Assessment & BS5837 Tree Survey; for the submission & approval of a hard surfaces and soft landscaping scheme, hard surfaces to be carried out according to approved details and the soft landscaping to be carried out no later than the first planting and seeding seasons following occupation of the buildings or completion of the development, whichever is the sooner, and any trees or plants which, within five years of completion of the development, die, are removed or become seriously damaged or diseased to be replaced with other of similar size and species in the next planting season; no walls, railings or boundary treatments to be erected without prior written approval of the Local Planning Authority; that prior to the closure of access from The Boulevard, the turning facility and access from High Street is to be implemented and thereafter retained in accordance with approved details; for car parking to be retained for car parking in accordance with approved details; the provision and retention of cycle storage facilities; the provision and retention of bin storage facilities; the building to be constructed in accordance with the approved levels; in accordance with policies GD1, GD2, saved policies BN11 and BN17, saved policies GD3, GD5, GD6 and BN21 of the Crawley Borough Local Plan 2000, and paragraph 141 of the National Planning Policy Framework 2012.

CR/2013/0509/FUL

Tesco Superstore, Bycroft Way, Three Bridges, Crawley

Retrospective application for the replacement of covered trolley bays, installation of timber 'Hello' wall, amendments to building elevations & over-cladding to ATM pod (amended description).

MR gave a verbal summation of this application which the Committee then discussed.

Permit, subject to: a 3 year time limit; and the conditions requiring the development to be undertaken in accordance with the approved plans..

52. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 10.01pm.

J I DENMAN
Chair

Crawley Borough Council

Minutes of General Purposes Committee

27 November 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, C G Oxlade and L A Walker

Also in Attendance:

Councillors M J Jones, A J E Quirk and K J Trussell

Officers Present:

Lee Harris	Chief Executive
Manson Kendall	Principal Property Lawyer
Steve Lappage	Democratic Services Manager
Mez Matthews	Democratic Services Officer
Andrew Oakley	Electoral Services Manager
Chris Pedlow	Democratic Services Officer
Dave Rawlings	Head of Finance, Revenues and Benefits

11. Members' Disclosure of Interests

No disclosures of interests were made by Members.

12. Minutes

The [minutes](#) of the meeting of the Committee held on 1 October 2013 were approved as a correct record and signed by the Chair subject to the first line of the second paragraph of Minute 8 (Review of Polling Districts) being amended to read as follows:

“The report also highlighted the issues relating to polling arrangements at the County Council Elections in May 2013.”

13. Review of Polling Districts

The Committee considered report [LDS/076](#) of the Head of Legal and Democratic Services which informed the Committee of the results of the review of Polling Districts. The report advised Members on the results of the consultation and sought approval

for a change to polling arrangements in Three Bridges and Maidenbower wards.
Councillor Walker left the meeting at 7.35pm.

Tilgate Ward

It was noted that reference made in the report to the "Town Centre Action Group" should be amended to read "Town Centre **Access** Group". It was suggested that, as the door to the Church Hall was narrow, a sign be erected to inform electors that, should they find access to the building difficult, they could request assistance.

Three Bridges Ward

The Committee was of the opinion that the Holiday Inn on the Squareabout was in a central location and therefore it supported the proposal that the polling place for LMC be changed to the Holiday Inn and that the effect on turnout for the area be reviewed following the 2014 elections. It was noted that access to several building within Pembroke Park was restricted by security systems. Those systems could have made canvassing difficult which might have resulted in the poor turnout.

Broadfield North and South Wards

Although it was suggested by the Committee that the Scout Hut or Creasy Adventure Playground be used as an alternative to the Community Centre for Broadfield South Ward, the Electoral Services Manager informed the Committee that access to the Adventure Playground was insufficient and that the Scout Hut did not have adequate parking.

Several Committee members highlighted that Broadfield was a large division and needed more than one polling place. It was commented that the parking facilities provided by the Community Centre were inadequate and that people would not vote if they were unable to park near the Centre. Concern was also raised that the queue of people waiting to vote in 2010 was significant and that the issue needed to be addressed.

Whilst other Committee members sympathised with the issues faced by Broadfield residents, they were of the opinion that no suitable alternative facilities were available. The Electoral Services Manager informed the Committee that several changes to the polling arrangements within the Community Centre would be made at the next election which would hopefully reduce queuing.

Maidenbower Ward

The Committee had been provided with 68 comments from the parents of children at The Brook School together with a letter from the Headteacher as well as the results of an online survey the school had conducted regarding the issue. All but one of the comments objected to the use of The Brook as a polling station. Reasons for the objection included the following:

- Other schools in the locality did not close;
- Loss of education;
- Important time of the year, as children were assessed and sitting SATs;
- Disruptive to the children,
- Hypocritical for the school to close for Polling Day when the school issues Fixed Penalty Notices to parents who take their child/ren out of school for holidays;
- Additional childcare costs for parents;
- Alternative facilities were available (portacabin, Oriel High School, Community Centre, Pavillion);
- Postal voting was available.

Several Committee members were against using The Brook School as a polling station and concurred with the objections which had been made above. It was suggested that a temporary building be used or that the ward have amalgamated voting at Maidenbower Community Centre for 2014 and that a review be held on advance of the 2015 elections to assess the impact on voter turnout.

