

# Crawley Borough Council

## Minutes of the Full Council

Wednesday 26 February 2014 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, B J Burgess, L A M Burke, R D Burrett, C A Cheshire, D G Crow, C L Denman, J I Denman, C R Eade, I T Irvine, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, D M Peck, B J Quinn, A J E Quirk, D J Shreeves, B A Smith, P C Smith, K J Trussell, L A Walker and W A Ward.

### Also in Attendance:

Mr A Quine – Honorary Freeman and Alderman.  
Mr J G Smith – Honorary Freeman and Alderman.

Mr B Jones – Appointed Independent Person.  
Mr P Nicolson – Appointed Independent Person.  
Mr A Timms – Appointed Independent Person.

### Officers Present:

Lee Harris	Chief Executive
Ann-Maria Brown	Head of Legal and Democratic Services
Peter Browning	Director of Transformation and Housing
David Covill	Director of Development and Resources
Karen Hayes	Deputy Head of Finance
Dave Rawlings	Head of Finance, Revenues and Benefits
Phil Rogers	Director of Community Services
Roger Brownings	Democratic Services Officer

### 91. Apologies for Absence

Councillors Marshall-Ascough, Thomas and Williamson.

**92. Members' Disclosures of Interests**

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

**93. Communications**

Notice of Precept

The Head of Legal and Democratic Services confirmed that the Notice of Precept had been received from the Police and Crime Commissioner for Sussex and West Sussex County Council following the publication of both the agenda and the minute book for this meeting of the Council. Those precept details had since been circulated to all Members, and a further recommendation (Recommendation 5) would be moved in relation to the 2014/2015 Budget and Council Tax.

**94. Variations in the Order of Business**

The Mayor announced the following variations in the order of business so that:-

(1) Agenda Item 12 (b) (Notice of Motion as moved by Councillor Ward) would be taken immediately following Agenda Item 4, Petition (Recommendation 1).

On completion of the above business, the Council would resume with the business as set out in the agenda, with the next item being Item 5 (Recorded Votes at Budget Meetings).

(2) At the point of reaching Item 11 on the Agenda (Reserved Items), the following order would apply:-

(a) 2014/2015 Budget and Council Tax (Recommendations 4 and 5).

(b) To deal with the other items reserved for debate, including the remaining Recommendations 2, 3 and 6.

On completion of the above business, the Council would resume with the business as set out in the agenda, with the next item being Item 12 (a) (Notice of Motion as moved by Councillor Lloyd).

**95. Petition -  
"Leacroft" – 117 Ifield Road, West Green.**

**(Recommendation 1)**

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

"Vanessa wants to save the building and locally use it"

For information purposes, the petition which was entitled "List 117 Ifield Road for Local Importance" was accompanied by the following statement:

“We, the undersigned, petition CBC to save “Leacroft” 117 Ifield Road, West Green from destruction. The residents of West Green and Crawley do not want the building to be knocked down and replaced with any new build. We ask that the Council purchase the building for the local residents to use as a community hub for the residents to have a place to meet and have somewhere to use as a community space, access advice and health services which would be beneficial to the wider community of Crawley. We also ask that CBC widen its’ conservation area and place the building within it and list the building for local importance. “Leacroft” 117 Ifield Road has many period architectural features that are unique and significant to the residents of Crawley but the building also has important intangible significance to the people of West Green and the wider community of Crawley.”

The Council received the comments of Councillor Cumper who, as the Principal Petitioner and in accordance with normal practice, presented the petition from a seat reserved within the Council Chamber for this purpose.

Members indicated their support for the Petition whilst raising a number of associated issues. In continuing to debate the way forward in terms of any action to be taken, and with reference being made to such matters as potential planning and funding implications, it was felt that further consideration would need to be given to the issues raised.

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

That the Petition be referred to the Cabinet

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

**RESOLVED UNANIMOUSLY**

That the Petition be referred to the Cabinet.

**96. Notice of Motion (1 of 2)**

The Full Council considered a Notice of Motion in accordance with Council Procedure Rule 12, which was moved by Councillor Ward and seconded by Councillor B A Smith.

**Amendment**

As part of the debate on this matter, the following amendment to Part 4) of the Notice of Motion was moved by Councillor Lanzer and seconded by Councillor Dr Bloom. (Additional / amended text is shown in bold, whilst deleted text has been crossed through):-

4) To ~~award~~ **investigate** Local Listing status ~~to~~ **for** 117 Ifield Road on the grounds of communal value.

The Amendment received the support of both the mover and seconder of the Notice of Motion.

Following further consideration of this matter, the Notice of Motion, as amended, upon being put to the Council, was CARRIED, and it was

## **RESOLVED UNANIMOUSLY**

That in 2011, the old Leacroft surgery shut its doors for the last time, leaving West Green as the only neighbourhood in the town without a local surgery.

West Green has one of the highest populations aged over 85 in the town and people are rightly concerned about the sick, disabled and elderly who are now forced to commute a considerable distance to visit their GP; a situation made worse by the lack of direct public transport provision between West Green and the surgery in Langley Green.

Storm damage to the new surgery has complicated matters and left almost 10,000 patients from across the town with uncertain access to their GP. While doctors are working hard to get things up and running again, everyone must now do what they can to ensure those residents affected by the surgery's temporary closure are not left to suffer.

For those living near the old surgery site, 117 Ifield Road has long held communal value and the closure of the surgery has resulted in concerns over the future of the building and the potential impact on the special character of the local area. Local residents' strength of feeling is clearly shown in their petition on the site to the council.

The closure of the surgery in West Green has caused difficulty and uncertainty for many residents in the neighbourhood and beyond and as a council we should act as necessary for the good of our local communities. With that in mind, the council resolves:

- 1) To support Leacroft Medical Practice and the Crawley Clinical Commissioning Group in whatever way is needed to ensure a continuity of medical provision for patients and the return to full use of Langley House as a surgery site as soon as possible.
- 2) Once services are resumed at the practice, to work with the Crawley Clinical Commissioning Group to find a way to restore access for patients to a GP in West Green.
- 3) Until access to a GP in West Green is restored, to work with Metrobus to improve public transport for West Green residents trying to access the surgery site in Langley Green.
- 4) To investigate Local Listing status for 117 Ifield Road on the grounds of communal value.
- 5) To investigate the potential of designating Ifield Road, in part or whole, as an Area of Special Local Character.

## **97. Recorded Votes at Budget Meetings**

Notification had recently been received from the Government of regulations which would require all Councils at their annual budget meetings to adopt the practice of recorded votes - that is recording in the minutes of the meeting how each member present voted on any decision relating to the Annual Budget and Council Tax. The regulations came into force on 25 February 2014. This practice was required to commence with effect from and including this year's annual budget meetings, which, of course, for this Council was at this 26 February Full Council meeting. This would also require a change to the Council's Constitution.

Moved by Councillor Burke, seconded by Councillor Cheshire and

**RESOLVED**

That the following amendment to the Constitution be agreed:

Amend paragraph 17.4 of the Council Procedure Rules to read as follows (Additional text is shown in bold):

“17.4. Recorded Vote

If any member present at the meeting demands it, the names for and against the motion or amendments or abstaining from voting will be taken down in writing and entered into the minutes.

**In accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the Council at its annual budget meetings is required to undertake a recorded vote when voting on any decision relating to the Annual Budget and Council Tax. This includes any amendments proposed at the meeting, substantive budget motions to agree the budget, and setting council taxes, including precepts.”**

**98. Public Question Time**

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

<b>Questioner's Name</b>	<b>Subject</b>	<b>Name of Councillor(s) Responding</b>
Ms K Sudan	The Petition on “Leacroft” 117 Ifield Road, West Green, which had earlier been presented to this meeting.	In response to a number of issues raised by Ms Sudan, Councillor Cumper indicated that the Petition had been submitted to the Council on behalf of the residents of West Green and Crawley. The site concerned continued to be the subject of a planning application, and it was residents who had asked her to organise the Petition. Rather than with her colleagues within the Conservative Group, it was with residents, and such parties as NHS England and the Crawley Clinical Commissioning Group who she had focussed her discussions relating to the Petition. Councillor B A Smith referred to her own attempts to seek a

Questioner's Name	Subject	Name of Councillor(s) Responding
		response from NHS England regarding issues identified within the Petition.
Ms S Turner	Ms Turner, a market trader, presented a petition and requested the Council to defer a decision to end the Wednesday market in the Queens Square until further consultation had taken place. She conveyed concerns that traders had only been advised of the decision less than a week ago.	Councillor Lanzer commented that whilst the market operator had been informed of the Council's decision well in advance, it appeared that the decision had not been conveyed by the operator to the traders until just recently. He emphasised that the use of the Queens Square on a Wednesday had always been a temporary arrangement for High Street traders to showcase their goods and help them to promote the scope and capacity of the High Street market. There were a number of reasons why the High Street was a more appropriate location to consolidate our street markets, including space and character. A further meeting was planned to take place with the operator the following week, but at this stage it was intended to move the market back to the High Street. Councillor Irvine conveyed his support for the market to remain in the Queens Square, whilst Councillor Oxlade backed Ms Turner's request to delay the decision.
Mrs S Mullins	Mrs Mullins referred to the decision to end the Wednesday market in the Queens Square, and indicated that market traders were finding it hard to make money in the High Street as too few people now passed through it for shopping purposes. She	Councillor Lanzer indicated that no decisions had been made on how the £3 million would be spent on improvements to the Queens Square and that he had taken on board the comments that Mrs Mullions had made.

Questioner's Name	Subject	Name of Councillor(s) Responding
	referred to the Council's plans with West Sussex County Council to spend £3 million on renovating the Queens Square to make it more attractive to shoppers and businesses and suggested that a market would encourage people into the Square as part of that process.	Councillor Lamb commented that the key issue was "footfall" and considered that footfall would increase with a market in the Square.
Mr J Herbert	Mr Herbert referred to feedback he had received in a letter from the Crawley Museum Society regarding his artwork, and asked that if the artwork was not part of the remit of the Museum Society or of the Council's, then how should he forward this matter further.	Councillor Crow commented that he could not give Mr Herbert a definitive answer at this meeting, but suggested that if Mr Herbert write to him on this matter he would endeavour to clarify the issues raised. Councillor Cumper suggested ways that Mr Herbert could display his work including a request to the Crawley Arts Society, whilst Councillor B A Smith thanked Mr Herbert for bringing forward his artwork initiatives. Councillors S A Blake and Mullins referred to the recent decision to reconvene the Public Art Selection Panel, whilst Councillor Lanzer emphasised that the town currently had some good examples of public art and considered that the Selection Panel should be progressed, but only if it has an agenda with a programme of potential work to consider.
A member of the public / market trader who did not give her name	A request to the Council to defer a decision to end the Wednesday market in the Queens Square.	In response to the request and to a call from Councillor Mullins that a vote be taken at this Full Council meeting on whether or not the decision be delayed, Councillor Lanzer indicated that the Council could give consideration

Questioner's Name	Subject	Name of Councillor(s) Responding
		to the requested delay, but emphasised that there was a formal agreement in place with the market operator, and that certainly no commitment to delay that decision could be made prior to further formal meetings with the operator.
A member of the public / market trader who did not give his name	The decision to end the Wednesday market in the Queens Square. It was strongly felt that this would place the Friday and Saturday High Street Market in jeopardy, as traders relied on Wednesdays' (with what he considered the huge support and footfall in the Square compared with the High Street) to keep their businesses going.	Councillor Mullins reiterated his request that a vote be taken at this Full Council meeting on whether or not the decision be delayed, and moved that the Full Council put this matter to the vote.  At this point and in response to further issues raised by Members, the Mayor reiterated that it would not be possible to make a decision at this meeting regarding the sought after deferral. The understanding was that this would be an executive decision and not the prerogative of the Full Council, that there was an agreement between the Council and the market operator, that Councillor Lanzer would meet shortly with the traders as well as meet with the operator, and that next week's Wednesday market would continue to be held.

## 99. Appointment

### Southgate Conservation Area Advisory Committee

The Committee had recently been established in accordance with English Heritage best practice to oversee the conservation areas within Southgate. Whilst including a number of key objectives, the Committee's constitution also sought the appointment of a Member of the Council to serve on that Committee. It was recommended that a Southgate Ward Member be appointed to the Committee, with all Members advised



that they would be welcome to attend meetings of the Committee as and when they saw fit.

