

Crawley Borough Council

Minutes of the Full Council Annual General Meeting

Friday 29 May 2015 at 7.30 p.m.

Present:

Councillor B A Smith (Mayor) was in the Chair for Minute Numbers 1 and 2

C A Cheshire (Deputy Mayor)

Councillors M L Ayling, Dr H S Bloom, K Brockwell, B J Burgess, R G Burgess, R D Burrett, D G Crow, C R Eade, F Guidera, I T Irvine, K L Jaggard, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, T Lunnon, L S Marshall-Ascough, K McCarthy, B McCrow, C A Moffatt, C J Mullins, D M Peck, B J Quinn, R Sharma, A C Skudder, P C Smith, J Stanley, M A Stone, K Sudan, J Tarrant, G Thomas, K J Trussell, L Vitler, 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.

Officers Present:

Lee Harris
Ann-Maria Brown
Peter Browning
Roger Brownings

Chief Executive
Head of Legal and Democratic Services
Deputy Chief Executive
Democratic Services Officer

1. Death of Former Councillor Ben Clay

The Mayor formally advised the Full Council of the death of former Councillor Ben Clay who had sadly passed away on 3 May 2015.

Ben had been Leader of the Council and had served two terms as Mayor of the Borough. The Council observed a minute's silence in memory of Ben.

2. Mayor's Presentations and Announcement

The Mayor welcomed newly elected Councillors F Guidera, K L Jaggard,

K McCarthy, M A Stone, J Tarrant and L Vitler to their first Council meeting, and newly elected Councillor A C Skudder on his return to the Council.

The Mayor then made a short address to the Council about her Mayoral year. In so doing she emphasised her great pride and pleasure in serving as Mayor and the very fond memories that she would keep of that time. The Mayor referred to the many events attended and highlights during her mayoral year, including the marking of the 70th anniversary of VE Day and the associated lighting of the Tilgate Park beacon in tribute to all service personnel, past and present. She also highlighted the candle lit event, organised by the Muslim Community, which was held in December in Crawley's Queens Square as a mark of respect and sympathy for the victims and their families who had suffered as a result of the atrocities which had taken place in Peshawar, Pakistan. People generally in the Square that day stopped in memory of those who had been tragically killed. She indicated that a good number of the events she attended were in connection with the significant amount of voluntary work which continued to be undertaken within the Crawley area. She again conveyed her appreciation to all those groups and organisations for the valuable work that they continued to undertake for this community.

The Mayor expressed her thanks and appreciation to all those who had supported and contributed towards her charity - the Alzheimer's Society - Crawley services, for which an appreciable amount of money had been raised. With her husband Jim Smith - the Mayor's Consort and Honorary Freeman and Alderman, having received an Alzheimer's diagnosis in 2010, she paid tribute again to that organisation for the marvellous work provided to carers and their cared for within the community. In this connection and in relation to the ongoing work around "Dementia Friendly Crawley" the Mayor was thrilled to present to former Councillor David Shreeves his recently awarded NCFE Level 2 Certificate in the principles of Dementia care. The Mayor congratulated David for his achievement.

The Mayor referred to the fact that she had again been escorted to her seat in the Chamber by Sergeant Daniel Welch, Royal Marine Cadet from TS Cossack Sea Cadets, Crawley. The Mayor presented a certificate to Daniel in grateful recognition of the personal assistance he had given her.

The Mayor thanked Councillors, Officers, friends and family in providing her with so much help and encouragement during this past year. In further expressing her thanks for all the support received, the Mayor presented bouquets of flowers and gifts to her daughter Lucy and friends Beverly, Louise, Zoe and Sue, as well as a gift to Roger Brownings (Democratic Services Officer), Ann-Maria Brown (Head of Legal and Democratic Services) and to Bob Donaldson for his Mayoral chauffeuring duties. The Mayor further paid tribute to all the work undertaken by Hayley Thorne (Mayoral / Members' P.A. and Members' Support Officer) and presented Hayley with a bouquet of flowers. In concluding her thanks, the Mayor expressed her deep and heart felt gratitude to her husband Jim for always being at her side and for the continuing loyal support he had given her during the year.

3. Election of Mayor 2015 / 2016

It was proposed by Councillor Mullins, seconded by Councillor Ayling and

RESOLVED

That Councillor Cheshire be elected as Mayor for the Council year 2015/2016.

Councillor B A Smith vacated the Chair.

The newly elected Mayor was invested with the chain, made the statutory Declaration of Acceptance of Office and took the Chair.

In response to the congratulations conveyed by Councillors Lamb and Crow (as the Leaders of their respective political groups), and the congratulations received generally from Members of both groups, the new Mayor thanked the Council for electing her. She considered it a great honour to represent, as Mayor, the town and its community, and looked forward to working with all Members of the Council during her Mayoral year.

As a way of celebrating the great efforts of both our local charity services and voluntary services, the new Mayor announced that she had chosen two charities for that Mayoral year. These being The Springboard Project and the Crawley Community and Voluntary Service (CCVS).

4. Election of Deputy Mayor 2015 / 2016

It was proposed by Councillor Lloyd and seconded by Councillor Quinn that Councillor Sharma be appointed Deputy Mayor for the ensuing Council year.

The Mayor asked if there were any other nominations and it was then

Proposed by Councillor Crow and seconded by Councillor Burrett that Councillor Dr Bloom be appointed Deputy Mayor for the ensuing Council year.

At this point some Members referred to the reduction of the Labour Group's majority to one seat following the recent Borough election. In so doing matters and concerns were raised, and strong views exchanged, as to whether the appointment of Chairs and Vice Chairs to Committees, including the appointment of the Council's Deputy Mayor, should reflect the closer majority of seats. The Council undertook a full discussion on this matter and considered all the issues raised.

The Mayor took a vote on the two nominations and it was

RESOLVED

That Councillor Sharma be elected as Deputy Mayor for the Council year 2015/2016.