Several other members of the Committee were of the opinion that Maidenbower required two polling places and it was therefore necessary to use The Brook School. Although those Committee members sympathised with the school they were of the view that no suitable alternative buildings were available in the south of Maidenbower. Concern was expressed that the Community Centre did not have sufficient parking (especially during the evening and school drop off/pick up times) should both districts be combined. Due to the layout of the Ward it was suggested that residents to the south of Maidenbower would need to take a significant detour to visit the Community Centre and due to that, those residents might not vote. Although it was suggested that the school could combine the polling day with an inset day, it was acknowledged that schools in the vicinity generally coincided inset days so that training resources could be shared, and that a Thursday inset day often led to poor school attendance the following day.

The vote was 5 that the Maidenbower Ward have amalgamated voting at Maidenbower Community Centre for 2014 and 5 for polling to continue at The Brook School. The Chair then used his casting vote in favour of continuing to use The Brook School for polling in the Maidenbower Ward.

RESOLVED

RECOMMENDATION 1

That the Full Council be recommended to agree the polling arrangements set out in Appendix C to report LDS/076 subject to the polling place for Polling District LMC (Three Bridges Ward) being changed from "Three Bridges Community Centre, Gales Place" to "The Holiday Inn, Haslett Avenue East".

14. Changes to the Constitution: Executive Decision Making Redesign

The Committee considered report [LDS/075](#) of the Head of Legal and Democratic Services which sought approval of changes to the Constitution to take effect from 1 February 2014 to rationalise and help streamline the Authority's executive decision making arrangements. The Committee's attention was drawn to Section 4 of the report which detailed the key changes proposed to Executive decision making and the reasons for those changes. The Committee was informed that the new arrangements would operate on a cascade system.

Concern was expressed that in the past Councillors had not always been informed of upcoming decisions, and were therefore not able to influence a decision until it had become a fait accompli. The Committee was assured that the officers' online toolkit, which would accompany the new arrangements, would encourage officers to consult Cabinet Members, Ward Members and or Members in general at an early stage of the decision making process.

Following a question from the Committee, it was noted that although ten generic delegations were proposed, some decisions which had been deemed to be either controversial or politically sensitive were specifically cited within the Cabinet Member Portfolio Responsibilities (Appendix 1b to the report). The Committee noted that Policy Framework Documents would remain the responsibility of Full Council and that only minor changes to those documents would be made by officers.

A member of the Committee highlighted that the Council owned residential, operational and non-operational buildings but that the proposed delegation scheme only referred to residential (proposed delegation 9) and operational (proposed delegation 10). It was suggested that the word “operational” be amended to read “non-residential” to avoid ambiguity.

The Committee as a whole was in favour of the principles behind the redesign as it would streamline decision making, but several Members were concerned that the report recommended changes to the Constitution when Members had not seen the officers’ online toolkit, which was fundamental to the new arrangements and was referred to throughout the report. Concern was expressed that Members were ultimately responsible for decisions taken, but that the new arrangements gave officers a significant amount of authority and that sufficient checks did not appear to be in place to ensure that the authority was not abused. It was also questioned whether the option to call in decisions under the new arrangements would be effective and whether there would be an audit trail for decisions taken.

It was also suggested that it might be possible for a decision to be taken at the wrong level under the new arrangements. The Committee was reminded that the cascade system only enabled officers to take decisions which were non-key, non-controversial and did not change Council policy. It was noted that the Monitoring Officer would produce a clear, non-Constitutional guide for officers on decision making levels and that any concern regarding the level at which a decision had been taken could be raised with the Monitoring Officer.

The Committee was informed that the new arrangements would increase accountability compared with the current system. The Principal Property Lawyer informed the Committee that the Localism Act 2011 required Councils to publish executive decisions. The new arrangements would record decisions online, thus providing an audit trail, and each decision could be called in or “referred” by the Overview and Scrutiny Commission. The revised key decision thresholds were clearer and more comprehensive than at present which should ensure that decisions were taken at the most appropriate level. One of the fundamental principles of the new arrangements was that only non-key decisions would be taken by officers. The call in procedure would be the next process to be reviewed by the Democratic Services Systems Thinking Intervention.

The Chief Executive suggested that the definition of a key decision could be amended if the Committee was concerned about the level of decisions which would be delegated to officers. He highlighted that decisions could currently be taken at the wrong level and that the new arrangements would help prevent that. Generally officers did inform and/or consult with Councillors before a decision was taken.

The Committee noted that the officers’ online toolkit would not be included within the Constitution but would be available online to guide officers through the decision making process. The toolkit was a working document and, as it stood, had not been finalised. The Democratic Services Manager informed the Committee that the

Democratic Services Team would be happy to explain the toolkit to any Member on an individual basis who requested it.

It was suggested that a copy of the toolkit be circulated to Members prior to the Full Council meeting scheduled for 18 December 2013 so that Members could be assured that the new arrangements contained the safeguards and controls which would ensure that the new approach worked successfully.

Although the Committee was in support of the principles behind the new arrangements, several Committee members were of the opinion that, without the officers' online toolkit, there was not enough information before them to convince them that there would be sufficient safeguards in place. Those Committee members therefore proposed that consideration of the changes to the Constitution relating to the Executive decision making redesign be postponed until the next Committee meeting, scheduled for 28 January 2014. It was suggested that if the matter were delayed, the Committee could consider the new arrangements with full understanding of the finalised officers' online toolkit which was deemed fundamental to the new approach. It was noted that the revised report should include more detailed information on the safeguards and checks relating to decision making. However, concern was expressed that, should the matter be postponed, it would delay the implementation of the new arrangements until April/May 2014 and that future elements of the Democratic Services Systems Thinking Review would also be setback.