It was moved by Councillor Burrett, seconded by Councillor S A Blake and

**RESOLVED**

That Councillor Dr. Bloom be nominated as the representative to serve on the Southgate Conservation Area Advisory Committee.

**100. Minutes**

The minutes of the meeting of the Full Council held on [18 December 2013](#) were approved as a correct record and signed by the Mayor.

**101. Items for Debate (Reserved Items)**

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

<b>Minute Book Page no.</b>	<b>Committee/ Minute no. (and the Member reserving the item for Debate)</b>	<b>Subject (Decisions previously taken under delegated powers, reserved for debate only).</b>	<b>Subject (Recommendation to Full Council, reserved for debate)</b>
	Agenda Item 5 <b>(Labour Group)</b>		Recorded Votes at Budget Meetings
49	Audit and Governance Committee. 10 December 2013 Minute 24. <b>(Councillor Quirk)</b>	Annual Audit Letter	
50	Audit and Governance Committee. 10 December 2013 Minute 26. <b>(Councillor Irvine)</b>	Internal Audit Progress Report as at 22 November 2013	
69	General Purposes Committee 28 January 2014 Minute 18 <b>(Labour Group and Councillor Burke)</b>		Changes to the Constitution (Executive) Decision Making Redesign: Update  (Recommendation 2)
79	Cabinet 12 February 2014 Minute 93		Treasury Management Strategy 2014/2015

Minute Book Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
	<b>(Labour Group and Councillor Dr Bloom)</b>		(Recommendation 3)
80	Cabinet 12 February 2014 Minute 94  <b>(Labour Group and Councillor Dr Bloom)</b>		Budget and Council Tax 2014/2015  (Recommendations 4 and 5)
81	Cabinet 12 February 2014 Minute 95  <b>(Councillor Crow)</b>	Tilgate Access and Car Parking Arrangements	
82	Cabinet 12 February 2014 Minute 96  <b>(Labour Group and Councillor Dr Bloom)</b>		Quarterly Monitoring 2013/2014 Quarter 3  (Recommendation 6)

## 102. 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 – 9 December 2013.
- (b) Audit and Governance Committee – 10 December 2013.
- (c) Development Control Committee – 6 January 2014.
- (d) Licensing Committee – 9 January 2014.
- (e) Cabinet – 15 January 2014.
- (f) Development Control Committee – 27 January 2014.
- (g) General Purposes Committee – 28 January 2014.
- (h) Overview and Scrutiny Commission – 10 February 2014.
- (i) Cabinet – 12 February 2014.

### 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.

### 103. Reserved Items

The matters identified in Minute No. 101 above were intended for debate by the Full Council. These were dealt with as set out in Minute Numbers 104, 105, 107, 108 and 109 below:-

### 104. Budget & Council Tax 2014/15 (Cabinet – 12 February 2014) (Recommendation 4)

The Cabinet had considered report [FIN/328](#) and supplementary report [FIN/328 supp](#) of the Head of Finance, Revenues & Benefits, which had also been considered by the Overview and Scrutiny Commission at its meeting on 10 February 2014.

The Full Council placed on record its thanks and appreciation for the work carried out by Officers in the Finance Division and thanked staff generally for their constructive engagement as part of the budget process.

The opportunity was also taken to thank **Dave Rawlings, the Head of Finance, Revenues & Benefits** who was shortly to retire, for his many years of dedicated service to this Council. Members from each political Group paid tribute to Dave, and referred to him as a tremendous servant to the Council who would be greatly missed. The Full Council wished Dave well in his retirement.

The Council undertook a full and detailed debate and considered all the issues raised.

#### Procedural Motion

As part of that debate it was moved by Councillor Lamb and seconded that:

Part a) of the Recommendation be voted upon separately to Parts b), c), d) and e) of the Recommendation.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (as referred to in Minute no 97 above), the names of the Members voting for and against the procedural motion were recorded as set out below:-

#### **For the motion:-**

Councillors M L Ayling, C A Cheshire, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith and W A Ward (15).

#### **Against the motion:-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, V S Cumper, C L Denman, J I Denman, C R Eade, R A Lanzer, D M Peck, A J E Quirk, K J Trussell and L A Walker (18).

#### **Abstentions:-**

None.

The procedural motion was therefore LOST.

**Amendment to Part c) of the Recommendation**

The following amendment to Part c) of the Recommendation was moved by Councillor Mullins and seconded by Councillor P C Smith. (Additional text is shown in bold):-

c) to approve the 2013/14 to 2016/17 Capital Programme and funding as set out in paragraph 11.10 **and agree to increase capital funding for the Tilgate Park Access Road as necessary to ensure adequate provision for cyclists, pedestrians and wheelchairs, making the required adjustments to the General Fund Budget.**

The Council had received the amendment without notice, and it was confirmed in response to comments made by Members that it was entirely constitutional to move amendments without such notice. Whilst this was the case, the Mayor suggested that it might be preferable in all cases of amendments being moved in the future to give prior notice of those amendments.

At this point (and whilst there were a number of calls by Members for the question to now be put under a closure motion), the Mayor referred to Councillor C L Denman who had sought the opportunity to move an amendment to the amendment as moved by Councillor Mullins.

It was moved by Councillor C L Denman and seconded that the amended Part c) as moved by Councillor Mullins be amended as follows:

(i) That the words "explore the need for an" be inserted between the words "to" and "increase" in the second line.

(ii) That the word "to" be inserted between the words "increase" and "capital" in the second line.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (as referred to in Minute no 97 above), the names of the Members voting for and against the Amendment moved by Councillor C L Denman were recorded as set out below:-

**For the Amendment:-**

Councillors M L Ayling, B K Blake, S A Blake, Dr H S Bloom, N Boxall, B J Burgess, R G Burgess, L A M Burke, R D Burrett, C A Cheshire, V S Cumper, C L Denman, J I Denman, C R Eade, I T Irvine, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, D M Peck, B J Quinn, A J E Quirk, D J Shreeves, B A Smith, P C Smith, K J Trussell, L A Walker and W A Ward (32).

**Against the Amendment:-**

Councillor D G Crow,

**Abstentions:-**

None.

(Councillor Crow suggested that he had voted against the Amendment because although he was the Cabinet Member responsible for Tilgate Park, he had not been given the opportunity to speak).

The Amendment moved by Councillor C L Denman was therefore CARRIED.

**Amendment to Part d) of the Recommendation**

The following amendment to Part d) of the Recommendation was moved by Councillor Oxlade and seconded by Councillor Lamb. (Additional text is shown in bold):-

d) to agree that the Council's share of Council Tax for 2014/15 **and 2015/16** be frozen at £187.83 for a band D property.

Following a debate on this Amendment and on issues arising from this matter, and in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (as referred to in Minute no 97 above), the names of the Members voting for and against the Amendment moved by Councillor Oxlade were recorded as set out below:-

**For the Amendment:-**

Councillors M L Ayling, C A Cheshire, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith and W A Ward (15).

**Against the Amendment:-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, V S Cumper, C L Denman, J I Denman, C R Eade, R A Lanzer, D M Peck, A J E Quirk, K J Trussell and L A Walker (18).

**Abstentions:-**

None.

The Amendment was therefore LOST.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (as referred to in Minute no 97 above), the names of the Members voting for and against Recommendation 4 as amended were recorded as set out below:-

**For the Recommendation as amended:-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, V S Cumper, C L Denman, J I Denman, C R Eade, R A Lanzer, D M Peck, A J E Quirk, K J Trussell and L A Walker (18).

**Against the Recommendation as amended:-**

None.

**Abstentions:-**

Councillors M L Ayling, C A Cheshire, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith and W A Ward (15).

The Recommendation as amended was therefore CARRIED, and it was

**RESOLVED**

- (1) That the proposed 2014/15 General Fund Budget as set out in section 6 and Appendix 2 to report FIN/328, be approved.
- (2) That the proposed 2014/15 Housing Revenue Account budget as set out in section 10 and Appendix 3, be approved.
- (3) That the 2013/14 to 2016/17 Capital Programme and funding as set out in paragraph 11.10 be approved, and agree to explore the need for an increase to capital funding for the Tilgate Park Access Road as necessary to ensure adequate provision for cyclists, pedestrians and wheelchairs, making the required adjustments to the General Fund Budget.
- (4) That the Council's share of Council Tax for 2014/15 be frozen at £187.83 for a band D property.
- (5) That the Pay Policy Statement 2014/2015 as outlined in paragraph 16.3 and Appendix 6, be approved.

**105. Budget & Council Tax 2014/15  
(Cabinet – 12 February 2014)  
(Recommendation 5)**

Councillor Dr Bloom referred to the receipt of the Notice of Precept from the Police and Crime Commissioner for Sussex and West Sussex County Council, which had been circulated separately as Recommendation 5.

Following approval of the Council's budget in Recommendation 4, and in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (as referred to in Minute no 97 above), the names of the Members voting for and against Recommendation 5 were recorded as set out below:-

**For Recommendation 5:-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, V S Cumper, C L Denman, J I Denman, C R Eade, R A Lanzer, D M Peck, A J E Quirk, K J Trussell and L A Walker (18).

**Against Recommendation 5:-**

None.

**Abstentions:-**

Councillors M L Ayling, C A Cheshire, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith and W A Ward (15).

Recommendation 5 was therefore CARRIED, and it was

**RESOLVED**

- (1) That it be noted that on 15 January 2014 the Chair of the Cabinet under delegated powers calculated the Council Tax Base 2014/15 for the whole Council area as **32,168** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
- (2) That the Council Tax requirement for the Council's own purposes for 2014/15 is calculated at £6,042,115
- (3) That the following amounts be calculated for the year 2014/15 in accordance with Sections 31 to 36 of the Act:

(a)	£124,936,700	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
(b)	£118,894,585	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£6,042,115	being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
(d)	£187.83	being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
(e)	£0	being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
(f)	£187.83	being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

- (4) That it be noted that the County Council and the Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.

- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2014/15 for each part of its area and for each of the categories of dwellings.

**COUNCIL TAX SCHEDULE 2014/15**

	CRAWLEY BOROUGH COUNCIL	WEST SUSSEX COUNTY COUNCIL	POLICE AND CRIME COMMISSIONER FOR SUSSEX	<b>TOTAL</b>
BAND A	£125.22	£774.66	94.08	<b>£993.96</b>
BAND B	£146.09	£903.77	109.76	<b>£1,159.62</b>
BAND C	£166.96	£1,032.88	125.44	<b>£1,325.28</b>
BAND D	£187.83	£1,161.99	141.12	<b>£1,490.94</b>
BAND E	£229.57	£1,420.21	172.48	<b>£1,822.26</b>
BAND F	£271.31	£1,678.43	203.84	<b>£2,153.58</b>
BAND G	£313.05	£1,936.65	235.20	<b>£2,484.90</b>
BAND H	£375.66	£2,323.98	282.24	<b>£2,981.88</b>

- (6) That it be determined in accordance with Section 52ZB Local Government Finance Act 1992 that the Council 's basic amount of Council Tax for 2014/15 is NOT excessive in accordance with principles approved by the Secretary of State under Section 52ZC of the Act.

**106. 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 Full Council to consider if it wished to continue with the meeting. With the Mayor having put it to the Full Council, the vote was in favour of not continuing the meeting. With this in mind, there was a process for dealing with motions and recommendations which had not been dealt with within the two and a half hours, as was the case for this meeting.

In these circumstances, the motions and recommendations which had not been dealt with would be deemed as formally moved and seconded, with no speeches allowed



on these items and the vote would be taken in the usual way. If a recorded vote was called for during this process, it would be taken immediately. When all motions and recommendations had been dealt with, the Mayor would declare the meeting closed.

**107. Changes to the Constitution (Executive) Decision Making Redesign:  
Update  
(General Purposes Committee – 28 January 2014)  
(Recommendation 2)**

The Committee had considered report [LDS/077](#) of the Head of Legal and Democratic Services.