5. Minutes

Subject to the clerical correction below, the minutes of the meeting of the Full Council held on [1 April 2015](#) were approved as a correct record and signed by the Mayor:-

Clerical Correction

With regard to Minute No. 113 (Questions to Cabinet Members) relating to the question asked by Councillor Brockwell -

Delete the text in relation to both the subject and the Cabinet Member's response, and replace with the corrected text as follows:

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
Councillor Brockwell	Councillor Brockwell asked Councillor Lloyd if there was in place a management plan for the lower area of Grattons Park following the completion of landscaping work on the river course.	Councillor Lloyd responded that when the landscaping work had been allowed to settle, a management plan would be designed to look after the grounds in an appropriate manner.

6. Vote of Thanks and Presentation of Badges to Retiring Mayor and Mayor's Consort.

The Mayor presented the retiring Mayor and Mayor's Consort with a commemorative Past Mayor's Badge and a Past Mayor's Consort Badge. A photo album (in the form of a digital photo frame) containing photographs commemorating their time in office was also presented.

Members of both political groups conveyed their thanks to the retiring Mayor and Mayor's Consort for all their work during their year in office.

It was moved by Councillor Stanley, seconded by Councillor Mullins and

RESOLVED

That the thanks and appreciation of the Council be accorded to Councillor B A Smith, the retiring Mayor, for the manner in which she had carried out her duties during her year in office and for the support given to her during that time by the Mayor's Consort, her husband, Honorary Freeman and Alderman J G Smith.

7. Apologies for Absence

As all Members had attended the meeting, there were no apologies for absence.

8. Results of Elections

The Council received the Returning Officer's report on the results of the elections held on 7 May 2015.

9. Announcements

No announcements were made.

10. Election of Youth Mayor and Youth Deputy Mayor 2015 / 2016

The Mayor called both Sam Trumpeter and Charlotte Simmons up to the top table to present the Chain of Office to Sam as the elected Youth Mayor, and the Badge of Office to Charlotte as the elected Youth Deputy Mayor. The Mayor conveyed her congratulations to Sam and Charlotte upon their election and wished them both a very successful year.

The Mayor then called up Hajid Hussain, the retiring Youth Mayor and presented him with a badge commemorating his past year in office. The Mayor conveyed her thanks and appreciation to Hajid, and indicated that Crawley was fortunate to have such an active Youth Council which she looked forward to working with over the coming year.

11. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor R D Burrett	Minute 12	Leader's Delegation Scheme	Personal Interest as a Member of West Sussex County Council.
Councillor D G Crow	Minute 12	Leader's Delegation Scheme	Personal Interest as a Member of West Sussex County Council.
Councillor R A Lanzer	Minute 12	Leader's Delegation Scheme	Personal Interest as a Member of West Sussex County Council.
Councillor B A Smith	Minute 12	Leader's Delegation Scheme	Personal Interest as a Member of West Sussex County Council.
Councillor R D Burrett	Minute 13	Adoption of the Constitution	Personal Interest as a Member of West Sussex County Council.
Councillor D G Crow	Minute 13	Adoption of the Constitution	Personal Interest as a Member of West Sussex County Council.
Councillor R A Lanzer	Minute 13	Adoption of the Constitution	Personal Interest as a Member of West Sussex County Council.
Councillor B A Smith	Minute 13	Adoption of the Constitution	Personal Interest as a Member of West Sussex County Council.

12. Leader's Delegation Scheme

The Full Council considered the joint report of the Leader of the Council and Head of Legal and Democratic Services, [LDS/ 099.](#)

Moved by Councillor Lamb, seconded by Councillor Joyce and

RESOLVED

- (1) That the details of those appointed by the Leader to serve as Deputy Leader and Members of the Cabinet as set out in Appendix A to report LDS/099, be received.
- (2) That the Cabinet portfolio responsibilities and the delegation of specific Cabinet functions to Cabinet Members as set out in Appendix B to the report, be received.
- (3) That the delegation of Cabinet functions to officers as set out in pages 136-139 of the Constitution as approved by the Full Council at its meeting on 1 April 2015 and circulated separately to all Members of the Council, be received.
- (4) That the Terms of Reference and membership of the Town Centre Committee (being the one committee of the Cabinet) as set out in Appendix C to the report, be received.

13. Adoption of the Constitution

The Recommendation (as set out in Item 11 of the Agenda for this meeting) was moved by Councillor Stanley and seconded by Councillor Joyce.

In this connection, reference was made by some Members to the Cabinet portfolio responsibilities (as revised) which were contained in Appendix B to report LDS/099, and received earlier at this meeting. (Minute 12 above refers). Those Members referred to particular issues inserted within the portfolio responsibilities, which they considered were the responsibility of other authorities, and not this Council. In response, Councillor Lamb indicated that this Council was fully entitled to speak-up on the issues concerned, and whilst he acknowledged that it had no formal role to play in those matters, this Council could make an important contribution.

Upon being put to the Full Council, the Recommendation was declared to be CARRIED, and it was

RESOLVED

That subject to the inclusion of the revised Cabinet Member Portfolio Responsibilities, set out in Appendix B to the report LDS/099 received earlier at this meeting, the Constitution (approved by the Council at its meeting on 1 April 2015, and circulated separately to all Members of the Council) be approved.

14. Review of Political Proportionality, Constitution of Committees and Appointments to Outside Organisations 2015/2016

The Full Council considered the report of the Head of Legal and Democratic Services, [LDS/101](#). The recommendations were considered, as follows:-

Recommendation 1 – Review of Political Proportionality and Appointments to Committees

In the process of Councillor Lamb moving and Councillor Joyce seconding Recommendation 1, a number of issues were raised:-

Recommendation 1 (2) (ii) – Chairs / Vice-Chairs

(a) Development Control Committee – Vice-Chair

It was moved by Councillor Irvine, seconded by Councillor Lunnon, that Councillor Moffatt be appointed as Vice-Chair of the Development Control Committee, whilst Councillor Crow, seconded by Councillor Burrett, proposed the appointment of Councillor MeCrow. A vote was taken.

As a result of the vote, Councillor Moffatt was appointed as Vice-Chair of the Development Control Committee.