The vote was 5 that consideration of the changes to the Constitution relating to the Executive decision making redesign be postponed until the next Committee meeting and 5 that the Full Council be recommended to agree the amendments to the Constitution proposed in Appendices 1-3 of the report to come into effect from 1 February 2014. The Chair then used his casting vote in favour of postponing consideration of the matter until the 28 January General Purposes Committee meeting.

The Democratic Services Manager requested that the Leader of the Labour Group met with him to discuss his specific concerns. It was suggested that an all Members' briefing session be arranged to inform Members of the safeguards which would be in place under the new arrangements for delegated decisions taken by officers.

RESOLVED

That a report be brought back to the 28 January 2014 meeting of the General Purposes Committee once Councillors had seen the comprehensive version of the officers' online toolkit and associated documents.

15. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 9.05pm.

L A M BURKE
Chair

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission

Monday 2 December 2013 at 6.30 p.m.

Present:

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

Also in Attendance:

Councillors Dr H B Bloom, D G Crow, I R Irvine and R A Lanzer

Officers Present:

David Covill Director of Development and Resources
Lee Harris Chief Executive
Suzanne Holloway Principal Planning Officer
Elizabeth Bridgen Planning Policy Manager
Nigel Sheehan Head of Community Services
Chris Pedlow Democratic Services Officer

56. 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 C C Lloyd	Minute 61.	Assessing the value of East Park & Newlands Road as potential Conservation Areas	Personal Interest – As he owns a property in the adjacent Conservation Area
Councillor L S Marshall-Ascough	Minute 61.	Assessing the value of East Park & Newlands Road as potential Conservation Areas	Personal Interest – As he owns a property in the adjacent Conservation Area

57. Minutes and Matters Arising

The minutes of the meeting of the Commission held on 11 November 2013 were approved as a correct record and signed by the Chair. The Commission also noted the Cabinet's response to the comment sheet contained within report [OSC/213](#).

58. Public Question Time

No questions from the public were asked.

59. Submission Local Plan

The Commission considered report [SHAP/035](#) of the Head of Strategic Housing and Planning Services which sought support for the approval of the Submission Crawley Local Plan and its supporting documents for public consultation, and submission to the Secretary of State for independent examination.

The Commission held an in-depth discussion with the Planning Policy Manager over the Local Plan proposals, which included:

- Seeking clarification on the rationale behind the proposed alterations of the affordable housing levels from the currently 40% to 30%.
- Further explanation on the new 10% low cost housing contained within the proposal
- Why there was no reference in the Local Plan for a New Hospital site
- Clarification of the impact on the reduction of the playing fields within Bewbush for housing including the proposed development near Skelmersdale Walk
- Further information over the open space study and the space to population ratio
- How the various consultation responses, especially those made by residents, had been included within the Submission Local Plan documentation, and generally how the various consultations had influenced and shaped the Plan itself.
- Further information on the additional travellers sites consultation and its related criteria, as well as the rationale for proposing the reserve travellers site at the former Broadfield kennels

In considering what recommendations, the Commission should pass to the Cabinet it was collectively agreed as the Submission Local Plan would be fully debated at Full Council, that they should simply note the report. The Commission asked that their gratitude be recorded for the work of Elizabeth Brigden - Planning Policy Manager and the rest of the Forward Planning team for all their hard work and dedication in the development of the Submission.

RESOLVED

1. That the Commission notes the Submission Crawley Local Plan and that the Cabinet is informed accordingly.
2. That thanks and congratulations be sent to the Forward Planning Team, especially Elizabeth Brigden, for all the work they had undertaken on, and relating to, the Local Plan Submission, and that the Cabinet be asked to join them in thanking the team

60. Play Facilities – Investment Proposals

The Commission considered report [CTY/100](#) of the Director of Community Services which set out proposals for the future provision of unsupervised and supervised play facilities in Crawley for the period 2014/15-2018/19.

Members then held an in-depth discussion with the Cabinet Member for Leisure and Cultural Services and the Head of Community Services on the proposals which included:

- Seeking clarification on why the report had taken so long to come through and the impact of the Local Plan consultation on the delay?
- What was the likely impact on the adventure playgrounds with them being opened potentially for unsupervised usage?
- Clarification on the three types of play facilities and how they were used?
- Confirmation on the criteria used to judge the order of the proposed capital expenditure
- How the consultation had been used to shape the proposals and the potential for the local community to get further involved

In considering the recommendations, the report and what they had discussed Members felt that the proposals were logical and had taken account of the concerns and views of residents. It was also a significant improvement on the previous proposals for unsupervised play areas which had been submitted in the summer of 2012. The Commission also felt further signage might be required to enable a better sense of security for users and their parents; whilst also discouraging undesirables, such as street drinkers using the areas for other usages. Member also felt there could be an opportunity to work with local community forums on prioritising which play areas should be the improved.

RESOLVED

1. That the Commission welcomes the recommendations contained within the report and that this be fed to the Cabinet
2. That the Cabinet be asked to support the following proposals:
 - that improved signage be installed in the unsupervised areas including a list of support phone numbers, such as the Community Wardens and Leisure Rangers, and that reference also be made on the signs to public areas having Designated Public Place Orders (DPPO) on them.
 - that community forums be consulted on their local unsupervised play areas redesign including where practicable which play areas should be the priority for improvements.
3. That the Cabinet is asked to confirm that lessons had been learnt following the problems which had occurred during the previous play areas consultation.