**RESOLVED**

- (1) That the amendments to the Constitution proposed in Appendices 2-4 of report LDS/077 be agreed and come into effect from 1 April 2014 subject to the following amendments:
  - (i) That the third bullet point of paragraph 3.2 of the Constitutional changes in relation to the Leader and Cabinet Procedure Rules (Appendix 2, Page B12 of the report) be amended to read: “of minimal political sensitivity – more politically sensitive matters are likely to go to Cabinet for decision”
  - (ii) That paragraph 12.3(a)(1)(i)(c) (Appendix 2a, Page B16 of the report) be amended to read: “in the case of capital expenditure, any projects if they involve entering into new commitments ~~and/or making savings~~ in excess of £500,000;”
- (2) That the Section 151 Officer put in place the relevant changes to the Procurement Code to reflect the other recommended changes to the Key Decision Levels and Financial Procedure Rules, and that these be approved for inclusion in the Constitution by the Section 151 Officer in consultation with the Chair and Vice Chair of the General Purposes Committee and the Head of Legal and Democratic Services.

**108. Treasury Management Strategy 2014/15  
(Cabinet – 12 February 2014)  
(Recommendation 3)**

The Cabinet had considered report [FIN/323](#) of the Head of Finance, Revenue & Benefits, which had also been considered by the Overview and Scrutiny Commission at its meeting on 10 February 2014.

**RESOLVED**

- (1) That the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5 of report FIN/323, be approved.
- (2) That the Treasury Management Strategy contained within Section 6 be approved.
- (3) That the Investment Strategy contained within Section 7, and the detailed

criteria included in Appendix 3, be approved.

**109. Quarterly Monitoring 2013/2014 Quarter 3  
(Cabinet – 12 February 2014)  
(Recommendation 6)**

The Cabinet had considered report [FIN/325](#) of the Head of Finance, Revenue & Benefits.

**RESOLVED**

That a supplementary capital estimate of £220,000 for the enhanced design of the new build Brunel Place scheme which now includes provision for two additional flats, funded from the HRA resources, be approved.

**110. Notice of Motion (2 of 2)**

The Full Council considered a Notice of Motion in accordance with Council Procedure Rule 12, which was moved by Councillor Lloyd and seconded by Councillor P C Smith.

**Amendment**

As part of the debate on this matter, the following amendments to Parts 2), 3) and 4) of the Notice of Motion were moved by Councillor Trussell and seconded by Councillor Crow. (Additional / amended text is shown in bold, whilst deleted text has been crossed through):-

2. **Continue to** report these problems to the bodies responsible for dealing with them ~~within a period of a maximum of one month from now.~~ **on an ongoing basis.**

3. **Continue to** advocate on behalf of the people we represent the urgent completion of all necessary remedial work in accordance with publicly available time scales.

4. In particular to make strong representations to the Department for Environment, Food and Rural Affairs (Defra) to ~~permit~~ **assist** the Environment Agency to ~~re-~~**continue** the full work programme for flood protection at the River Mole in order to protect ~~field~~ **Crawley** residents, given the recent ~~serious flood disruption~~ **caused to residents there. exceptional rainfall"**

The amendments, upon being put to the Council, were CARRIED.

The Notice of Motion, as amended, upon being put to the Council, was CARRIED, and it was

**RESOLVED**

That the heavy rainfall of the period late December 2013 to February 2014 has highlighted once again some weaknesses in Crawley's flood defences. Taking note of this and of the serious problems caused for many Crawley residents and travellers from Gatwick airport, Crawley Borough Council resolves to:

1. Establish the causes of flood problems at various locations, such as west of Ifield, where once again vulnerable elderly residents of the Gables Nursing home suffered

serious disruption, Three Bridges and Langley Green and at other places identified by councillors, residents and officers of the council. Where necessary this will be done in conjunction with partner organisations such as West Sussex County Council and the Environment Agency.

2. Continue to report these problems to the bodies responsible for dealing with them on an ongoing basis.
3. Continue to advocate on behalf of the people we represent the urgent completion of all necessary remedial work in accordance with publicly available time scales.
4. In particular to make strong representations to the Department for Environment, Food and Rural Affairs (Defra) to assist the Environment Agency to continue the full work programme for flood protection at the River Mole in order to protect Crawley residents, given the recent exceptional rainfall.

**111. Kevin Tidy, Senior Parks Manager, and Alan Dixon, Assistant Manager - Tilgate Park**

The Full Council wished Kevin and Alan well in their respective retirements and thanked them for their many years of committed and loyal service to this Council.

**112. Closure of Meeting**

The meeting ended at 10.12 p.m.

**Mayor**

**APPENDIX A**

**Members' Disclosures of Interest**

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Councillor V S Cumper	4.			Petition	Principal Petitioner.
Councillor C C Lloyd	7.			Appointment - Southgate Conservation Area Advisory Committee	Personal Interest as a resident of Southgate.
Councillor W A Ward	10(1)(a)	Development Control 9 December 2013 Minute 56	P 42	CR/2013/0517/OUT	Personal interest as the applicant is known to him.
Councillor R D Burrett	10(1)(e)	Cabinet 15 January 2014 Minute 83	P 59	Proposed Multi-Agency Agreement for the Management of Encampments across West Sussex and the Provision of a Transit Site.	Personal Interest as a Member of West Sussex County Council
Councillor D G Crow	10(1)(e)	Cabinet 15 January 2014 Minute 83	P 59	Proposed Multi-Agency Agreement for the Management of Encampments across West Sussex and the Provision of a Transit Site.	Personal as Member of West Sussex County Council
Councillor R A Lanzer	10(1)(e)	Cabinet 15 January 2014 Minute 83	P 59	Proposed Multi-Agency Agreement for the Management of Encampments across West Sussex and the Provision of a Transit Site.	Personal as Member of West Sussex County Council
Councillor R D Burrett	10(1)(h)	Overview and Scrutiny Commission 10 February 2014 Minute 77	P 76	Health and Adult Social Care Select Committee (HASCSC)	Personal Interest as a Member of West Sussex County Council.
Councillor C C Lloyd	10(1)(h) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75	P 75	Budget & Council Tax 2014/15	Personal Interest as a Member of the Local Government Pension Scheme.
Councillor C C Lloyd	10(1)(i) and 11	Cabinet 12 February 2014. Minute 94	P 80	Budget & Council Tax 2014/15	Personal Interest as a Member of the Local Government Pension Scheme.
Councillor R D Burrett	12 (a)			Notice of Motion	Personal Interest as a Member of West Sussex County

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
					Council.
Lee Harris, Chief Executive (Head of Paid Service)	10(1)(h), 10(1)(i) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75. Cabinet 12 February 2014 Minute 94.	P75 and P80	Budget & Council Tax 2014/15	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Ann-Maria Brown, Head of Legal and Democratic Services, and Monitoring Officer	10(1)(h), 10(1)(i) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75. Cabinet 12 February 2014 Minute 94.	P75 and P80	Budget & Council Tax 2014/15	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Peter Browning, Director of Transformation and Housing	10(1)(h), 10(1)(i) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75. Cabinet 12 February 2014 Minute 94.	P75 and P80	Budget & Council Tax 2014/15	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Roger Brownings, Democratic Services Officer	10(1)(h), 10(1)(i) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75. Cabinet 12 February 2014 Minute 94.	P75 and P80	Budget & Council Tax 2014/15	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
David Covill, Director of Development and Resources	10(1)(h), 10(1)(i) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75. Cabinet 12 February 2014 Minute 94.	P75 and P80	Budget & Council Tax 2014/15	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Karen Hayes Deputy Head of Finance	10(1)(h), 10(1)(i) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75. Cabinet 12 February 2014 Minute 94.	P75 and P80	Budget & Council Tax 2014/15	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Dave Rawlings Head of Finance, Revenues and Benefits	10(1)(h), 10(1)(i) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75. Cabinet 12 February 2014 Minute 94.	P75 and P80	Budget & Council Tax 2014/15	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Phil Rogers, Director of Community Services	10(1)(h), 10(1)(i) and 11	Overview and Scrutiny Commission 10 February 2014 Minute 75. Cabinet 12 February 2014 Minute 94.	P75 and P80	Budget & Council Tax 2014/15	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.

# Crawley Borough Council

## Minutes of Development Control Committee

17 February 2014 at 7.30pm

### Present:

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

### Officers Present:

David Covill	Head of Development & Resources
Ann Maria Brown	Head of Legal & Democratic Services
Jean McPherson	Group Manager, Development Management
Marc Robinson	Principal Planning Officer
Sally English	Democratic Services Officer

### Apologies for Absence:

Councillors C L Denman, J I Denman, R A Lanzer and D J Shreeves

### 69. Lobbying Declarations

There were no lobbying declarations.

### 70. Members' Disclosure of Interests

There were no disclosures of interest.

### 71. Minutes

Councillor Thomas reminded Marc Robinson (MR) that at the last meeting he had requested information on who monitors an applicant's compliance with International Commission for Non-Ionising Protection guidelines (min 66, p68, para 5). MR agreed to pursue this and to relay the information to the Committee. The minutes of the last meeting of the Committee held on 27 January 2014 were then approved as a correct record and signed by the Chair.

### 72. Planning Applications List

The Committee considered report PES/132 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/132 of the Head of Planning and Environmental

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

**CR/2013/0620/FUL**

Land south of Hydehurst Lane, Northgate, Crawley.

Erection of a production building (B1C use class) with ancillary offices, together with associated landscaping, car parking, service yards and infrastructure including new accesses to Hydehurst Lane and a diverted footpath.

Councillor P Smith had visited the site independently.

Marc Robinson, Principal Planning Officer (MR), updated the Committee on the application and advised that the county archaeologist had no objections, subject to the conditions in the report, and also that an email had been received from the applicant regarding the terms of the S106 and the requested Manor Royal contribution be included in the overall TAD which was set at £103k.

He added that condition 13 was to be amended to read:

**Condition 13**

The approved staff travel plan shall be implemented and thereafter adhered to upon the first occupation of the building.

REASON: To encourage non-car transport choices and to satisfactorily manage the demand for on-street parking in accordance with policy T1 of the Core Strategy.

He added that report item 5.11 had also been amended to read: "... A Tree Protection Order is therefore being made to protect these trees."

He advised that the references to a B2 use in the report should refer to a B1 (c) Use, although as this is also manufacturing use the basis of the issues within the report remain unchanged.

There were queries regarding the impact that the potential second runway may have on the development, including the impact of noise and the close relationship to the future airport boundary. It was set out that manufacturing use close to an airport would be similar to the existing commercial uses located close to Gatwick Airport and that the impact from noise would not be harmful to the amenities of the occupiers of the unit compared to the need to protect the living conditions of residential properties.

There was some concern over the loss of trees and an enquiry as to whether the applicant could be, by way of a condition, be required to plant trees elsewhere as mitigation. The Committee was informed that under current policy, it was not possible to request planting elsewhere, and that replacement could only apply to the application site. MR was also asked what the maximum parking standards were and he advised that there were no minimum standards; each application was judged on its individual merits against the maximum parking standards and its impact.