(b) Licensing Committee – Vice-Chair

It was moved by Councillor Quinn, seconded by Councillor Stanley, that Councillor Ayling be appointed as Vice-Chair of the Licensing Committee, whilst Councillor Crow, seconded by Councillor Burrett, proposed the appointment of Councillor Trussell. A vote was taken.

As a result of the vote, Councillor Ayling was appointed as Vice-Chair of the Licensing Committee.

(c) Overview and Scrutiny Commission – Chair

It was moved by Councillor Thomas, seconded by Councillor Ward, that Councillor B A Smith be appointed as Chair of the Overview and Scrutiny Commission, whilst Councillor Crow, seconded by Councillor Burrett, proposed that Councillor R G Burgess be appointed.

Some Members had already at this meeting referred to the reduction of the Labour Group's majority to one seat following the recent Borough election. In this respect they continued to convey their strong views in suggesting that the appointment of Chairs and Vice Chairs to Committees should reflect the closer majority of seats, with particular reference now made to the Chair / Vice Chair appointments for the Overview and Scrutiny Commission.

A vote was taken.

As a result of the vote, Councillor B A Smith was appointed as Chair of the Overview and Scrutiny Commission.

(d) Overview and Scrutiny Commission – Vice-Chair

It was moved by Councillor B A Smith, seconded by Councillor Ayling, that Councillor Sudan be appointed as Vice-Chair of the Overview and Scrutiny Commission, whilst Councillor Crow, seconded by Councillor R D Burrett, proposed that Councillor R G Burgess be appointed.

At the request of Councillor Crow, and in accordance with Council Procedure Rule 17.5, the names of the Members voting for and against the motion moved by Councillor B A Smith to appoint Councillor Sudan as Vice-Chair of the Commission, 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, T Lunnon, C A Moffatt, C J Mullins, B J Quinn, R Sharma, A C Skudder, B A Smith, P C Smith, J Stanley, K Sudan, G Thomas and W A Ward (19).

Against the motion:-

Councillors Dr H S Bloom, K Brockwell, B J Burgess, R G Burgess, R D Burrett, D G Crow, C R Eade, F Guidera, K L Jaggard, R A Lanzer, L S Marshall-Ascough, K McCarthy, B McCrow, D M Peck, M A Stone, J Tarrant, K J Trussell and L Vitler (18).

Abstentions:-

There were no abstentions.

The motion was therefore CARRIED and as such Councillor Sudan was appointed as Vice-Chair of the Overview and Scrutiny Commission.

Upon being put to the Full Council, and subject to the changes set out above, Recommendation 1 was declared to be CARRIED, and it was

RESOLVED

That, on the nomination of the Political Groups, and subject to the changes set out above, Members be appointed to the Committees of the Council and Chairs and Vice Chairs be appointed to the respective Committees, as indicated in report LDS/101, and set out in Appendix A to these minutes.

Recommendation 2 – Appointments to outside organisations to which the Council was invited to make nominations.

The Full Council considered the appointments of persons on outside organisations to which the Council was invited to make nominations.

The Full Council acknowledged that subsequent to the publication of report LDS/101, a further amendment / nomination had been made by the Conservative Group, whilst issues had arisen for consideration which are set out below:-

Outside organisations for which there were more nominations than places available

Where there were more nominations than places available, the Council determined who should be appointed by voting as follows:-

Item 4 (Courage Dyer Recreational Trust)

Councillors B A Smith and Trussell were nominated for one place.
Councillor B A Smith was appointed.

Item 11 (Crawley Open House Management Committee)

Councillors Guidera, Lunnon and Thomas were nominated for two places.
Councillors Lunnon and Thomas were appointed.

Moved by Councillor Lamb, seconded by Councillor Joyce and

RESOLVED

That representatives be appointed to the bodies and organisations as indicated in Appendix B to these minutes.

15. Closure of Meeting

The meeting ended at 9.14 p.m.

C A Cheshire
Mayor

Crawley Borough Council

Appointments to Committees 2015/16

Development Control Committee (15 Members = 8:7)

<u>2015/2016 Group nominations</u>

I T Irvine (Chair) S J Joyce C A Moffatt (Vice-Chair) R Sharma A C Skudder P C Smith G Thomas W A Ward

B J Burgess D G Crow F Guidera K L Jaggard B MeCrow M A Stone J Tarrant

Governance Committee (11 Members = 6:5)
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<u>2015/2016 Group nominations</u>

M L Ayling M G Jones P K Lamb T Lunnon A C Skudder J Stanley (Chair) Substitute Member (Labour Group) – S J Joyce

R D Burrett (Vice-Chair) D G Crow C R Eade R A Lanzer K McCarthy
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Audit Committee (5 Members = 3:2)
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| 1) Not more than one member shall be a Cabinet member and that Member shall not Chair the Committee.
2) Substitutes added because small size & concerns about quorum |
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<u>2015/2016 Group nominations</u>

I T Irvine K Sudan W A Ward (Chair) Substitute Member (Labour Group) – T Lunnon
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R D Burrett C R Eade (Vice-Chair)

Licensing Committee (15 Members = 8:7)

- 1) Between 10 and 15 Members with a quorum of 10 when dealing with matters under the Licensing Act 2003. *Was 14 Members in 2014/15 but advisable to return to 15 Members because of difficulties getting enough Members for Licensing-Sub Committee hearings).*
- 2) Members are reminded that the Committee includes Sub Committee daytime meetings responsibilities.

2015/2016 Group nominations

M L Ayling (Vice-Chair)
M G Jones
C C Lloyd
C A Moffatt
C J Mullins
B J Quinn (Chair)
R Sharma
J Stanley

B J Burgess
K L Jaggard
L S Marshall-Ascough
K McCarthy
B MeCrow
D M Peck
K J Trussell

Licensing Sub-Committee

- 1) A minimum of three members will be called upon to determine any given application and a Chair will be appointed at each meeting.
- 2) Membership should be the same as that of the Licensing Committee.
- 3) Please note that a significant number of these meetings are scheduled for the daytime.