61. Assessing the value of East Park & Newlands Road as potential Conservation Areas

The Commission considered report [SHAP/034](#) of the Head of Strategic Housing and Planning Services. The Principal Planning Officer presented the report to Members which detailed the conclusions of further evaluation and public consultation within East Park, the northern end of Malthouse Road, and Newlands Road over the possibility of them becoming Conservation Areas. It was also highlighted to Members the response rate on the 4 week consultations process, with only 7 people attending the two drop-in sessions, 13 responses from the 113 properties (12%) for East Park/Malthouse Road of those 8 in support, and 8 responses from the 29 properties (26%) for Newlands Road.

It was noted that a site visit was arranged for the Commission Members to see the two areas.

In considering the report some Members were concerned that a petition that had been received by the Council requesting that both proposed areas be designated as conservation area had not been included or taken consideration as part of the consultation process. In response the officer made it clear that the petition had been received as part of a previous conservation area consultation process relating to the other end of Malthouse Road, which had been designated in Spring 2013. Thus could not and would not be inappropriate to be included. A member also questioned the Officer over their interpretation of the conservation area clarification criteria and whether they were being too subjective and thus not listening to public opinion on the matter.

In deciding what comments the Commission should pass on to the Cabinet, Members collectively supported the proposal 2.2 (b) not to designate Newlands Road as a conservation area and the subsequent reference in recommendation 2.2(c). However, there was a clear split across the Commission in respect of recommendation 2.2(a) not to designate East Park/Malthouse Road. A vote was held following a proposal raised, to propose to Cabinet that East Park/Malthouse Road be designate as a conservation area and reject recommendation 2.2(a). The vote was carried by 5 votes to 4 votes with 1 abstention. Members also agreed that as a result that reference to East Park/Malthouse Road be removed from recommendation 2.2.(c).

RESOLVED

That the Commission recommends to the Cabinet that

- East Park/Malthouse Road be designated as a conservation area and the report's recommendation 2.2.(a) be altered accordingly
- the report's recommendation 2.2.(c) be amended to remove reference to East Park/Malthouse Road, and that
- Newlands Road should not be designated as conservation area as contained within recommendation 2.2(b)

62. Living Wage

The Commission considered report [DirR/044](#) of the Director of Development and Resources which:

- 1) set out the legal and financial implications of becoming a Living Wage accredited employer;
- 2) focused on the information that Cabinet required to enable it to make a decision on Living Wage accreditation.
- 3) recommended that once accreditation was achieved, the Council sought to use its influence to promote the Living Wage to other organisations as part of its approach to economic development and procurement. This would include suppliers and contractors not covered by Living Wage requirements as well as the wider business community. An action plan for this element would be devised once accreditation was achieved.

In discussing the report, all Members of the Commission expressed their support for the report and its recommendations and asked that this be feedback to the Cabinet for its full backing of the proposals.

RESOLVED

That the Commission welcomes and fully endorses the report to Cabinet

63. Local Council Tax Reduction Scheme

The Commission considered report [FIN/318](#) of the Head of Finance, Revenues & Benefits, who presented the report along with the Leader. In assessing the three main proposed changes to Local Council Tax Reduction Scheme, Members felt that as the changes would benefit residents they must endorse and support the change. It was asked that the Cabinet be informed of their support.

RESOLVED

That the Commission endorse the report to Cabinet.

64. Financial Deprivation Scrutiny Panel – Update, Actions and its Future

The Commission considered report [OSC/214](#) of the Chair of the Financial Deprivation Scrutiny Panel which:

- 1) provided the Commission with the requested update on the work of the Financial Deprivation Scrutiny Panel (FDSP); and
- 2) outlined options and sought confirmation of the direction of the Panel for the future, with regard to setting an 'end point', which the Commission agreed was required following its last update.

The Chair of the FDSP presented the report to the Commission and guiding them through the document. He also outlined his own view on the future direction of the Panel, stating that he supported the written statement included in paragraphs 6.6.1–6.6.4 by the Head of Finance, Revenue and Benefits that the Panel needed to change its direction. Therefore he was in favour of the option 2.2 iv) as it meant the Council was still committed to scrutinising the delivery of Universal Credit across the Borough and the Council's role in the process, as a focused issue.

The rest of the Commission then expressed their views on FDSP's future, and there was a clear split in opinion. A number of Members felt that the Commission would be doing a disservice to our residents, especially those who were struggling with financial deprivation related matters, by stopping the Panel and the Council would be seen to be uncaring to their problems.

In contrast others felt that if the work of the Panel could be achieved more efficiently through other effective forums and still kept Members up to date with the issues concerns, this surely would be the best way forward. Therefore the perception was not that important compared to tackling the issues. Also there was still an option to commit to scrutinise Universal Credit at the time when it would be affecting our residents.

A vote was held following a proposal raised, to support recommendation 2.2 i) *to continue in its current format (and to agree the future areas to be examined)* which was subsequently rejected by 6 votes to 4 votes. A 2nd proposal was then voted upon to support recommendation 2.2 iv) *to end the review at this point, and agree that a new single issue Panel be established at an appropriate time in the future, with a specific sole focus of scrutinising the delivery of Universal Credit across the Borough and the Council's role in the process*, which was carried by 6 votes to 4 votes.

Councillor Jones, Smith, Lloyd and Cheshire asked that it be recorded that they voted against the carried proposal and did not support it.

All Members then supported recommendation 2.1.

RESOLVED

1. That the Overview and Scrutiny Commission supports the recommendations (contained within the Section 5) and asked that those recommendations be put forward to the appropriate decision making body(ies).
2. That the Financial Deprivation Scrutiny Panel end at this point, and that a new single issue Panel be established at an appropriate time in the future, with a specific sole focus of scrutinising the delivery of Universal Credit across the Borough and the Council's role in the process

65. Health and Adult Social Care Select Committee (HASCSC)

Councillor R G Burgess was unable to attend the HASCSC meeting held on 14 November 2013, but he would ensure that the notes of that meeting would be circulated to all Members of the Commission.