**Permit:** subject to the completion of the S106 agreement for Transport and Manor Royal Improvements. If the Legal Agreement is not completed by 17<sup>th</sup> March 2014, authority is sought for the Head of Planning and Environmental Services to be able to refuse the application in accordance with Section 91 of the Town & Country Planning Act 1990, and Decision Notice; submission and approval of a schedule of materials and finishes, samples of materials to be used for the external walls of the proposed buildings; all existing trees/bushes/hedges to be retained to have protective fencing



erected, and approval required for any raising or lowering of existing ground levels, and if any trenches are required in fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered; confirmation of location of parking areas; Landscape Management Plan, including long-term design objectives, management responsibilities and maintenance schedules; no occupation of buildings before walls and/or fences associated with them have been erected; no occupation of development unless the flood risk assessment and drainage strategy and supporting appendices produced by TDHA dated October 2013 is implemented and hereafter retained; submission and approval of detailed plans, cross sections and particulars of finished land levels for surrounding parking, service and landscaped areas; access, parking spaces, motorcycle parking and servicing arrangements to be designed, laid out and constructed in accordance with plans and maintained for these purposes thereafter; cycle parking provision; construction management plan including parking areas for staff and contractors, loading/unloading and off road turning areas for delivery vehicles, storage area for plant and materials, a wheel wash facility and location of site offices; staff travel plan; implementation of a programme of archaeological works; 15 no woodcrete bat boxes to be attached to retained trees, along with details of which trees to which they are to be attached; bat sensitive lighting strategy to be implemented and retained on site during construction and retained after development completion; Ecological Clerk of Works to undertake a final check for bats and oversee the 'soft felling' of trees that have an identified potential for use by bats, and if bat species are found to be present work must stop and Natural England be informed; no trees or shrubs to be removed between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year; where vegetation must be cleared during bird breeding season check for nesting birds by a suitably qualified ecologist will be required, and any vegetation containing occupied nests will be retained until the young have fledged, and compensatory nesting will be provided prior to occupation of the development; vegetation to be cleared during bird breeding season to be checked for nesting birds by a suitably qualified ecologist, and any vegetation containing occupied nests will be retained until the young have fledged, and compensatory nesting will be provided prior to occupation of the development and retained thereafter; Bird Hazard Management Plan; and piling method statement; in accordance with policies BN17, GD1, GD2, GD3, GD5, GD23, GD25, GD34, T28 of the Crawley Borough Local Plan 2000, policies G2, T1 of the Core Strategy; and in accordance with national planning policy, and with NPPF paragraphs 109 and 118.

**CR/2013/0681/FUL**

Crawters Brook, Manor Royal, Northgate, Crawley.

Creation of a public park comprising tree clearance works, unbound gravel pedestrian/cycle paths, boardwalks, seating area & other associated landscape & ecological enhancement works.

Councillor P Smith had visited the site independently.

Jean McPherson, Group Manager, Development Management (JMcP), gave a verbal summation of the application which the Members then considered.

There was some concern over the angle of the footpath at both its southern and northern ends, in that it was a sharp right-angled turn. JMcP referred to another, better scale drawing which showed a more gentle curve but agreed to include an informative for the applicant to check the routes of paths for cyclists. There was also concern over the loss of trees and the impact of this on flooding, but JMcP advised that as well as no objections or concerns from the Environment Agency in this regard, there was no suggestion of potential conflict with the thinning of the trees and that their removal was an opportunity for other tree growth to offset the tree loss.

**Permit** subject to the following conditions: permission time limit and Decision Notice, to comply with Section 91 of the Town and Country Planning Act 1990; pedestrian/cycle path, boardwalk and street furniture to be constructed in accordance with the submitted method statement and using materials identified within submitted plans and the document 'Materials, Furniture and Planning Strategy & Construction Details'; archaeological mitigation measures identified within the Master Plan and Proposed Site Plans to be implemented prior to the development trees indicated as being retained to be protected in accordance with details within the Tree Protection Plan 1, Tree Protection Plan 2 and the Arboricultural Method Statement; proposed planting scheme to be implemented by the end of the first planting season following substantial completion of the development, and any trees or shrubs that are dead, damaged or diseased within 5 years of planting to be replaced in the next planting season; in accordance with policies BN17, GD1, and saved policy GD5 of the Crawley Borough Local Plan 2000

### **73. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 8.41pm.

**S J JOYCE**  
**Vice-Chair in the Chair**

# Crawley Borough Council

## Minutes of Development Control Committee

10 March 2014 at 7.30pm

### Present:

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

### Officers Present:

Angela Tanner	Head of Planning & Environmental Services
Manson Kendall	Principal Property Lawyer
Jean McPherson	Group Manager, Development Management
Marie Bolton	Principal Planning Officer
Sally English	Democratic Services Officer

### Apologies for Absence:

Councillor C L Denman.

### 74. Lobbying Declarations

There were no lobbying declarations.

### 75. Members' Disclosure of Interests

There were no disclosures of interest.

### 76. Minutes

The minutes of the last meeting of the Committee held on 17 February 2014 were then approved as a correct record and signed by the Chair.

### 77. Planning Applications List

The Committee considered report PES/134 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/134 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:

**CR/2013/0576/FUL**

110-112 Spencers Road, West Green, Crawley

Demolition of existing buildings & erection of 5 x one bed & 5 x two bed flats with 10 parking spaces (amended plans received).

Councillors B K Blake, S A Blake, S J Joyce and W Ward had attended the site visit. Councillors A J E Quirk, P C Smith and G Thomas had visited the site independently.

Marie Bolton, Principal Planning Officer (MB), gave a verbal summation of the application and an update was provided regarding confirmation of the skeliling height and an additional neighbour comment received. This was followed by a presentation by Ms C Hiley, Chair of the Spencers Road Residents Association. Her presentation included the following points:

- Believe development would have detrimental impact on Spencers Road & surrounding environment
- Proposed 10 parking spaces inadequate for development size
- Visitor parking would overflow onto Spencers Road/surrounding roads
- Current residents' parking permit causes problems particularly at weekends: insufficient bays for current residents' vehicles
- Parking spaces at 70 Spencers Rd have been lost following development in 2013
- Proposed development would lead to significant & permanent increase in vehicles using Spencers Rd/Horsham Rod junction
- Increased noise & disturbance to residents would arise from increased number of vehicles in area
- Dispute the Traffic Report statement that loss of lorries using the site would improve safety
- Horsham Rd is already very busy at peak times, hence concern regarding ingress from Spencers Rd onto Horsham Rd
- Statement that car use is not a necessity due to close proximity of public transport had been proven to be untrue
- 9 of the 10 spaces would have access via the crossway. Concerned this reduced headroom will limit vehicular access to the site
- Yet to receive clarification from CBC over how the application addresses visitor parking
- Felt site better suited to a development of 2 or 3 houses
- Urged the Committee to visit site

Members of the Committee raised the following concern and questions:

- 2 flats fall below minimum size (58sq.m instead of 60sq.m).
- Parking is already difficult in site area
- Was there any provision for cycling facilities?
- Safe removal of asbestos
- S106 Education contributions – how do these help West Green?
- Given the age of the site, should an archaeological condition be applied?
- Site density was a concern - why not houses instead of flats?
- Bin storage/waste bin provision?

MB responded to the questions as follows

- Although 2 flats were slightly below the Council's minimum standard (by 2sq.m), the remaining 8 either met the standard space requirement or were above it, so it was felt that the site overall did not result in cramped development
- WSCC had, in 2 sets of comments, raised no objection to the parking allocation of 10 spaces. In the SPD, there was no requirement to request visitor parking, and

in relation to the proximity of the town centre, 10 spaces were considered adequate

- Asbestos removal was addressed in the report and under condition 16
- The site was not listed and no archaeological condition was required
- S106 monies were monitored by the Forward Plan team
- Site density was considered acceptable, given that precedent had already been set with other developments for flats locally
- Bin storage provision was to the west side of the development. Amenity Services had confirmed they were satisfied with the bin storage provision. Cycle parking was provided

**Permit** subject to subject to the conclusion of an agreement under Section 106 of the Town and Country Planning Act 1990 concerning Education, Total Access Demand and Open Space (a revised deadline for conclusion of the agreement was provided as 31<sup>st</sup> March 2014 beyond which the decision would be refused unless there were exceptional reasons for the delay for the reason specified in 6.3 of the Officer report) and conditions including: the standard time limit and Decision Notice; schedule and samples of materials and finishes to be used for external walls, roof windows and doors; plans and particulars of the land levels and finished floor levels; combined aerial facilities provision; accesses to be laid out and constructed before commencement of the development; all accesses to the site other than those approved to be closed and obliterated upon completion of the development; a CMP to be prepared and approved before commencement of the development; provision and construction of parking spaces and turning facilities; submission and approval of full details of soft landscaping works; all soft landscaping, planting, seeding or turfing comprised in landscaping details required by condition 10 to be carried out in first planting and seeding seasons following occupation of the buildings or completion of the development, whichever is sooner, and any trees or plants which within a period of five years from completion of the development die, are removed, or become seriously damaged or diseased to be replaced in the next planting season; submission and approval of hard landscaping details, including fencing, lighting and paving; windows on east and west side elevations of the building to be at all times glazed with obscured glass and be fixed to be permanently non-opening up to a height of 1.7m from finished floor level; provision of cycle and bin storage before occupation; Noise Exposure Category to be established before commencement of the development; should any part of the development fall within Noise Exposure Category B or C, work shall not begin until a scheme for protecting all proposed dwellings from noise from rail traffic has been submitted and approved; submission and approval of a scheme to deal with contamination of the land and/or ground water; in accordance with Section 91 of the Town & Country Planning Act 1990; policies GD1, GD2, GD3, GD5, GD6, GD16, GD19 GD34 and H19 of the Crawley Borough Local Plan 2000;

### **CR/2013/0610/ARM**

Phase 1A, Land at North East Sector, Crawley

Approval of reserved matters for 204 dwellings and related works pursuant to CR/1998/0039/OUT for erection of up to 1900 dwellings, 5000 sq.m of use class B1, B2 & B8 employment floorspace, 2500 sq. m of retail floorspace, a local centre/community centre (including a community hall), a new primary school, recreational open space, landscaping, the relocation of the 132KV OHV power line adjacent to the M23, infrastructure and means of access.

Jean McPherson, Group Manager (Planning ) (JMcP), gave a verbal summation of the application and advised the Members that there had been amendments to conditions 2, 3 and 13, as well as additional conditions 14, 15, 16 & 17, which addressed the more detailed design on the development. These are attached as Appendix A to these minutes. She tabled these amendments, as well as the illustrative masterplan agreed by condition 1 on the outline planning permission (CR/1998/0039/OUT)

Mr Hutchison of Pegasus Group (agent), then gave a presentation which included the following points:

- Outline master plan and Design & Access Statement established key principles of application
- Engaged in pre application discussions with officers to understand how principles translate in detailed proposals
- Project Architect with CBC Urban Design Officer to agree architectural styles & forms to deliver distinct character areas referred to in Design Statement
- Regular meetings throughout process to review other consultation responses with officers, including WSCC (highways), Environment Agency (drainage) and Gatwick Airport (aviation safety)
- Through negotiations, applicant has amended proposals where necessary to address concerns
- If approved, will represent important first step for delivery of new neighbourhood
- 204 dwellings will come forward – an important contribution towards CBC's housing numbers
- Delivery of 40% affordable housing
- Applications already submitted for the area, seeking to bring forward the neighbourhood area with retail and community facilities
- Intend to finalise proposals for central parkland, incl. flood compensation works for Gatwick stream
- Settle the final phasing details for drainage strategy
- Important for applicants and also CBC in meeting housing requirements and delivering on Local Plan
- Should be noted that not a single objection to the scheme has been received
- Commence work on Phase 1 infrastructure (already approved) house building would commence in Summer 2014, weather permitting and once conditions have been cleared

Comments and questions from the Committee included:

- T-junction (replacing small roundabout) unclear; also concern at lack of speed restrictions on Steers Lane
- Can use of PV panels be enforced?
- Renewable energy/current energy efficiency standards – what are these?
- Why have duplicate applications been submitted?
- Concern over mixed housing styles/finishes
- Report item 6.13: mobility/wheelchair housing is provided subject to evidenced need (none currently sought). What evidence is required once such dwellings are sought?
- Clarity sought on drainage. No explicit reference to climate change. Crawley also badly affected by recent weather & the development is close to floodable area
- Bridge would be a pinch point
- Some dwellings fell below recommended size; concern at such small spaces
- Cycling provision?