2015/2016 Group nominations

M L Ayling
M G Jones
C C Lloyd
C A Moffatt
C J Mullins
B J Quinn
R Sharma
J Stanley

B J Burgess
K L Jaggard
L S Marshall-Ascough
K McCarthy
B MeCrow
D M Peck
K J Trussell

Overview and Scrutiny Commission (11 Members = 6:5)

All must be non- Cabinet members

2015/2016 Group nominations

M L Ayling
C A Cheshire
I T Irvine
B A Smith (Chair)
K Sudan (Vice-Chair)
W A Ward

Dr H S Bloom
K Brockwell
R G Burgess
R A Lanzer
L Vitler

Appointments and Investigating Committee (Pool)

- 1) As far as possible, a politically balanced committee of between 3 and 7 members will be drawn from the following membership.
- 2) Any committee making recommendations relating to the appointment of:
 - a) the Chief Executive - shall consist of 7 members (with a quorum of 5);
 - b) the Deputy Chief Executive - shall consist of 6 members (with a quorum of 4);
 - c) a Head of Service - shall consist of 5 members (with a quorum of three).
- 3) Introduction of specialist training requirements will be explored.
- 4) Political groups may add further names to the pool if they so wish.

2015/2016 Group nominations

M G Jones
S J Joyce
P K Lamb
C A Moffatt
C J Mullins
C C Lloyd
T Lunnon
A C Skudder
B A Smith
P C Smith
J Stanley
K Sudan
G Thomas
W A Ward

B J Burgess
R D Burrett
D G Crow
R A Lanzer
B MeCrow
D M Peck
K J Trussell

Staff Appeals Board (Pool)

- 1) Each Board to comprise three members with a quorum of three from the following pool.
- 2) The members of the Board to include at least one Member of the opposition.
- 3) Political groups may add further names to the pool if they so wish.

2015/2016 Group nominations

M G Jones
T Lunnon
C J Mullins
B J Quinn
R Sharma
J Stanley

Dr H S Bloom
R G Burgess
R D Burrett
D G Crow
R A Lanzer

Grants Appeals Panel (Pool)

- 1) As far as possible, a politically balanced panel of 5 (3:2 split) members will be drawn from the following membership.
- 2) Not to include any Cabinet member involved in the decision on the grant application(s).
- 3) Political groups may add further names to the pool if they so wish.

2015/2016 Group nominations

P K Lamb
T Lunnon
C A Moffatt
C J Mullins
B J Quinn
R Sharma
J Stanley

K Brockwell
C R Eade
F Guidera
K L Jaggard
L S Marshall-Ascough
K McCarthy
M A Stone
J Tarrant
L Vitler

Crawley Borough Council

Outside Organisations to which the Council is invited to make nominations 2015/16

	Name of Organisation	Representatives / Deputies 2015/16 (and any notes) (LO = CBC Link Officer)
1.	Age UK – West Sussex Trustee Board (previously for Age Concern Centre) **	G Thomas (LO = Craig Downs)
2.	General Council of Broadfield Youth and Community Centre (BYCC)	I T Irvine (LO = John Dale) <i>This organisation has recently obtained charitable status and since invited the Council to nominate one representative to serve as a member of the General Council of BYCC. It is anticipated that the General Council will meet twice a year to review the work of the centre</i>
3.	Conservation Area Advisory Committees (CAAC)	<i>Minimum one Member (plus a substitute) from each ward within the CAAC but all Ward Members usually welcome</i>
3(a)	Central Crawley Conservation Area Advisory Committee (Northgate & West Green)	K Sudan G Thomas W A Ward (LO = Anthony Masson)
3(b)	Forestfield and Shrublands Conservation Area Advisory Committee	D G Crow C R Eade (LO = Anthony Masson)

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>
3(c)	Hazelwick Road Conservation Area Committee.	<i>B J Burgess R G Burgess</i> <i>Due to be set up in June/July 2015. Number of Members to be nominated yet to be confirmed.</i> <i>(LO = Tom Nutt)</i>
3(d)	Ifield Village Conservation Area Advisory Committee	P C Smith J Stanley K Sudan G Thomas M A Stone <i>(LO = Beth Lester)</i>
3(e)	Southgate Conservation Area Advisory Committee	L S Marshall-Ascough R Sharma J Tarrant <i>(LO = Tom Nutt)</i>
3(f)	Worth Conservation Area Advisory Committee.	Dr. H S Bloom R A Lanzer B MeCrow <i>(LO = Tom Nutt)</i>
4.	Courage Dyer Recreational Trust	B A Smith (to July 2019) – appointed following the end of L A Walker's CDRT term in July 2015) S A Blake (to March 2017). B J Quinn (to July 2017). Cllr C A Cheshire - appointed automatically ex-officio as Mayor. <i>(LO = Hayley Thorne)</i> <i>- 4 year appointments only</i> <i>- Once appointed, not required to remain a Councillor</i> <i>- Only 4 nominations acceptable in total</i>

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>
5.	Crawley & Ifield Education Foundation (formerly Sarah Nash Charity) **	J Stanley <i>Only one nomination invited</i> <i>(LO = Clem Smith)</i>
6.	Crawley Arts Council (CAC)	B J Burgess C J Mullins A C Skudder <i>CAC is willing to make 3 places available</i> <i>(LO = Carolyn Murphy)</i>
7.	Crawley Community Transport Association (CCTA) (formerly known as Crawley Dial-a-Ride) **	G Thomas <i>(LO = Craig Downs)</i>
8.	Crawley Community and Voluntary Service Trustee Board	M G Jones A C Skudder <i>Only 2 nominations invited</i> <i>(LO = Craig Downs)</i>
9.	Crawley Ethnic Minority Partnership (CEMP) Partnership Board **	B A Smith <i>(LO = Lindsay Adams)</i> <i>Only one nomination invited</i>
10.	Crawley Museum Society (and Crawley Museum Project Board)	C A Cheshire C J Mullins K J Trussell <i>(LO = Carolyn Murphy)</i> <i>Membership of both the CMS & Project Board to be the same 3 Members & comprise the Cabinet Member for Leisure & Cultural Services plus one Member from each political group.</i>