66. Joint Scrutiny – Flooding Task & Finish Group

Councillor K Blake tabled a briefing note on the Joint Scrutiny meeting held on 29 November 2013, which is attached as appendix A to these minutes. He also mentioned that the Panel's recommendations would be coming to the Commission at either their 13 January or 10 February 2014 meeting. Most of the recommendations would not be relevant for Crawley as they related to other areas of the County.

67. Scrutiny Panels

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

Town Centre Parking Scrutiny Panel

Councillor B K Blake informed the Commission that the Town Centre Parking Scrutiny Panel was due to commence in early 2014, and that he was hoping to hold an informal meeting this year to look at the scope.

Recording How Members Vote Scrutiny Panel

Councillor B A Smith informed the Commission no date had been yet set for the commencement of the Panel. Councillor Smith confirmed that she had spoken Democratic Services over setting a date, however with a member of the Democratic Services team leaving at the end of the year and Steve Lappage being off currently on compassionate leave following the death of his father, it was agreed not to commence the Panel until the New Year.

The Commission asked that their condolences be passed to Steve and the Lappage family.

Performance Monitoring Scrutiny Panel

Councillor Lloyd informed the Commission that the Performance Monitoring Scrutiny Panel (PMSP) met on 18 November 2013 and a copy of the notes would be circulated to all Members in due course. He commented that at the meeting the Panel held representatives from Capita, to account for the consistent problems with the new telephony system. It was also noted that the PMSP had agreed that the standard 'System Thinking update' item would now be called 'Transformation update' following a suggestion by the Director of Housing and Transformation, as he wanted the PMSP

to be the forum that Members would be involved, support, interacting and scrutinise the Council transformation agenda.

68. Forward Plan – 1 January 2014 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

1. That items 6-7, and 8, *The Mill Pond – Appointment of Contractor and Localism Act 2011 – List Of Assets Of Community Value* respectively 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 agenda for the Commission’s meeting on 13 January 2014.
2. That item 11, *Tilgate Access and Car Parking Arrangements* be referred from the Forward Plan, to be looked at by the Commission on 10 February 2014.

69. Closure of Meeting

In closing the meeting the Commission again asked that their thanks and best wishes for the future be recorded to Chris Pedlow, Democratic Service Officer, who was definitely serving his last meeting of the Overview and Scrutiny Commission this evening, before starting a new post at the London Borough of Merton in January 2014.

The meeting ended at 9.30pm.

S A BLAKE
Chair

Appendix A

West Sussex Joint Scrutiny Task and Finish Group on Flooding - 29th November 2013

At its second meeting the TFG continued its review of the Flood Risk Management Activities taking place in West Sussex.

Proposals for a Local Flood Risk Management Strategy were put forward for adoption by the Local lead Flood Authority (West Sussex County Council) and for implementation by all relevant local authorities and agencies. The proposals; with clauses on

- Roles and Responsibilities
- Strategy
- Partnership Funding
- Planning
- Riparian Ownership of Ditches & Watercourses

Were reviewed and accepted with some amendments and additions.

Presentation and discussion on a joint work programme of major capital projects prioritised by risk and opportunities.

Discussion on new system of partnership funding recently introduced by Defra under which schemes that previously fell short of approval could be brought forward.

Other strategic objectives approved were

The need to bring flood risk assessment into planning & development with Local Planning Authorities recognising that flood risk analysis should be part of part of all applications.

Awareness of the responsibilities of Riparian ownership and enforcement.

The Introduction next spring of the Suds approval body (SAB) for large developments and enforcement.

Final report by end of year with recommendations coming to Districts and Borough's early in the New Year.

NB County Wide Risk - nearly 110,00 properties at risk & 10 priority areas. Crawley
Properties at risk = 2 & not priority

Crawley Borough Council

Minutes of Cabinet

Wednesday 4 December 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:

Councillors M Ayling, S A Blake and M G Jones

Officers Present:

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

64. Members' Disclosure of Interests

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor R D Burrett	Minute 73	Sussex Energy Saving Partnership update	Personal as Member of West Sussex County Council
Councillor D G Crow	Minute 73	Sussex Energy Saving Partnership update	Personal as Member of West Sussex County Council
Councillor R A Lanzer	Minute 73	Sussex Energy Saving Partnership update	Personal as Member of West Sussex County Council

65. Minutes

The minutes of the meeting of the Cabinet held on [13 November 2013](#) were approved as a correct record and signed by the Chair.

66. Public Question Time

Public Question Time took place and five residents put questions to the Cabinet. Three of the questions related to the Local Plan (minute 71) and two related to Potential Conservation Areas in Southgate (minute 72). A note of the questions and the Cabinet Members' responses were set out in **Appendix A** to these minutes.

67. Matters Referred to the Cabinet

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

68. Living Wage (Leader's Portfolio)

The Cabinet considered the report of the Director of Development & Resources, [DIRr/044](#). On 24 July the Council agreed to support the principle of the Living Wage, to amend the Council's Pay Policy to reflect this, and to commit the Council to working with the Living Wage Foundation to determine the legal and financial implications of incorporating Living Wage requirements into future contracts for Council services.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 2 December 2013. All Members of the Commission expressed their support for the report and its recommendations and asked that the Cabinet note their full backing of the proposals.