JMcP responded to the enquiries as follows:

- The detailed road design had been agreed with the spine road application approved in 2013. This had also been passed by WSCC and the safety engineers. The design had changed in part through officer comments made to the applicant who had been requested to create a better approach to the development from the southern end of the site

- Renewable energy – this was addressed in condition 23 of the outline application which required 10% of the development to be secured from decentralised, renewable or low carbon energy sources. The design of the development did not include renewables at this stage although there was potential to alter this to deliver carbon savings. The issue was not resolved at present, but the condition was in place to control it
- Duplicate applications had been submitted as there was a limited permission time for reserved matters; duplicate applications provide options and allow for progression of second applications with amendments in order to maintain position and to keep timetables 'live'
- Housing styles – there would be a limited number with timber cladding on the 'Lanes' houses and most others would be brick and tile. There was also a planning condition on materials (condition 37 on outline application)
- The Housing Officer had been consulted regarding mobility/wheelchair housing and it had been confirmed that no such housing was currently sought. However, this could be factored in if required in later phases
- Energy efficiencies: The proposed dwellings were required to be Code 3 (condition 22 of outline application) and 10% was on top of Code 3
- Drainage/climate change/runoff. The flood plain areas had been remodelled using latest data from the Environment Agency – a requirement for urban sustainable drainage comprised part of the data and controlled through condition 16. Another requirement concerned the extent of the area and that no greater runoff than currently existed would be acceptable. The flooding/runoff requirements had been met through 3 conditions: drainage, central parkland and a management plan
- Traffic, junctions and accesses had all been considered at both the public inquiry and the outline application stage and all had been accepted
- Small private homes – only 5 out of 204 dwellings fell slightly below recommended size
- Bridge design. The Environment Agency had been consulted in connection with drainage: the only issue was an aesthetic one and the bridge would be made more attractive to provide a more acceptable visual impact
- Cycle provision – all the flats had cycle parking provided

At the request of Councillor Quirk 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 B K Blake, S A Blake, B J Burgess, L A M Burke, J I Denman, I T Irvine, S J Joyce, R A Lanzer, C A Moffatt, D J Shreeves, P C Smith, G Thomas, W A Ward

**Against the motion (to permit):**

Councillor A J E Quirk

**Approved** subject to the following conditions: Decision Notice; submission and approval of details of design features (listed in Appendix A); windows on rear elevations of plots 61, 101, 158, 169, 185 & 194 and south elevation of plot 194 to be glazed with obscure glass and details of any means of opening to be submitted & approved; submission and approval of details of design and location of lighting in forecourt and parking areas; combined aerial facilities provision; notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995, gates shown on drawing no. 091109-1A-08 Rev B to be retained in positions shown; (notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or any order evoking and re-enacting that Order with or without modification), no fences, gates

or walls other than those shown on the plans to be erected within the cartilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto central parkland (plots 170, 172-176, 186-192); no solar panels or renewables to be installed until full details of design or location are submitted and approved; development to be undertaken in accordance with details within the submitted Ecological Assessment – Phase 1A Residential applications (November 2013) provided by Ecology Solutions;

trees/bushes/hedges to be retained to be protected in accordance with tree protection plans 7827/02 Rev C (drawings 1/3, 2/3 and 3/3) & in accordance with Arboricultural Method Statement 7827/02 Rev C dated 31/01/2014 before any development takes place, and existing ground levels to be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil to be placed, stored within areas fenced off, and if any trenches for services are required in the fence doff areas, they are to be excavated and backfilled b hand, and any roots with a diameter of 25mm or more to be left un-severed; all landscaping works to be implemented in accordance with the approved soft landscape specification CSa/667/139Rev A (drawing numbers CSa/667/111 RevD, 112 RevD, 113 RevD, 114 RevD); all planting, seeding or turfing comprised in approved landscaping details within Phase 1a to be carried out in first planting and seeding seasons following occupation of the buildings or completion of the development, whichever is sooner, and any trees or plants which within a period of five years from completion of the development die, are removed, or become seriously damaged or diseased to be replaced in the next planting season; notwithstanding drawing details provided on plan T258/09/Rev B no works on bridge crossing to take place before submission and approval of bridge elevations, railings and boundary approaches; submission and approval of construction details of a projecting brick plinth for plots 1-5 incl, plot 18 and plots 38-44 incl; submission and approval of typical construction details of each window type; submission and approval of alternative details of a front elevation porch design / door surround / bay window for house type PA41-E1; submission an approval of further details for creasing tile/corbel detailing on building in 'Parkland Edge' part of the development before any works comprising erection of buildings in that part of the development; in accordance with policies GD1, GD2, GD3, GD5, saved policy GD34, and H19 of the Crawley Borough Local Plan 2000, policies EN1, EN4 and EN5 of the Crawley Borough Core Strategy of the Local Development Framework 2008, the approved Design Statement, and paragraphs 17 and 118 of the NPPF 2012; and to comply with Condition 1 of CR/1998/0039/OUT 'Design Statement'.

### **CR/2013/0644/RG3**

The Mill Pond (including Ifield Dam, North Pond, South Pond, Bewbush Water Gardens & surrounding public areas), off Hyde Drive, Ifield, Crawley

Proposed improvements to the Mill Pond, Ifield, comprising works required by the Reservoir Act 1975 (as amended) to Ifield Dam and associated spillway, de-silting of the North and South ponds and associated improvements to the site including footpaths, boardwalks, an additional car park off Gossops Drive for 10 spaces and other minor ancillary works. Construction works to the dam will include a new dam structure on the upstream face of the existing dam with a clay core from a borrow pit in the bed of the North pond, concrete revetments & a new concrete auxiliary spillway & associated downstream structures, together with temporary site haul roads and works compound areas. A quantity of the excavated silt will be retained on the site within the new dam structure, the borrow pit & to form a new island & extend the western bank of the South pond, with the remaining excavated silt transported off site to improve agricultural land.

Councillors B K Blake, S A Blake, S J Joyce and W Ward had attended the site visit. Councillors I T Irvine, C A Moffatt and P C Smith had visited the site independently.



MB gave a verbal summation of the application and advised that condition 12 was to be revised to read as follows:

Condition 12 (revised)

The development shall only be undertaken in accordance with the details within the Environmental Management Plan.

REASON: To ensure that the ecology of the site is protected and enhanced in accordance with 'saved' policy GD34 of the Crawley Borough Local Plan 2000, policies

EN1 and EN4 of the Core Strategy of the Local Development Framework 2008 and Para 118 of the NPPF 2012.

The Members of the Committee then considered the application and raised a number of questions, including:

- Some trees had already been felled before permission has been granted.
- Felled trees – would these be replaced with similar specimens, especially those recognised as having high amenity value?
- How would the Mill House public house (now closed) be affected by the works?
- Boardwalk around the pond not shown in the report
- Concern about odour from silt drying area; it was felt that Gossops Green would bear the brunt of that. Was it possible to advise residents work/odour would be temporary?
- Report stated approx 30 weeks to complete the project – at what time of year would work commence?
- Report item 5.4 referred to flood risk – would this work accelerate the impact on flooding?
- How long would drying of silt take?
- Movement on Gossops Drive was a concern as Mill House School was on that road. Report item 5.27 referred to vehicle movements every 40 minutes – during which hours would these occur?
- A planning application was in progress to close Holmbush Farm where the silt was to be dried – clarification requested
- WSCC archaeologist recommended a 'watching brief' to record any archaeological finds – who would be undertaking this?
- Clarification was sought on impact of de-silting on pond flora and fauna
- Clarification was sought on depth of silt digs

MB addressed the questions and concerns as follows:

- The trees lost had not been covered by a TPO and therefore consent was not required to fell them. However, a condition to replace key tree specimens was suggested – see below
- Traffic movement – the application had been supported by the appropriate surveys and assessed by WSCC Highways, and by means of the transport statement and safety audit. Traffic movement had been considered in-depth and WSCC did not object to the application on highway grounds
- Environmental Health legislation would cover the hours of operation
- Regarding Holmbush Farm, the application under consideration was based on the latest information at the time on the meeting
- A communications plan was being developed to inform residents about the odours
- The archaeological organisation was covered by condition 7, and was the responsibility of the developer to arrange
- The applicant had 3 years in which to implement the works but it was anticipated it would take place between April and November 2014

- The flooding risk was a relevant planning consideration, and had been assessed and would not generate further flooding issues
- Some fish would be moved from the north to the south pond but the silt removal would lower the pond level by only around 200mm to a maximum depth of around 800mm which would allow the wildlife to remain
- Members were advised by Cllr B K Blake that the silt would be dug from a depth of around 0.5m overall

Additional condition

Within 3 months of the commencement of the development the applicant shall submit a replacement planting scheme, in mitigation for the loss of the 9 trees of significant value, to be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in the next planting season. In the event that any such trees die within five years following such planting, the trees shall be replaced with similar trees in a similar position during the next planting season.

REASON: To retain trees in the interests of the environment of the locality in accordance with 'saved' policies GD5 and GD6 of the Crawley Borough Local Plan 2000 and policy EN4 of the Crawley Borough LDF Core Strategy 2008.

**Permit** subject to the following conditions: permission time limit and Decision Notice, in accordance with Section 91 of the Town & Country Planning Act 1990; temporary access from site to public highway at Hyde Drive and construction compound to be designed, laid out and constructed before any other operation is commenced on land around and within the north pond; temporary access from site to public highway at Waterfield Gardens and construction compound to be designed, laid out and constructed before any other operation is commenced on land around and within the Bewbush Water Gardens; temporary access from site to public highway at Hyde Drive and construction compound to be designed, laid out and constructed before any other operation is commenced on land around and within the south pond; all temporary accesses to the site to be stopped up permanently, obliterated and restored to an agreed condition within 6 months of development completion; developer to arrange for an archaeological organisation or appropriately qualified archaeologists to observe the excavations and record archaeological evidence that may be uncovered as a result of the development in accordance with a Heritage Asset Mitigation Strategy With Written Scheme of Investigation document and timetable, to be submitted and approved; prior to commencement of the works; Construction Management Plan; provision of wheel cleaning facilities before development takes place, and all vehicles leaving the site to use these facilities; submission and approval of permanent car park, to be accessed from Gossops Drive, for ten cars and bicycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear; existing trees/bushes/hedges to be retained/protected before commencement of the development, and for the duration of the development shall not be damaged, destroyed, uprooted, felled, loped or topped without previous written consent; any trees removed without consent or dying or being severely damaged or severely diseased during that period shall be replaced in the following planting season; within 3 months of the commencement of the development, a scheme of replacement planting shall be submitted to and approved in writing to mitigate for the loss of 9 significant trees; Environmental Management Plan; sites of the construction compounds, accesses, haul road and passing places to be restored to an agreed condition within 6 months of the completion of the development; in accordance with policies BN17, GD1, GD2, GD3, GD5, GD6 and saved policy GD34 of the Crawley Borough Local Plan 2000; policies EN1 and EN4 of the Core Strategy of the Local Development Framework 2008, and paragraph 118 of the NPPF 2012;

**CR/2013/0646/RG3**

60 Ashburnham Road, Furnace Green, Crawley

Installation of external rendered insulation to all elevations.

MB gave a verbal summation of the application which the Committee then considered. MB advised that although the design was unconventional, the increased insulation and additional sustainability outweighed the unusual design.

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

**78. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 10.16pm.

**J I DENMAN**  
Chair

## APPENDIX A

### Additional/Amended conditions for:

#### CR/2013/0610/ARM Phase 1A, Land at North East Sector, Crawley

##### Revised condition 2

Notwithstanding the approved plans no works comprising the erection of the buildings hereby approved shall commence until details of the following design features have been submitted to and have been approved in writing by the Local Planning Authority:

- a. False window detail
- b. B. Balcony detail and corbel details for plots 68-87 and 159-164
- c. Quoin detail for 'Main Street' type houses and flats
- d. Brick arch detail over garage doors
- e. Weatherboard detail for 'Lanes' house types
- f. Vertical tile hanging detail for 'Lanes' and 'Neighbourhood housing' house types
- g. Bargeboard detail of main roofs and porches for 'Neighbourhood housing' type.  
Where such design features are shown on the approved house type/garage plans, the works on those plots shall be undertaken in accordance with the approved details.

REASON: To ensure the development design is high quality in accordance with policy GD1 of the Crawley Borough Local Plan 2000, policy EN5 of the Core Strategy and to comply with Condition 1 of CR/1998/0039/OUT 'Design statement'.

##### Revised condition 3

Prior to first occupation, the windows on the rear elevations of the building plots 61, 101, 158, 169, 185 and 194 and the south elevation of plot 194 shall be glazed with obscure glass only and details of any means of opening shall be submitted to and agreed in writing with the Local Planning Authority. Those windows shall be permanently maintained in accordance with the agreed details at all times thereafter.

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.