	Name of Organisation	Representatives / Deputies 2015/16 (and any notes) (LO = CBC Link Officer)
11.	Crawley Open House Management Committee	<p>T Lunnon G Thomas</p> <p>(plus officer from Housing and Planning Strategic Services) (LO = Nikki Hargrave)</p> <p><i>N.B. R D Burrett & S J Joyce are on both the Board of Trustees and on the Management Committee (all Trustees sit on the Mgt Ctte but not vice-versa). However, it is understood that these Trustees were appointed in a personal capacity and not directly through the Council. Crawley Open House will accept 2 nominations only (i.e. in addition to the above Trustees) on the Mgt Ctte.</i></p>
12.	Crawley Town FC Travel Plan Steering Group	<p>C A Cheshire C C Lloyd C J Mullins B J Quinn R G Burgess L S Marshall-Ascough</p> <p>(LO = Paul Baker)</p> <p><i>The Travel Plan will be ongoing and Andy Moulard (WSCC) has again advised (April 2015) that the Steering Group has been useful and should continue.</i></p> <p><i>The Council was initially invited to nominate 4 to 6 Members, preferably to include representatives from each of Broadfield North and South, Southgate, Tilgate and Bewbush. As previously suggested, it would be advisable to avoid nominating Members who will be on the Development Control Committee.</i></p>

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>
13.	Crawley Town Twinning Association (CTTA)	R Sharma B A Smith C R Eade <i>(LO = Hayley Thorne)</i> <i>The Association is willing to make 4 places available</i>
14.	Development Control North Committee (Horsham DC) **	C A Moffatt P C Smith G Thomas (substitute) <i>(LO = Jean McPherson)</i> <i>All nominated to serve as co-opted, non-voting Members Must be Members of the Development Control Committee</i> <i>Officers are working on a memorandum of understanding for future consultation arrangements with Horsham on further applications which may not necessarily be as formal as co-opting onto the committee. In the meantime, the nominations should continue to be made until the future arrangements have been confirmed.</i>
15.	4sight (Formerly West Sussex Association for the Blind – Crawley Area Committee) **	C A Cheshire C R Eade <i>(LO = Damian Brewer)</i> <i>4sight is willing to make 2 places available</i>

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>
16.	Friends of Goffs Park ** (FoGP)	C J Mullins R Sharma <i>(LO = Colin Hayler)</i> <i>FoGP is willing to make 2 places available and has advised that other Members can still become a Friend of Goffs Park through other ways.</i>
17.	Gatwick Airport Community Trust (GACT)	B J Quinn <i>Cllr S A Blake had been appointed for a 4 year term in 2012 representing CBC and other neighbouring West Sussex DCs. (Awaiting confirmation of nomination arrangements as S A Blake appointed on behalf of Crawley and some of the other West Sussex DCs and now no longer a Councillor)</i> <i>(LO = Craig Downs)</i> <i>Only 1 nomination invited 4 year appointment.</i>
18.	Relate - North & South West Sussex Trustee Board **	K Sudan <i>(LO = Craig Downs)</i> <i>Only one place available</i>
19.	Court of the University of Sussex **	M G Jones <i>(LO = Clem Smith)</i> <i>Only one place available.</i>
20.	West Sussex Health and Adult Social Care Select Committee ***	To be decided by OSC <i>(LO = Heather Girling)</i> <i>Must be a Member of the OSC</i>

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>
21.	West Sussex Joint Scrutiny Steering Group***	B A Smith <i>(LO = Heather Girling)</i> <i>Should be the Chair of the OSC</i>
22.	West Sussex Joint Scrutiny Flooding Task and Finish Group ***	Geraint Thomas <i>(LO = Ray Hook)</i> <i>Only one place available. Now confirmed that no CBC Cabinet Members can be nominated.</i>
23.	West Sussex Mediation Service Management Committee **	C A Cheshire (main representative) K Sudan (deputy) B J Burgess (Main Representative). <i>(LO= Tony Baldock & Craig Downs)</i> <i>The Mediation Service is willing to make 2 main and 2 deputy places available</i>

** It is proposed to review if there is value in continuing to send representatives to some of the Outside Bodies - probably most likely those marked with asterisks x 2. Members will be consulted on the development of any such proposals. However, in the meantime, Members are always welcome to submit any views to Steve Lappage.

*** These appointments are made/ratified by the Overview and Scrutiny Commission

Crawley Borough Council

Minutes of Development Control Committee 23 March 2015 at 7.30pm

Present:

Councillor	C A Moffatt (Chair)
Councillor	R Sharma (Vice-Chair)
Councillors	M L Ayling, B K Blake, S A Blake, B J Burgess, D G Crow, I T Irvine, S J Joyce, B McCrow, P C Smith, G Thomas, and W A Ward

Officers Present:

Tony Baldock	Acting Head of Planning & Environmental Services
Kevin Carr	Legal Services Manager
Sally English	Democratic Services Officer
Jean McPherson	Group Manager, Development Management
Marc Robinson	Principal Planning Officer

Apologies for Absence:

Councillor N Boxall

57. Lobbying Declarations

There were no lobbying declarations.

58. Members' Disclosure of Interests

The following disclosures of interests were made by Members:

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor S Blake	Minute 62	ENF/2014/0155 Land at 1 Parham Road, Ifield	Personal and prejudicial interest as Cllr Blake as the owners of the land were friends of Cllr Blake. She left the meeting before the presentation and took no part in the discussion or voting on the item.

59. Minutes

Councillor G Thomas clarified the personal and non-prejudicial interest he had declared at the meeting on 2 March 2015. He stated he and his brother had many years ago sold a house to the applicant.

The minutes of the meeting held on 2 March 2015 were then agreed as a correct record and were signed by the Chair.

60. Planning Applications List

The Committee considered report PES/153 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/153 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Agenda item 1

CR/2014/0061/ARM

Phase 1B, Forge Wood, Crawley

Approval of reserved matters for local centre buildings, car parking & associated 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 (amended plans received).

Jean McPherson (JMcP), Group Manager, Development Management, provided a verbal summation of the application.