The Cabinet noted the full backing of the OSC for the proposals and recommendation, and agreed with the positive endorsement of the recommendations. The Cabinet Member for Planning & Economic Development said the Living Wage was right for Crawley, and would be right elsewhere and would be proud to adopt and encourage other organisations in the wider area to commit to it.

RESOLVED

- 1) That seeking Living Wage accreditation from the Living Wage Foundation be approved
- 2) That incorporation of Living Wage requirements into future relevant contracts subject to an assessment of the implications on a case by case basis be approved
- 3) That it be recognised that although a commitment to the Living Wage will have no impact on the cost of current contracts or on the 2014/15 budget, it is likely that some future contracts will be more expensive.
- 4) That commitment to promoting the benefits of the Living Wage to Council suppliers and contractors not covered by Living Wage criteria, and to the wider business community be approved.

Reason for Decision

To gain accreditation from the Living Wage Foundation, to commit to working with the Living Wage Foundation to determine the legal and financial implications of incorporating Living Wage requirements into future contracts for Council services, and to promote the Living Wage to other organisations.

69. Local Council Tax Reduction Scheme (Leader's Portfolio)

The Cabinet considered the report of the Head of Finance, Revenues & Benefits, [FIN/318](#), which set out the three main changes to the scheme. The scheme is means tested and determines the amount by which a taxpayer's council tax will be reduced. It is appropriate for the Council to consider whether it wishes to revise the current scheme.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 2 December 2013. Members of the Commission requested that the Cabinet note their endorsement and support for the changes to the Scheme, as residents would benefit from them.

The Cabinet noted the endorsement of the Overview & Scrutiny Commission. The Chair asked that the Cabinet's thanks be recorded to Dave Rawlings, Head of Finance, Revenues & Benefits and his team for their work regarding the scheme.

RESOLVED

RECOMMENDATION 2

That the Full Council be RECOMMENDED that the following amendments be made to the Council's Local Council Tax Reduction Scheme:

- 1) To introduce a non dependent deduction of £5.00 per week in respect of non dependents receiving a means tested out of work benefit
- 2) To amend the taper to 20%
- 3) To introduce a £15 a week disregard in respect of income from child maintenance

and that the resulting revised scheme is approved

Reason for Decision

To confirm the Council wishes to make changes to its Local Council Tax Reduction Scheme.

70. Play Facilities – Investment Proposals (Leisure & Cultural Services Portfolio)

The Cabinet considered the report of the Head of Housing Strategic Services, [CTY/100](#) which set out proposals for the future provision of unsupervised and supervised play facilities in Crawley for the period 2014/15 – 2018/19.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 2 December 2013. Members of the Commission requested that the Cabinet be informed that the Commission welcomed the recommendations contained within the report, and also sought the approval of the Cabinet on the following proposals:

- That improved signage be installed in the unsupervised areas including a list of support phone numbers, such as the Community Wardens and Leisure Rangers, and that reference also be made on the signs to public areas having Designated Public Place Orders (DPPO) on them
- That community forums be consulted on their local unsupervised play areas' redesign, including, where practicable, which play areas should be the priority for the improvements

The Cabinet Member for Leisure & Cultural Services acknowledged the proposals put forward by the Overview & Scrutiny Commission and agreed that these would be considered and, where practicable, implemented.

RESOLVED

- 1) That the proposed capital programme for children's play facilities over the period 2014/15 – 2016/17 for the schemes as set out in section 7 and Appendix 1 of the report be approved
- 2) That the request a supplementary capital estimate to the value of £92,700 to be funded from Section 106 to cover the increase in budget requirement of £785,000 above the existing budget provision of £692,300 be approved
- 3) That the capital schemes proposed as priorities for the period 2017/18 and 2018/19 will be subject to future capital bids as part of the budget strategy be noted
- 4) That the proposed priorities and purposes of the town's four adventure playgrounds and the children's play outreach programme be noted
- 5) That the proposals of the Overview & Scrutiny Committee be considered, and implemented where practicable.

Reason for Decision –

To agree priorities for investment in children's play facilities and to confirm budget allocations against those priorities for the period 2014/15 – 2016/17.

71. Submission Local Plan (Planning & Economic Development Portfolio)

The Cabinet considered report [SHAP/035](#) of the Head of Strategic Housing & Planning Services, the purpose of which was to request Full Council to approve the submission Crawley Local Plan and its supporting documents for public consultation, and submission to the Secretary of State for independent examination.

There was some discussion on this item, and the Cabinet Member for Planning & Economic Development added that the Local Plan was one of the most important documents for CBC to approve as it allowed planned, not random, development, and that the consequences of random development would be hugely detrimental to Crawley.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 2 December 2013. The Commission asked the Cabinet to join them in thanking and congratulating the Forward Planning Team, especially Elizabeth Brigden, on all the work they had undertaken on, and relating to, the Local Plan Submission.

RESOLVED

RECOMMENDATION 3

The Full Council is RECOMMENDED:

- 1) to approve the submission draft Crawley Local Plan and Local Plan Map for Publication consultation (a statutory six-week period of public consultation)
- 2) to approve the submission draft Crawley Local Plan for submission to the Secretary of State for Examination by an independent Planning Inspector, subject to minor amendments deemed necessary following Publication Consultation for the purposes of clarity to be approved by the Head of Strategic Housing & Planning Services, in consultation with the Cabinet Member for Planning & Economic development.
- 3) to delegate the approval of the supporting documents for the Local Plan, technical evidence base document and technical topic papers to support the Local Plan through Examination to the Head of Strategic Housing & Planning Services in consultation with the Cabinet Member for Planning & Economic Development.