##### Amended condition 13

Notwithstanding the drawing details provided on plan T258/09/Rev B, no works on the bridge crossing shall take place until details of the bridge elevations, railings and boundary approaches have been submitted to and agreed in writing by the Local Planning Authority. The bridge works shall thereafter be implemented in accordance with the agreed details.

REASON: The design of the bridge is unsatisfactory in the form shown on the submitted plans and this aspect of the scheme should be modified to ensure an acceptable form of development in the interests of the amenities of the locality and to control the quality of the development in accordance with paragraph 17 of the NPPF and policy EN5 of the Crawley Borough Core Strategy.

### Additional detail conditions

##### Condition 14 – Plinth detail

Notwithstanding the drawing details provided, the elevations for house types on plot numbers 1-5 inclusive, plot 18 and plots 38-44 inclusive no building works shall take place on these plots until construction details showing a projecting brick plinth have been

submitted to and agreed in writing by the Local Planning Authority. The dwellings shall thereafter be implemented in accordance with the agreed details.

REASON: The design quality of these dwellings is unsatisfactory in the form shown on the submitted plans and this aspect of the scheme should be modified to ensure an acceptable form of development to comply with the quality of design established in the Design Statement, in the interests of the amenities of the locality and to control the quality of the development in accordance with paragraph 17 of the NPPF and policy EN5 of the Crawley Borough Core Strategy.

Condition 15 – Window detail

Notwithstanding the approved plans, no works comprising the erection of buildings shall commence until typical construction details of each window type to be used in those buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of window framing, glazing bars, heads, sills, lintels and brick surrounds (where applicable) at a scale of not less than 1:20. The works shall be carried out in accordance with the approved details.

REASON: To control the development in detail and to ensure a high quality control development in the neighbourhood with policy GD1 of the Crawley Borough Local Plan 2000, policy EN5 of the Core Strategy and to comply with Condition 1 of CR/1998/0039/OUT 'Design Statement'.

Condition 16 – Plot design details

Notwithstanding the drawing details provided for house type PA41-E1, no work on these dwellings shall take place until alternative details of a front elevation porch design / door surround / bay window have been submitted to and agreed in writing by the Local Planning Authority. The dwelling shall thereafter be implemented in accordance with the agreed details.

REASON: The design quality of these dwellings is unsatisfactory in the form shown on the submitted plans and these details should be modified to ensure an acceptable form of development to comply with the quality of design established in the approved Design Statement, in the interests of the amenities of the locality and to control the quality of the development in accordance with paragraph 17 of the NPPF and policy EN5 of the Crawley Borough Core Strategy.

Condition 17 – Parkland edge detail

No works comprising the erection of the buildings hereby approved shall commence within the 'Parkland Edge' part of the development until further details have been submitted to and have been approved in writing by the Local Planning Authority for creasing tile/corbel detailing on the buildings in that part of the site. The details shall include the following:

- a) A typical construction detail of the creasing tile/corbel feature
- b) A plan or schedule identifying (i) the buildings that will include the creasing tile/corbel detailing and (ii) the elevations on the identified buildings where the design feature is to be applied

The works shall thereafter be undertaken in accordance with the approved details.

REASON: To ensure the development design is high quality in accordance with policy GD1 of the Crawley Borough Local Plan 2000, policy EN5 of the Core Strategy and to comply with Condition 1 of CR/1998/0039/OUT 'Design Statement'.

# Crawley Borough Council

## Minutes of Audit and Governance Committee

12 March 2014 at 6.30pm

### Present:

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

### Also in Attendance:

Emma Bryant, Audit Manager, of Ernst and Young LLP.

### Officers Present:

Chris Bower	Senior Auditor
Kevin Carr	Principal Lawyer
Chris Corker	Fraud and Inspections Manager
Gillian Edwards	Audit and Risk Manager
Karen Hayes	Deputy Head of Finance
Dave Rawlings	Head of Finance, Revenues and Benefits
Roger Brownings	Democratic Services Officer

### 28. Apologies for Absence

Ann-Maria Brown – Head of Legal and Democratic Services.  
Paul King, Engagement Lead, of Ernst and Young LLP.

### 29. Members' Disclosures of Interests

There were no disclosures of interest.

### 30. Dave Rawlings

The Committee conveyed its thanks and best wishes to the Head of Finance Revenues and Benefits who would be retiring at the end of March after his many years of service with the Council. Members paid tribute to Dave, and referred to him as an enormous asset to the Committee and to the Council generally and he would be greatly missed.

### 31. Minutes

The minutes of the meeting of the Committee held on **10 December 2013** were approved as a correct record and signed by the Chair.

With regard to Minute No. 22 (Fraud Team Report), the Head of Finance Revenues and Benefits updated the Committee on the intentions by the DWP (Department of Works and Pensions) to transfer all housing benefit fraud work currently undertaken by local authorities to the DWP as a central fraud investigation service. The Committee was advised that the DWP had since made clear from a timetable recently published, that this process would be rolled out between October 2014 and March 2016, with each authority, including this Council, being advised shortly as to when the transfer process would be applying to them. Lawyers for the DWP had suggested that TUPE would not apply, but that undertakings would be applied to meet, as near as possible, similar requirements. With the loss of housing benefit fraud work, it was felt that the Council would need to decide what form of fraud capacity it would want in the future, whilst it was reiterated that this whole matter had been very unsettling for staff. The Chair requested that a further update on this issue be provided to the Committee at its next meeting.

### 32. Protecting the Public Purse Fraud Briefing 2013

The Committee considered an Audit Commission Briefing from Ernst and Young LLP, and welcomed Emma Bryant of Ernst and Young LLP to the meeting. The Briefing was attached as **Enclosure B** to the agenda.

In introducing the Briefing to the Committee, Emma commented that the Briefing provided the opportunity for the Committee to consider the Council's fraud detection performance, compared to similar local authorities, as well as such matters as current counter fraud strategy and priorities, and local and national fraud risks. With regard to that element of the Briefing which referred to questions that Members might wish to ask/consider, Emma advised that she would provide a Website link to those questions for future reference and assistance. In receiving clarification on issues raised, Members considered the Briefing in detail, and acknowledged that the Council's fraud detection performance was progressing well, and compared very well with other authorities identified.

#### **RESOLVED**

That the Briefing be noted.

### 33. Fraud Team Report

The Committee considered report FIN/331 of the Fraud and Inspections Manager, which focused on activity for the period from 20 November 2013 to 19 February 2014.

- The Team was now looking into all areas of fraud and loss against the Council, with the main areas of investigation being housing benefit, housing, council tax and business rates.
- A further three properties had been recovered as part of the work in the area of tenancy fraud, making a total of 23 homes recovered during the year 2013/14.

- Work was also developing in terms of investigating housing applications for which the Team had already prevented a number of properties from being allocated and lost from the Council's stock.
- The Committee acknowledged that service performance continued to improve generally, including the application of various sanctions, of which there had been two successful prosecutions.
- The total overpaid benefit (including benefits administered by the Department of Works & Pensions (DWP)) identified by the Team for this reporting period was £57,683, with a year to date total of £321,899.

The Committee received overall information on losses prevented, stemmed, recovered and gained, and as part of this, and the wider consideration of the fraud and loss detection work being undertaken, including its associated value, Members conveyed their thanks and appreciation to the Team for the excellent progress it was continuing to achieve.

## **RESOLVED**

That the report be noted.

### **34. Certification of Claims and Returns Annual Report (2012/13)**

The Committee considered the Certification of Claims and Returns Annual Report (2012/13) from Ernst and Young LLP. The Report was attached as **Enclosure D** to the agenda.

The report set out the full background to this matter, including a summary of the work undertaken, the results of the certification work and the fees arising, as well as future issues arising. The Committee as part of its discussion on the report was pleased to note that whilst there had been a qualification letter issued for one claim, details of which were included in the report, the Council's arrangements for the production of claims and returns overall remained adequate. In terms of the fees identified within the report, the Committee was advised that in relation to the proposed variation to the indicative 2012/2013 fee for the Housing and Council Tax Benefits Subsidy claim, this had still been subject to any variations to be agreed by the Audit Commission. However, since the publication of the report, notification had been received from the Commission that it had formally approved the audit scale fee variation of £1,491.

## **RESOLVED**

That the Certification of Claims and Returns Annual Report (2012/13) be noted

### **35. Audit Progress Report**

The Committee considered a progress report from Ernst and Young LLP. The Progress Report was attached as **Enclosure E** to the agenda.

The purpose of the Progress Report was to provide the Committee with an overview of the work completed as part of the 2012 / 2013 audit and an outline of the plans for the 2013 / 2014 audit. The Report was a key mechanism in ensuring that the audit was aligned with the Committee's service expectations. As part of the update of the 2012 / 2013 audit, Emma Bryant confirmed that the Report on the Audit of Grant



Claims (as considered in Minute No. 34 above) was the last key piece of work to be completed for that 2012 / 2013 audit programme.

In response to a question from the Chair as to whether it was felt that the Council had sufficient resources to meet commitments and cover potential risks via its scheduled work within the Internal Audit Annual Plan, Emma indicated that the external auditors had experienced no problems on reliance of the Plan in the past, and that if Ernst and Young had concerns in moving forward as a result of such problems, then this would come out as part of its Value for Money evaluation. The proposed Audit Annual Plan for 2014 / 2015 was to be considered later at this meeting.

The Committee conveyed its thanks to Emma for the work undertaken for this meeting.

## **RESOLVED**

That the Audit Progress Report be noted.

### **36. Code of Corporate Governance**

The Committee at its meeting on 30 September 2013 considered a report from the Head of Legal and Democratic Services (**LFD/069**) which sought adoption of a Code of Corporate Governance to replace the existing Corporate Governance Statement for inclusion in the Constitution. At that meeting Members raised a number of issues relating to the Code as proposed, and it was felt that the Code should be deferred for further consideration at a future meeting of the Committee.

The Committee now had before it report **LDS/079** of the Head of Legal and Democratic Services, the aim of which was to further consider the proposed replacement of the existing Corporate Governance Statement with a new Code of Corporate Governance, which was attached as Appendix A the report.

A further detailed debate on this matter was undertaken, during which some Members reiterated their doubt as to what purpose the Code actually achieved. In response to those concerns it was emphasised that the current Code needed to be updated to meet current published standards for local authority governance within the UK, and would further ensure clear and precise democratic processes as part of the Council's Constitution. The Code was supported by various policies, procedures, systems and structures that determined and controlled the way in which the Council managed its governance affairs, and more importantly was used to help judge the robustness of the required Annual Governance Statement which accompanied the Annual statement of Accounts. The Committee referred to the Council's current review of governance practices and structures involving this Committee, the General Purposes Committee and the Performance Monitoring Scrutiny Panel (the Committee's consideration on the Role of Audit and Governance at its 25 June 2013 meeting refers), and on which it was understood a report would be received by Members in due course. With this in mind it was suggested that if the Proposed Code was adopted it could then be further reviewed in a year's time to specifically consider its purpose within the outcomes of the review on governance / committee arrangements.

Upon a vote being undertaken, it was

**RESOLVED**

**RECOMMENDATION 2**

(1) That the Full Council is RECOMMENDED:

To adopt the proposed Code of Corporate Governance (as contained in Appendix A to report LDS/079) for inclusion in the Constitution and to replace the existing Corporate Governance Statement.

**RESOLVED**

(2) That it is agreed that should the Full Council adopt the proposed Code of Corporate Governance (as contained in Appendix A to report LDS/079), it then be reviewed in a year's time to specifically consider its purpose within the outcomes of the review on governance / committee arrangements, as referred to above.

**37. Update on the Operation of the Standards Regime under the Localism Act 2011**

The Committee considered the report of the Head of Legal and Democratic Services, **LDS/078**. Following the implementation of the Council's Standards Regime, which had been adopted by the Authority in July 2012 in response to the requirements of the Localism Act 2011, the Committee was now invited to receive an update on the operation of that Regime, and to consider whether any proposed changes were required to the Councillors' Code of Conduct following revisions to the seven principles of public life by the Committee on Standards in Public Life. A copy of the Code of Conduct was contained in Appendix 1 to the report. The report included full details of the issues arising.