Mr David Hutchinson, the agent, then spoke in support of the application.

Members queried the adequacy of the parking spaces allocation and JMcP confirmed that WSCC Highways had considered the allocation to be sufficient. She added that there would be additional parking spaces available in the neighbourhood centre, overspill from the health centre and that the school would also have parking spaces as well as pick up & set down allocation. In respect of renewables required by condition 23 she commented that in Phase 1a some affordable units would have PV panels integrated into the roofs and that the applicant was also looking at the energy performance of the units. Further details would be available when the next Section 73 application in the development came forward which was expected to be submitted in April. The library would be sited within the flexible space of the community centre, as referenced in condition 28.

Approved according to the conditions set out in the report.

Agenda item 2
CR/2014/0813/FUL

5 Orde Close, Pound Hill, Crawley.

Erection of two storey rear & side extension comprising kitchen, breakfast room, garage, 2 bedrooms and en-suite (amended plans received).

Councillor K Blake declared he had visited the site.

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

Permitted according to the conditions set out in the report.

61. Confirmation of Tree Preservation Order: P16.15.29 Beckford Way No.1

JMcP introduced the report PES/168 which sought the Committee's consideration to determine whether to confirm the Tree Preservation Order (TPO) with or without modification for continued protection or not to confirm the TPO.

The Committee considered the report, and agreed to confirm the TPO without modification. It was requested that a letter be written to the tree owner of T10 and T11 to suggest works to the trees.

Confirmed.

62. Exclusion of the Public

RESOLVED

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

63. Planning Enforcement: ENF/2014/0155 Land at 1 Parham Road, Ifield

(Exempt Paragraph 6 – Legal Proceedings)

Councillor P Smith declared he had visited the site.

MR provided a verbal summation of the report and its recommendation not to serve an Enforcement Notice on the owners of the land at 1 Parham Road, Ifield, Crawley. Although a retrospective application for permission to erect a children's playhouse at the site had not been made, despite an invitation to do so, it was considered that it would have been successful had planning permission been sought. In view of this, it was not considered in the public interest to serve an Enforcement Notice.

RESOLVED

The Committee agreed that it was not expedient to issue and serve an Enforcement Notice in respect of the unauthorised erection of a children's playhouse on land at 1 Parham Road, Ifield, Crawley.

64. Planning Enforcement: ENF/2014/0152 1 Cook Road, Tilgate
(Exempt Paragraph 6 - Legal Proceedings)

MR advised the Committee that its authority was sought in order to undertake restoration of the land and building to prevent an adverse affect on the amenity of the area. Members asked at whether it would be possible for the Council to acquire the property under a compulsory purchase order and were advised by Kevin Carr (KC), Principal Lawyer, that this was in theory possible although traditionally it was a lengthy and expensive course of action. MR agreed to consider the suggestion in more detail, and agreed to report back to the Committee with updates on progress regarding the property.

RESOLVED

The Committee determined that Direct Action under Section 219 of the Town and Country Planning Act 1990 be authorised, to enter land at 1, Cook Road, Tilgate, Crawley and take the steps required by a Notice issued under Section 215 of the said Act, and to recover from the owner of the land any expenses reasonably incurred in doing so.

65. Closure of Meeting

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

C A MOFFATT
Chair

Crawley Borough Council

Minutes of Development Control Committee 13 April 2015 at 7.30pm

Present:

Councillor	C A Moffatt (Chair)
Councillor	R Sharma (Vice-Chair)
Councillors	M L Ayling, B K Blake, S A Blake, N J Boxall, B J Burgess, D G Crow, I T Irvine, S J Joyce, B McCrow, P C Smith, G Thomas, K J Trussell and W A Ward

Officers Present:

Tony Baldock	Acting Head of Planning & Environmental Services
Marie Bolton	Principal Planning Officer
Kevin Carr	Legal Services Manager
Sally English	Democratic Services Officer
Michelle Harper	Principal Planning Officer

Apologies for Absence:

There were no apologies for absence.

66. Lobbying Declarations

The following lobbying declarations were made by Members:

Councillors M L Ayling, S A Blake, N J Boxall, B J Burgess, D G Crow, I T Irvine, S J Joyce, B McCrow, C A Moffatt, R Sharma, P C Smith, G Thomas and W A Ward had been lobbied regarding application CR/2015/0052/FUL.

Councillor W A Ward has been lobbied on CR/2014/0585/FUL.

67. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Cllr G Thomas	Minute 69	CR/2014/0316/ARM Fairfield House site, West Green Drive, West Green, Crawley	Personal as a Cllr Thomas was a member of the Central Crawley Conservation Committee.

Cllr W A Ward

Minute 69

CR/2014/0316/ARM
Fairfield House site,
West Green Drive,
West Green, Crawley

Personal as Cllr Ward
was a member of the
Central Crawley
Conservation
Committee.

68. Minutes

The minutes of the meeting of the Committee held on 23 March 2015 were approved as a correct record and signed by the Chair.

69. Planning Applications List

The Committee considered report PES/154 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/154 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

CR/2014/0316/ARM

Fairfield House site, West Green Drive, West Green, Crawley

Approval of the reserved matters for the external appearance and hard and soft landscaping pursuant to the minor amendment pursuant to CR/2014/0317/NCC (amended description).

Councillors C A Moffatt and W A Ward declared they had visited the site.

Marie Bolton (MB), Principal Planning Officer, provided a verbal summation of the application and advised the Committee of the addition of a condition regarding slab levels which had been added to address the change in levels across the site. MB updated the Committee regarding additional comments received from CCCAAC.

New condition

"Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the buildings shall be submitted to and approved by the Local Planning Authority, and the buildings shall be constructed in accordance with the approved levels.

REASON: To enable the Local Authority to control the development in detail and in the interests of amenity in accordance with Policies GD1 and GD2 of the Crawley Borough Local Plan 2000".

Approved subject to the conditions as set out in the report.

CR/2014/0585/FUL

Asda, Pegler Way, West Green, Crawley.

Amendment to Ifield Road junction to a left in / out junction to improve traffic flow (amended block plan & new documents received).