Reason for Decision -

To ensure Crawley's future development and infrastructure needs can be delivered to support the sustainable economic growth of the borough, within its accepted constraints, and whilst continuing to protect its important built and natural environmental assets.

72. **Assessing the Value of East Park & Newlands Road, Southgate as potential Conservation Areas (Planning & Economic Development Portfolio)**

The Cabinet considered report [SHAP/034](#) of the Head of Housing Strategic Services, which

- presented the conclusions of further evaluation and public consultation within East Park, the northern end of Malthouse Road, and Newlands Road.
- and provided officer recommendation as to whether these areas "are of special architectural or historical value, the character or appearance of which it is desirable to protect or enhance", and therefore appropriate for designation as Conservation Areas under the Planning (Listed Buildings and Conservation Areas) Act 1990.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 2 December 2013. The Members of the Commission supported the proposal not to designate Newlands Road as a Conservation Area and the subsequent reference in recommendation 2.2(c). Members voted on the proposal relating to East Park/Malthouse Road and on a 5 to 4 vote with 1 abstention agreed to reject recommendation 2.2(a) and instead proposed that East Park/Malthouse Road be designated as a Conservation Area, and that reference to East Park /Malthouse Road be removed from recommendation 2.2(c). The Cabinet was therefore asked to support the Commission's view regarding designating East Park/Malthouse Road as a Conservation Area.

The Cabinet Member for Housing (RB) advised that of 113 households consulted, only 13 responses had been received and of those 13, only 8 households had been in favour of conservation area designation. The Cabinet agreed that 8 responses did not constitute a groundswell of support for designation. RB also advised that 7.4 of the report gave concern as it highlighted the fact that designation without evidence demonstrating special value could leave the Council vulnerable to legal challenges and/or an increase in planning appeals. The Chair added that the CBC consultation had been thorough as it had listed not only the advantages of such designation but also the disadvantages and as such had provided balanced information for residents in order for their decision regarding designation to be an informed one.

Councillor Michael Jones made several comments on this item including that he felt the level of response to the consultation to have been reasonable, despite some households not receiving the 2nd consultation letter; the consultation letter not being clear; and that residents and members of the Southgate Community Forum had also believed their submission of a petition earlier requesting conservation area designation had been sufficient to demonstrate and record their wishes.

The Cabinet discussed the amendments proposed by the Overview & Scrutiny Commission and voted to accept the officer recommendations without amendment.

RESOLVED

- 1) That East Park & the northern end of Malthouse Road (Proposal 1) do not warrant designation as a Conservation Area as they are not of special architectural or historical value
- 2) That Newlands Road (Proposal 2) does not warrant designation as a Conservation Area as it is not of special architectural or historical value
- 3) That officers undertake further investigation into whether individual buildings within East Park & the northern end of Malthouse Road (Proposal 1) and Newlands Road (Proposal 2) are appropriate for locally listed building designation. Should any buildings warrant designation, it is agreed that delegated authority be given to the Portfolio Holder for Planning & Economic Development in consultation with ward members, to add these buildings to the Local List.

In accordance with Scrutiny Procedure Rule 14, the decisions above were called in by Councillor Jones on the grounds that he did not believe that the decisions had been taken in accordance with the following principles as set out in Article 12.2 of the Council's Constitution:-

- (b) due consultation and the taking of professional advice from employees.**
- (f) explanation of options considered and reasons for decisions**
- (g) due regard to the statutory framework, guidance and codes of conduct.**

**Councillor Jones' call in was supported by the following signatories:
Councillors P Lamb, P Smith and W Ward.**

Reason for decision -

Councils should ensure that the concept of conservation is not devalued by designating areas that are not worthy. Following consultation with residents, and further analysis by officers, no additional evidence has been identified to support the argument that the areas

in question are indeed of special architectural or historical value. Whilst the area is not considered to have special architectural or historical character or appearance, there are a few individual buildings that warrant further investigation to consider whether or not they are appropriate for inclusion on the Council's own locally listed buildings list. There was also a very poor response to the consultation: only 13 out of the 113 households responded to the consultation and only 8 of those were in favour of the designation.

73. Sussex Energy Saving Partnership update (Environmental Services Portfolio)

The Cabinet considered report [DCS/024](#) of the Director of Community Services. In November 2012, the Council agreed it should become an investor partner in the Sussex Energy Saving Partnership (SESP), a Sussex-wide partnership which had been established to deliver an energy saving programme. The report sought to confirm the commitment of to the SESP.

The Cabinet Member for Customer & Corporate Services thanked Councillor Ken Trussell and officers for their hard work in this regard.

RESOLVED

- 1) That the Council becomes a Strategic partner in the Sussex Energy Saving Partnership (SESP) by entering into the SESP Members Agreement relating to the company.
- 2) That authority to sign and negotiate the final terms of this Members Agreement be delegated to the Director of Community Services and the Head of Legal & Democratic Services in consultation with the Portfolio Holder for the Environment be approved
- 3) That the Portfolio Holder for the Environment be nominated to act as the representative of the Council on the Company Members Board and delegate to him/her the appointment of a Council officer as a director of the Company.

Reason for decision -

To confirm Crawley Borough Council's commitment to the SESP by signing up to a Members Agreement relating to a wholly owned public sector company limited by guarantee to be established for the purpose of delivering the energy saving programme.