In response to issues raised by Members, the Committee was advised:

- That clarification on the term "informal action" as recorded in the second Code of Conduct complaint in Appendix 3 of the report, would be provided to all Members of the Committee as soon as was possible after this meeting.
- That in terms of any cases where it was found that a complaint received by a Member was of a malicious, vexatious, politically motivated or tit-for-tat nature, bearing in mind, for example, the potential use of resources in addressing that complaint, further consideration would be given to censuring the Member(s) bringing that complaint.
- That although there were often a number of complexities involved in the investigation of a complaint, every effort would continue to be made to resolve all complaints (as well as notify all parties concerned of developments / outcomes), as soon as was practicable.
- That a report on a review and update of the Standards Regime to include complaints, the outcomes and lessons learnt, would in response to Members requests at this meeting, be presented to the Committee on an annual basis.

**RESOLVED**

(1) That report LDS/078 be noted.

- (2) That no changes be made to the Council's Code of Conduct.

### **38. Internal Audit Annual Plan – 2014 / 2015**

The Committee considered report **FIN/332** of the Head of Finance, Revenues & Benefits on the Internal Audit Annual Plan for 2014 / 2015. The Plan, which was attached as Appendix A to the report, included for each audit area an outline scope of work planned.

In response to comments by Members it was reiterated that best practice dictated that an audit plan should be prepared to meet the audit needs of the organisation, regardless of the level of resources available to deliver the plan. If the days required exceeded the days available it was for management to decide whether additional resources should be made available or whether they were happy to accept the risks involved of not doing some of the reviews, and which reviews should be omitted. Furthermore, if the Section 151 Officer felt it appropriate, he/she would seek additional resources through a request to the Cabinet, and if necessary, to the Full Council. The Plan for 2014/2015 had been prepared to reflect current budgetary constraints. Whilst this meant that there wasn't the spare capacity to do additional work that might have existed in previous years, it was indicated that to an extent, supporting resources could be made available if required, including the utilisation of a trainee and the sharing of services with other authorities. The Committee conveyed its thanks and appreciation to the Audit and Risk Team for all its work undertaken.

#### **RESOLVED**

That the 2014 / 2015 Internal Audit Annual Plan be noted.

### **39. Internal Audit Progress Report as at 14 February 2014**

The Committee considered report **FIN/333** of the Audit and Risk Manager. The purpose of the report was primarily to update the Committee on the progress made towards the completion of the 2013 / 2014 Internal Audit Plan, and to report on the progress made in implementing the previous recommendations. The Audit and Risk Manager informed the Committee that since the last update:

- The Review of (i) DWP (Department of Works and Pensions) Compliance, (ii) Council Tax and (iii) the Council Tax Reduction Scheme had been completed, with an audit opinion received of full assurance. Other work had been completed where an audit opinion was not applicable, and this, and details of work being implemented, were set out in Section 4 of the report.
- There were no high priority findings to report in this quarter.
- Work was continuing in respect of significant capital and revenue schemes to confirm that appropriate controls were in place and were operating satisfactorily. As part of that work, the Team was also looking to confirm that the lessons learned from previous capital schemes had been taken into account. In relation to the two schemes reviewed in this current financial year, it was found that the controls operating across the Worth Park Restoration Project, including the regular undertaking of financial monitoring and reporting, were satisfactory, whilst with regard to the letting of the Waste and Recycling contract, an overall opinion had been given that the process was again operating satisfactorily.

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

## **RESOLVED**

That the Internal Audit Progress report, and the progress made for the period up to 14 February 2014 be noted.

### **40. Feedback on the Council's Recent Investment Projects Completed or now in Hand**

Councillor Walker had requested that the Committee consider a number of issues relating to the construction of Maidenbower Pavilion, and that if at this meeting the Committee were minded to agree to this request, the intention would be to bring a report covering those issues to the June meeting of the Committee. A Briefing Note on this matter had been circulated to the Committee, and following a detailed discussion on all issues and concerns raised, the Committee conveyed its view that a report should be submitted to the Committee's June meeting. The Committee considered the overall scope of the report to be submitted, whilst it was felt that this should also include an assessment as to the extent to which the lessons learned (as identified in the report on the Pavilion to the Committee's March 2012 meeting) had been put into effect on subsequent major construction contracts.

## **RESOLVED**

- (1) That a report - the scope of which is to be developed and coordinated by the Head of Finance, Revenues and Benefits (in consultation with the Chief Executive and Members of the Committee), be presented to the next meeting of the Committee on 25 June 2014.
- (2) That appropriate Officers be asked to attend the meeting referred to in (1) above to assist in dealing with any questions asked at that meeting.

This was the last meeting of the Committee for this Municipal Year, and the Chair took this opportunity to thank all Members of the Committee and Officers for their help and support in undertaking the Committee's work during that year.

### **41. Closure of Meeting**

The meeting ended at 9.05 pm.

A J E QUIRK  
Chair

# Crawley Borough Council

## Minutes of the Overview and Scrutiny Commission

Monday 17 March 2014 at 7.00 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, A J E Quirk and B A Smith

### Also in Attendance:

Councillor	Dr H S Bloom
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### Officers Present:

Lucasta Grayson	Head of People and Technology
Lee Harris	Chief Executive
Manson Kendall	Principal Property Lawyer
Elaine Sayers	Democratic Services Officer

### 81. Apologies for Absence

Councillor L S Marshall-Ascough.

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

No disclosures of interests or whipping declarations were made by Members.

### 83. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [10 February 2014](#) were approved as a correct record and signed by the Chair.

Councillor C Cheshire gave an update from Public Question Time in relation to Mr J Herbert and his fund raising idea for the Crawley Museum, 'Sponsor a Brick'. Councillor Cheshire met with the Crawley Museum who had agreed to work with Mr Herbert in the future once the contractual agreements for the new building had been finalised.

### 84. Public Question Time

No questions from the public were asked.

## 85. Localism Act 2011- List of Assets of Community Value

The Commission considered report [LDS/080](#) of the Head of Legal and Democratic Services. The report outlined the provisions relating to the Assets of Community Value Scheme, the implications for the Council of having to hold the list of Assets of Community Value and the arrangements in place for dealing with the duties. That the determination of an asset as a Community Asset be determined by the Assets of Community Value Panel (ACVP) comprising Heads of Services and the Cabinet Member for Community Engagement.

The Commission held an in depth discussion with the Principal Property Lawyer regarding the procedures and arrangements including the following:-

- Legislation was prescriptive in that for any asset nominated only certain community groups had a right to bid but not an automatic right to buy. The time scales within the moratorium period were adequate for interested, eligible Community Groups to be formed.
- The nominated asset would become operational from the moment the ACVP had agreed to accept the nomination – there would be no further delays.
- No formal valuation of an asset was required.
- Rejected asset nomination applications might be re-submitted at a later date. There was no right of appeal should the nomination be rejected for not meeting the prescribed criteria.
- The Council's compensation to owners for lost revenue or expenses (such as legal fees) on listed assets was limited to £20,000 per year, and the Government would be liable for any excess. Claims for compensation would need to be substantiated by supporting evidence.
- Meetings of the Assets of Community Value Panel would not be held in public.
- The Act does not allow for every asset within a neighbourhood to be listed.
- In most authorities it was mainly Officers that were involved in procedural operations in managing the nominations and Asset List.

### RESOLVED

That the Commission agreed to endorse the recommendations in full to the Cabinet subject to the following amendments:-

1. Apart from any existing application, the relevant Local Member may submit, within 3 weeks, comments to the Portfolio Holder selected for the ACVP on any asset nomination.
2. Policy Review: The Procedure would include the wording 'Crawley Borough Council must review and amend this policy in the light of developing good practice and guidance'.

## 86. 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 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 paragraphs specified against the item.

## **87. Agency Staff Procurement**

Exempt Paragraph 3 (information relating to financial and business affairs of any particular person (including the Authority holding that information) of Part 1 of Schedule 12A to the Local Government Act, 1972 (as amended))

The Commission considered Report FIN/330 of the Head of People and Technology and Head of Finance Revenues and Benefits.

The report outlined the Councils proposals on securing temporary staff in the future. Members commented and sought clarification on a number of aspects of the report. Areas discussed included:-

- The Agency Staff pay rate was in line with existing staff pay and complied with the Living Wage rates.
- The proposed Agency arrangement fee would be a better deal for the Council
- There would be a mini competition between the 7 named Agencies around the existing framework guidelines.
- There would be reducing Agency costs compared with previous years under the new framework, as recruitments were mainly to specialist posts.
- There would be continued HR support for advertising where recruitment times were not of an urgent nature.
- Any local arrangements would continue where temporary staff would be recruited from a pool of staff working on zero hour contracts. This had worked well for many years in areas such as Amenity Services and Play who had administered their own casual staff pools in accordance with seasonal requirements.
- Council Staff turnover remained stable.

### **RESOLVED**

That the Commission agreed to endorse the recommendations in full to the Cabinet

## **88. Re-Admission of the Public**

The Chair declared the meeting reopen for consideration of business in public session.

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

Councillor BA Smith tabled a written update on the HASCSC meeting held on 14 March 2014. The major items discussed relating to Crawley at the meeting were:-

- Updates on Dementia Services across the county, including the extension of the Memory Assessment Service
- The work of the Crawley Dementia Friendly and Crawley Dementia Alliance
- A review of Stroke Services across the county where SASH had scored high in most categories
- Difficulties in Access to Primary Care
- Alternatives to GP premium rate telephone numbers
- Letter of response to the Chair of the HASC from Amanda Fadero of NHS England, regarding the winter storm damage and subsequent temporary relocation of Leacroft Surgery. The contents of the letter were read out to the Commission. Councillor RG Burgess indicated that he intended to request an invitation be extended to Amanda Fadero-Area Director (Surrey and Sussex) NHS England, to attend a future meeting of the HASCSC.

## **RESOLVED**

That a copy of the response letter from NHS England be circulated to Members of the Commission.

### **90. Scrutiny Panels**

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

#### **Town Centre Parking Scrutiny Panel**

Councillor B K Blake advised Members that one meeting had already taken place on 18 February and 3 others had been scheduled prior to the end of June when the Panel's recommendations would be made. The Panel would be looking at 4 main areas of parking requirements: Commuters, Shoppers, Business and the Night Time Economy. Accessible Parking would be reviewed at the meeting on 14 April.

#### **Recording How Members Vote Scrutiny Panel**

Councillor B A Smith advised Members that the panel had met recently on 4 March and had spoken to Officers and an Independent Person to gain their views on voting procedures. The panel were going to view the Electronic Voting System at Brighton and Hove Council and had 2 further meetings planned on 1 and 28 of April. .

#### **Performance Monitoring Scrutiny Panel**

Councillor Lloyd gave a brief overview of the recent meeting on 25 February 2014 and advised he would give a more in-depth report at the April Meeting of the Commission when the minutes from that meeting would be available.

### **91. Forward Plan – 1 April 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.

The following referrals were made from the Forward Plan:-

#### **7 April**

- (1) Homelessness Strategy 2014-19 (referred)

#### **30 June 2014**

- (1) Proposed development by St Modwen including the CBC owned land East of Crawley (referred)
- (2) Extending Partnership Working with WSCC highways (referred)
- (3) Councils role in the multi-agency responsibilities for major flooding incidents across West Sussex (referred)
- (4) 117 Ifield Road Petition-heritage value and potential for community use (referred)

### **92. Closure of Meeting**

The meeting ended at 9.30pm.

**S A BLAKE**  
Chair



# Crawley Borough Council

## Minutes of Cabinet

Wednesday 19 March 2014 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 S A Blake, C C Lloyd

### 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

### 102. Apologies for absence

None.

### 103. Members' Disclosure of Interests

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor R D Burrett	Minute 112	Agency Staff Procurement	Personal as Member of West Sussex County Council

### 104. Minutes

The minutes of the meeting of the Cabinet held on 12 February 2014 were approved as a correct record and signed by the Chair.