Councillors C A Moffatt and W A Ward declared they had visited the site.

Michelle Harper (MH), Principal Planning Officer, provided a verbal summation of the application which was then considered by the Committee. Discussion was held regarding pedestrian circulation around the site, width of pavement and pedestrian crossing point. MH confirmed WSCC Highways had raised no highway safety concerns.

Permitted according to the conditions set out in the report.

CR/2015/0052/FUL

Land north of a restaurant and drive thru facility within use classes A3 (Restaurants and Cafes) and A5 (Takeaways and Drive Through Premises).

Councillors C A Moffatt and G Thomas declared they had visited the site.

Michelle Harper (MH) provided a verbal summation of the application.

Mr Simon Coates of Cobra Restaurants Ltd, one of the joint applicants, spoke in support of the application.

The application was then considered by the Committee. Councillor Irvine provided extracts from the Council's Arboricultural Officer's report. MH acknowledged the concerns of some members of the Committee regarding the loss of woodland on the site (should the proposal be permitted), and assured them that the views of the Arboricultural Officer had not been taken lightly, but advised that the recommendation to permit had been made following balanced consideration of a number of issues regarding the site. MH said that the ecological value of the area, surrounded as it was by airport related development and highway network, was limited, and that the woodland in question, although established, had no designation for retention. MH added that the applicant had provided a draft S106 Agreement for ecological offsite enhancement works, to address the previous reason for refusal.

At the request of Councillor I Irvine, and in accordance with Council Procedure Rule 24.5(2)(a), the names of the Members voting for and against the proposal were recorded, as set out below:

For the proposal:

Councillor C A Moffatt (Chair), M L Ayling, B K Blake, N J Boxall, D G Crow, S J Joyce, B McCrow, R Sharma and P C Smith (9).

Against the proposal:

Councillors S A Blake, B J Burgess, I T Irvine, G Thomas and W A Ward (5).

Abstentions:

None.

Permitted according to the conditions set out in the report.

70. Update on CR/2014/0783/FUL Three Bridges Primary School, Gales Place, Three Bridges, Crawley

The Chair updated the Committee on the above application which had come before the Committee on 2 February 2015. The decision had been delegated to the Head of Planning & Environmental Services in consultation with the Chair to permit the application if the Pin Oak was retained and drainage details clarified. The Chair informed the Committee that 2 disabled car parking spaces had been relocated in order to retain the Pin Oak in question.

71. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.39pm.

C A MOFFATT
Chair

Crawley Borough Council

Minutes of Appointments and Investigating Committee 14 April 2015 at 9.30 a.m.

Present:

Councillors P K Lamb, C C Lloyd, D M Peck, P C Smith and K J Trussell.

Also in Attendance:

Yvonne Skingle – Penna Recruitment Services.

Officers Present:

Lee Harris

Chief Executive

9. Appointment of Chair

RESOLVED

That Councillor P K Lamb be appointed Chair for the duration of the meeting.

10. Minutes

The minutes of the meeting of the Committee held on 11 December 2014 were approved as a correct record and signed by the Chair.

11. Members' Disclosure of Interests

No interests were disclosed.

12. 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 paragraph specified against the item.

13. Head of Economic and Environmental Services.

(Exempt Paragraph 1 – Information Relating to an Individual)

The Committee interviewed four candidates for this appointment.

RESOLVED

That the post of Head of Economic and Environmental Services be offered to Clem Smith (formerly a Divisional Director, Business, Employment and Skills at the London Borough of Waltham Forest), subject to and in accordance with the terms of the Council's Constitution, any objections from Members of the Cabinet.

14. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 4.35 p.m.

P K LAMB
Chair

Crawley Borough Council

Minutes of Development Control Committee 8 May 2015 at 6.30pm

Present:

Councillor	C A Moffatt (Chair)
Councillor	R Sharma (Vice-Chair)
Councillors	M L Ayling, B J Burgess, D G Crow, I T Irvine, S J Joyce, B McCrow, P C Smith, G Thomas and K J Trussell

Officers Present:

Tony Baldock	Acting Head of Planning & Environmental Services
Kevin Carr	Legal Services Manager
Sally English	Democratic Services Officer
Michelle Harper	Principal Planning Officer
Jean McPherson	Group Manager, Development Control

Apologies for Absence:

Councillors N Boxall, K Blake, S Blake and W Ward.

72. Councillors Sally and Keith Blake

At the 7 May election, Councillors Sally and Keith Blake stood down as Crawley Borough Councillors. They had sent a message to say they had enjoyed working with the Committee, and asked that their best wishes be passed on to all involved with Development Control. The Chair expressed his thanks on behalf of the Committee for the contribution both Sally and Keith had made whilst serving on the Development Control Committee.

73. Lobbying Declarations

All Members present had been lobbied on agenda item 1, CR/2014/0833/FUL 25 Worth Park Avenue, Pound Hill, Crawley.

Councillor P Smith had been lobbied on agenda item 5, CR/2015/0120/FUL Site E2, Manor Royal Business Quarter, Northgate, Crawley.

74. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Cllr B J Burgess	Minute 76	CR/2015/0062/FUL 10 Haversham Close, Three Bridges, Crawley	Personal & prejudicial interest. Cllr Burgess left the meeting before the presentation and took no part in the discussion or voting on the item.

75. Minutes

The minutes of the meeting of the Committee held on 13 April 2015 were approved as a correct record and signed by the Chair.

76. Planning Applications List

The Committee considered report PES/155 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/155 of the Head of Planning and Environmental Services and in the Register of Planning Applications, the decisions be given as indicated:

Agenda item 1

*** CR/2014/0833/FUL**

25 Worth Park Avenue, Pound Hill, Crawley.

Demolition of existing dwelling and erection of detached 5 x bedroom chalet style bungalow (amended plans).

Councillors S Joyce, B McCrow, C Moffatt, R Sharma, P Smith and G Thomas declared they had visited the site.

Jean McPherson, Group Manager, Development Control, provided a verbal summation of the application.

Mr Rahul Patel, the applicant, Mr James Nayler, the agent, and Councillor Bob Lanzer as ward member, all spoke in support of the application.