74. General Enforcement Policy (Planning & Environmental Services Division and Strategic Housing & Planning Division) (Environmental Services Portfolio)

The Cabinet considered report [PES/133](#) of the Head of Planning & Environmental Services. The existing Enforcement Policy for the Planning & Environmental Services Division has been updated to reflect the draft new Regulators' Code and to include the work of the Strategic Housing & Planning Division. The Policy provides a transparent and consistent approach to enforcement with clear information, guidance and advice.

RESOLVED

- 1) That the Crawley Borough Council Enforcement Policy, attached as Appendix A to the report, for implementation by the relevant Services, be approved.

- 2) That authorisation is given to the relevant Head of Service in consultation with the relevant Portfolio Holder to make minor amendments to the Policy once adopted, to reflect changes in legislation or guidance and codes of practice where a full review of the policy is not warranted.

Reason for decision -

The draft new Regulators' Code has offered the opportunity to update the Policy and to include a range of services provided by the Council. The wording of the Enforcement Policy needs to strike the right balance between being sufficiently detailed so that they are useful documents which set out clear guidance whilst avoiding being unduly prescriptive, and the draft amended Enforcement Policy achieves this.

75. 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 Paragraph 3 of Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

**76. Planning & Economic Development Portfolio
North East Sector – Approval of the Co-operation Agreement
(Exempt - Paragraph 3 – Information relating to financial and business affairs of any particular person (including the Authority holding that information))**

The Cabinet considered report DTH/045 of the Director of Transformation & Housing, the purpose of which was to:

- approve the terms of a Co-operation Agreement to be entered into by the Council with the Homes and Community Agency (HCA) and Persimmon Homes Limited Taylor Wimpey UK Limited (P&TW), including the contractual terms of a Memorandum of Understanding between the Council and the HCA for the proposed development in the North East Sector.

The Cabinet thanked the Director of Transformation & Housing and officers involved for their hard work involved with this item.

RESOLVED

RECOMMENDATION 4

That the Full Council be RECOMMENDED:

- 1) to delegate the negotiations of the final terms of the Co-operation Agreement to the Director of Transformation and Housing, in consultation with the Leader, the Portfolio Holder for Planning & Economic Development, the Head of Legal & Democratic Services, Head of Property, Head of Finance, Revenues & Benefits, and the Head of Crawley Homes

- 2) to agree that the Director of Transformation & Housing in conjunction with the Head of Legal & Democratic Services be authorised to seal and complete the Co-operation Agreement on behalf of the Council
- 3) to delegate to the Director of Transformation and Housing in consultation with the Head of Legal & Democratic Services and Portfolio Holder for Planning & Economic Development authority to agree and enter into a Memorandum of Understanding between the Council and the HCA
- 4) to support the proposal by Taylor Wimpey and Persimmon Homes to name the development and new neighbourhood as Forge Wood.

Reason for decision -

That as a major housing proposal substantial infrastructure funding is required. The main benefits for the Council are a minimum land receipt, together with a share in any future additional profit and 532 social rented properties available for the Housing Revenue account (HRA). The recommendations are supported through legal advice and the Co-operation Agreement.

77. Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 9.26pm.

DR H S BLOOM
Chair

Public Question Time 4 December 2013 Questions and Responses



Set out below are the five questions asked at Public Question Time along with the Cabinet Members' responses:

Charles Crane

Mr Crane referred to the Open Space & Recreation Study which stated that for a population of 15.25 per hectare the park and recreation area in Bewbush were sufficient. However, the increase in population following current housing development would make a population of 15.69 per hectare and thus the current open space provision would be inadequate and the area would be underprovided. Councillor Lanzer, as the Portfolio Holder on this matter, advised that provision was still considered adequate and that the development would not have been considered had this not been the case. Councillor Crow as Portfolio Holder for Leisure & Cultural Services advised Mr Crane that significant analysis had been conducted over the past year and was confident the increased population calculation had been taken into account, but he agreed to refer the query back to colleagues for clarification.

Graham Petschell

Mr Petschell asked for clarification on the monetary allocation for play areas in Bewbush. He was concerned that proposed Bewbush play areas are listed as having 'developer funded contributions' and others have monetary allocations. He asked who the developers were, and where the play areas would be built. Councillor Crow advised that developer funded contributions referred to play areas already in existence, and that developer funded contributions were for those that would potentially be built.

Chrissie Cooke

She asked the Cabinet to consider the high density of the population in Bewbush (61 per hectare) and to take this into account regarding any further development. Councillor Lanzer noted her comments and explained that most neighbourhoods have housing allocation and green space requirements would be taken into consideration by the Inspector. He felt the balance struck between providing housing in Bewbush and green space was right. The Chair said there would be further public consultation at the next stage of the Local Plan.

Michael Pickett

Mr Michael Pickett, Chair of the Southgate Community Forum and speaking on their behalf, asked the Cabinet to be cautious with the report regarding Southgate potential conservation areas as it may not be wholly correct. He quoted the observation in the report that most chimneys in East Park had gone, when in fact there were still most chimneys present. He also asked the Cabinet to support the residents who wish for the conservation area designation as they feel it would stop decline in the area. Councillor Lanzer said it was important to note that designation came with both advantages and disadvantages, and acknowledged that conservation area designation did provide something to an area, the biggest disadvantage was that permitted development rights would be lost if such a designation were to be made.

Brian Osterreicher

Mr Osterreicher had originally been in favour of conservation area designation in East Park as he had seen the area deteriorate over the last few years. However, he was now opposed to this as it would mean loss of permitted development rights. He felt the outlook for East Park was bleak. Councillor Lanzer responded that should conservation area designation not be agreed, that individual buildings could be considered for local listed building designation in order to protect them, thus preventing decline.