#### **105. Public Question Time**

Public Question Time took place and a resident, Mr Geoffrey Herbert, asked whether it was likely there would more interest in public art in Crawley in the future. He had submitted artwork but felt progress had been slow and that some encouragement was needed to progress this. He added that he hoped progress would not be slowed as a result of the upcoming elections. Councillor Duncan Crow advised firstly that elections do not take priority over council business, and added that no-one knew what the level of interest in public art in the future was likely to be. While he welcomed Mr Herbert's interest, Councillor Crow said that public artwork was unlikely to be high on the public's agenda currently, adding that funding for such artwork was discretionary and an additional service provided by CBC. CBC had a good partnership with the Museum Society and he would relay Mr Herbert's comments to them.

Councillor Sally Blake stated that at the February meeting of the Overview & Scrutiny Commission it had been decided to reinstate the Public Arts Selection Panel and that officers were currently looking at doing so. Cllr Crow advised that any requests to do this should be considered by him in the first instance as the OSC was not in a position to do so independently, and also that the Panel convened only when a large project required some public artwork. The Chair advised Cllr Blake to communicate formally the wishes of the OSC to Cllr Crow to progress the reinstatement of the Panel.

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

The Head of Legal and Democratic Services reported that no representations had been received in respect of item 13 Agency Staff Procurement.

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

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

#### **108. Localism Act 2011 – List of Assets of Community Value (The Leader's Portfolio)**

The Cabinet considered report [LDS/080](#) of the Head of Legal and Democratic Services which outlined the provisions relating to the Assets of Community Value Scheme and the implications for the Council of having to hold the list of Assets of Community Value including recommended procedures and arrangements for dealing with the duty.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 17 March 2014. The Commission agreed to endorse the recommendations in full to the Cabinet subject to the following amendments:-

1. Apart from any existing application, the relevant Local Member may submit, within 3 weeks, comments to the Portfolio Holder selected for the ACVP (Assets of Community Value Panel) on any asset nomination.
2. Policy Review : Procedure would include the wording 'Crawley Borough Council must review and amend this policy in the light of developing good practice and guidance'

The Cabinet noted the endorsement of the Overview & Scrutiny Commission and acknowledged its amendments but advised that regarding its first comment (regarding ward member comments), ward member comments should not be sent to the Portfolio Holder (as the Portfolio Holder would not be part of the ACVP). Any comments from the ward member should be sent to the administrator of the scheme (the Head of Legal & Democratic Services) and these would be brought to the attention of the Panel.

Councillor Colin Lloyd raised a concern that the implementation of the legislation has been slow, and had only been addressed as a result of an application being made. He also expressed concern that the applicants were having to wait the full 8 weeks determination period before a decision would be made. Cllr Lloyd was advised that although the Act had been passed in 2011, details of many regulations had been received piecemeal and Assets of Community Value regulations were amongst these. A member responded that he was reassured that the determination was taking the full allocation of time as it demonstrated a thorough process.

A Member expressed concern that the Act might reinstate a 'right to a view' on the planning system and suggested there might be a need to feed back to central government should the legislation affect housing.

A Member requested an amendment be made to recommendation 2.2.5 to read

'That authority be delegated to the Director for Transformation & Housing to be responsible for hearing and reviewing any decision about the listing of an Asset, in consultation with the Leader of the Cabinet.'

The reason for this was to ensure an officer would not be taking a decision over a Member. This was agreed by the Cabinet.

## **RESOLVED**

- 1) That the duty under the Localism Act 2011 to implement the List of Assets of Community Value Scheme as laid out in report LDS/080 be noted.
- 2) That approval be given to the outline of the scheme as set out in report LDS/080 and the operational policy as set out in Appendix 1.
- 3) That delegated authority be granted to the Head of Legal & Democratic Services to finalise and administer the scheme.
- 4) That delegated authority be granted for the determination of assets to be listed as Assets of Community Value to an Assets of Community Value Panel (ACVP) comprising three Heads of Service drawn from a pool of Officers (Head of Legal & Democratic Services, Head of Community Services, Head of Strategic Housing & Planning Services, Head of Property, Head of Planning & Environmental Services) in consultation with the Cabinet Member for Community Engagement, and in the event of a conflict of interest then the Leader of the Cabinet.
- 5) That authority be delegated to the Director of Transformation & Housing to be responsible for hearing and reviewing any decision about the listing of an Asset, in consultation with the Leader of the cabinet.
- 6) That authority be delegated to the Head of Legal & Democratic Services and the Council's Section 151 Officer to determine claims for compensation, with a review being undertaken by the Director of Transformation and Housing.
- 7) That approval be given for a period of five years to be adopted as the time period after which Listed Assets of Community Value and failed Community Nominations should be removed from the lists.
- 8) That approval be given to regard a period of no more than 3 years preceding the date of nomination be applied where nominations for assets to be included as being of Community Value rely on a use in the recent past.

- 9) The Cabinet to make the decision on whether to accept a bid in the event of a successful application to list Council-owned land/buildings

**Reason for Decision**

To ensure that the Local Authority complies with statutory legislation under the Localism Act 2011 and offers a fast and robust procedure for dealing with the Assets of Community Value nominations, appeals and compensation claims.

**109. Discretionary Rate Relief Guidelines (The Leader and Planning & Economic Development's Portfolio)**

The Cabinet considered report [FIN/329](#) of the Head of Revenue, Finance & Benefits which set out proposed guidelines to help staff make decisions in relation to applications for discretionary rate relief for non domestic rates.

**RESOLVED**

- a) That approval be given to the guidelines set out in the Appendix to report FIN/329
- b) That authority be delegated to the Leader of the cabinet to determine future amendments to the guidelines

**Reason for decision:**

To provide a framework for staff making decisions on applications for discretionary rate relief.

**110. Irrecoverable Debts (Leader's Portfolio)**

The Cabinet considered report [FIN/327](#) of the Head of Finance, Revenues & benefits which sought approval to write off debt that is considered to be irrecoverable and exceeds the delegated limit of £50,000 per write-off.

**RESOLVED**

That approval be given to write off the business rate debts exceeding £50,000 which are considered to be irrecoverable, as set out in report FIN/327.

**Reason for Decision**

The Council's Constitution requires Cabinet approval to write off amounts exceeding £50,000.

**111. 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 paragraphs specified against the items.

**112. Agency Staff Procurement (Customer & Corporate Services Portfolio)**  
*(Exempt Paragraph 3 – Information relating to financial and business affairs of any particular person including the Authority holding that information)*

The Cabinet considered report FIN/330 of the Head of People & Technology which sought to identify how temporary agency staff should be secured in the future.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 17 March 2014. The Commission agreed to endorse the recommendations in full to the Cabinet.

The Cabinet noted the endorsement of the Overview & Scrutiny Commission and agreed with its endorsement of the recommendations.

**RESOLVED**

- 1) That approval be given for a mini competition for the provision of temporary agency staff being conducted through the Pro5 Group MSTAR national framework agreement.
- 2) That the appointment of the preferred supplier and the determination of the contract period be delegated to the Head of People & Technology, in consultation with the Cabinet Member for Customer & Corporate Services.

**Reason for Decision**

- 1) The EU Procurement Rules will be changing in 2014 and will require the Council to procure temporary staff in compliance with those rules.
- 2) Using the Pro5 MSTAR framework agreement has been identified as the procurement route that best meets the Council's needs.

**113. Closure of Meeting**

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.05pm.

DR H S BLOOM  
Chair

# Crawley Borough Council

## Minutes of General Purposes Committee

31 March 2014 at 7.00pm

### Present:

Councillor L A M Burke (Chair)  
Councillors M L Ayling, B K Blake, R D Burrett, D G Crow, S J Joyce,  
P K Lamb, R A Lanzer, C A Moffatt, C G Oxlade and L A Walker

### Also in Attendance:

Mr Barry Jones – Appointed Independent Person (Observing)

### Officers Present:

Allan Hambly	Communications Manager
Manson Kendall	Principal Property Lawyer
Mez Matthews	Democratic Services Officer

### Apologies for Absence:

Councillors C A Cheshire and C R Eade

### 20. Members' Disclosure of Interests

No disclosures of interests were made by Members.

### 21. Minutes

The minutes of the meeting of the Committee held on [28 January 2014](#) were approved as a correct record and signed by the Chair.

### 22. Use of Social Media, Photography, Filming and Recording at Council Meetings

The Committee considered report [CEX/042](#) of the Chief Executive which sought approval of a protocol on the use of social media, photography, filming and recording at Council meetings, to take effect from 1 April 2014 and inclusion of the protocol in the Council's Constitution.

The Communications Manager highlighted that the decision to approve the protocol would be a recommendation to Full Council at its meeting on 23 April 2014, and as such the protocol could not take effect until the 24 April 2014. The Committee agreed that the recommendation be amended to reflect the correct date.

Several points of clarification were requested in relation to the protocol. To ensure that the protocol was unambiguous, it was agreed that the following minor amendments be made (deleted wording shown as crossed through and additional wording shown in bold):

- That the last paragraph of Section 2 (Filming, Photography and Recording of Meetings) be amended to read as follows: "If a meeting passes a motion to exclude the media and public (**Part B / exempt information**) then, in conjunction with this, all rights to film, video, photograph or record the meeting are removed."
- That the second sentence of Section 4 (Use of Media Devices) be amended to read as follows: "No Councillor in attendance, whether a decision maker or observer, is permitted to use social media or mobile devices ~~in private~~ **when the meeting is in private session** (when the press and public are excluded) ~~or~~ to disclose in any way the content of items under discussion".

(NB. Following comments made at the meeting, legal advice has now been received confirming that the Act relates to all public meetings of the Council as indicated in the protocol).

The Committee was of the view that, where a request to film/record a meeting had been made, the Chair should make an announcement at the beginning of that meeting. The Committee was also of the opinion that notices informing the public about the procedure for filming/recording meetings should be placed on meeting room doors (rather than being placed on chairs).

Although it was not specified in the protocol, it was proposed that any filming should take place from the front of the public gallery so that only Councillors and officers (not public sitting in the gallery) were filmed. The Communications Manager noted the request and it was agreed that such positioning of recording equipment would be at the discretion of officers and the Chair of the relevant meeting.

## RESOLVED

### RECOMMENDATION 3

That the Full Council be recommended that the protocol on the use of social media, photography, filming and recording at Council meetings (Appendix A to report CEX/042) be adopted in Part 5 (Codes and Protocols) of the Council's Constitution to take effect from 24 April 2014 subject to the following amendments:

- That the last paragraph of Section 2 be amended to read as follows: "If a meeting passes a motion to exclude the media and public (**Part B / exempt information**) then, in conjunction with this, all rights to film, video, photograph or record the meeting are removed."
- That the second sentence of Section 4 be amended to read as follows: "No Councillor in attendance, whether a decision maker or observer, is permitted to use social media or mobile devices ~~in private~~ **when the meeting is in private session** (when the press and public are excluded) ~~or~~ to disclose in any way the content of items under discussion".

### 23. Annual Review of the Constitution

The Committee considered report [LDS/081](#) of the Head of Legal and Democratic Services which proposed changes to the Constitution and considered whether changes to the provisions for Call-In and Urgency were required.

It was suggested that the recommendation to Full Council regarding the provisions relating to Call-In and Urgency be amended to make clear that it referred to protection from Call-In and not monitoring or reviewing the Call-In Procedure as a whole. It was also suggested that future annual reports to the General Purposes Committee make explicit which provision was being reviewed, as protection from Call-In was monitored on an annual basis.

#### RESOLVED

##### RECOMMENDATION 4

That the Full Council be recommended that:

- (1) The amendments to the Constitution proposed in Appendix 1 to report LDS/081 be agreed;
- (2) Since the provisions relating to Call-In and Urgency (Protection from Call-In) have not been used during the past twelve months, no change to the provisions is necessary at this stage.

### 24. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 7.25pm.

L A M BURKE  
Chair



# Crawley Borough Council

## **Minutes of the Overview and Scrutiny Commission**

**Monday 7 April 2014 at 7.00pm**

These minutes are to follow

# Crawley Borough Council

## **Minutes of the Appointments and Investigating Committee**

**Tuesday 8 April 2014 at 10.00am**

These minutes are to follow

**Crawley Borough Council**  
**Minutes of Development Control Committee**  
**Tuesday 8 April 2014 at 7.30pm**

These minutes are to follow

# Crawley Borough Council

## **Minutes of Cabinet**

**Wednesday 9 April 2014 at 7.30pm**

These minutes are to follow