A number of Members felt the modified application was not significantly larger than neighbouring properties and questioned the impact on the street scene, and the report recommendation was to refuse on both these grounds. They asked for clarification on the parameters for assessing mass and bulking on an application. JMcP advised that although the proposed development was only 900mm wider than other developments, it was considerably deeper along its boundary. Although there were no strong criteria regarding scale, massing and design, these were all considered as part of the professional judgement by planning officers on applications.

The Committee considered the application and voted to overturn the officer recommendation to refuse the application. A vote was then taken on a motion to

permit the development, delegating authority to the Acting Head of Planning and Environmental Services in consultation with the Chair to agree the appropriate conditions for grant of planning permission, and the majority of Members voted for this.

That the Acting Head of Planning and Environmental Services in consultation with the Chair be authorised to approve the application subject to conditions (14 now agreed) and listed below:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

REASON: To comply with Section 91 of the Town & Country Planning Act 1990.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for external walls, roofs and windows including cill details of the proposed building(s) have been submitted to and approved by the Local Planning Authority.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy GD1 of the Crawley Borough Local Plan 2000.

4. Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the dwelling shall be submitted to and approved in writing by the Local Planning Authority, the building shall thereafter be constructed in accordance with the approved levels.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with 'saved' Policies GD1 and GD2 of the Crawley Borough Local Plan 2000.

5. The windows on the first floor south west elevation of the building facing 23 Worth Park Avenue shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening.

REASON: To protect the amenities and privacy of the adjoining property, in accordance with 'saved' Policies GD1 and H19 of the Crawley Borough Local Plan 2000.

6. No work shall be carried out on site unless provision is available within the site, in accordance with plans and details submitted to and approved in writing by the Local Planning Authority, for all temporary contractors' buildings, plant and stacks of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site.

REASON: To avoid undue congestion on the site and consequent obstruction to access in accordance with Policy GD34 of the Crawley Borough Local Plan 2000.

7. No development, of any description including site preparation or demolition, shall take place unless and until a plan has been submitted to and approved in writing by the Local Planning Authority showing the precise location and design of the tree protection details and temporary ground protection boards. The Tree Protection measures shall be implemented in accordance with the approved details and shall remain in place until the completion of the development. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written

approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy GD5 and GD34 of the Crawley Borough Local Plan 2000.

8. No development shall take place until details of the proposed foundation for the dwelling (in accordance with the recommendations made at 10.2.3 of the Arboricultural Report prepared by The Mayhew Consultancy Ltd (AR/32614 November 2014)) have been submitted to and approved in writing by the Local Planning Authority. The foundations shall be implemented in accordance with the approved details.

REASON: To protect tree roots from damage likely to the loss of the tree in accordance with Policy GD5 and GD34 of the Crawley Borough Local Plan (2000).

9. The dwelling shall not be occupied until details of any screen walls and/or fences around the site boundary have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be implemented in accordance with the approved details prior to first occupation of the dwelling.

REASON: In the interests of amenity in accordance with Policy GD1 and GD2 of the Crawley Borough Local Plan 2000.

10. The dwelling shall not be occupied until there has been submitted to, and approved in writing by the Local Planning Authority a hard and soft landscaping scheme. The landscaping scheme shall include a method statement for any hard landscaping proposed within the Root Protection Area of any of the existing trees on or adjoining the site. The approved details of the landscaping scheme shall be carried out in the first planting and seeding season, following the occupation of the dwelling or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the amenity and of the environment of the development in accordance with Policy GD1 and GD5 of the Crawley Borough Local Plan 2000.

11. Prior to the occupation of the dwelling hereby permitted, secure cycle storage shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cycle storage thereafter shall be retained and maintained in accordance with the approved details.

REASON: To ensure the proposals have adequate cycle storage in accordance with policy GD3 of the Local Plan (2000)

12. The building(s) shall not be occupied until the parking spaces / turning facilities shown on drawing J1093-10 Rev B have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking / turning of vehicles.

REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with Policy GD3 of the Crawley Borough Local Plan 2000.

13. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order amending or revoking or re-enacting that Order with or without modification) no development falling within Classes A and B of Part 1 of Schedule 2 to the Order shall be erected or constructed on the dwelling hereby permitted unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

REASON: To enable the Local Planning Authority to control the development in the interests of amenity as the proposal would result in a substantial dwelling within an Area of Special Environmental Quality. This is in accordance with policies GD1, GD2 and BN10 of the Local Plan (2000).

14. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended no part(s) of the roof of the building(s) hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto.

REASON: To safeguard the amenities of the occupiers of adjoining property.

Agenda item 2

CR/2015/0057/FUL

35 Mannings Close, Pound Hill, Crawley.

Erection of single storey side & front extensions.

Councillors S Joyce, R Sharma and P Smith declared they had visited the site.

Jean McPherson (JMcP) provided a verbal summation of the application, and clarified for the Committee that of the amended plans received, it was Revision D that was being considered.

Mr Paul Castle, Secretary of the Mannings Close North Residents' Association, and Councillor R Burrett as ward member, both spoke in objection to the application.

Members expressed concern regarding the footpath that ran alongside the proposed development and its possible closure during construction. JMcP advised them that there was no information on the application file suggesting the footpath would be closed. She felt the applicant should be able to implement construction without closing the footpath, but if not, the applicant would have to seek permission from WSCC to do so.

Permitted according to the conditions set out in the report.

Agenda item 3

CR/2015/0062/FUL

10 Haversham Close, Three Bridges, Crawley.

Erection of single storey rear extension with a part first floor rear extension above and erection of a first floor front extension over the existing garage (amended description & plans).

Councillors S Joyce, R Sharma and P Smith declared they had visited the site.

Having declared a Personal & Prejudicial interest in the item, Councillor B J Burgess withdrew from the meeting whilst the item was discussed and took not part in the discussion or voting on the item.

Jean McPherson provided a verbal summation of the application.

Councillor Bob Burgess, as ward member, spoke in objection to the application. His concerns included:

- Overlooking to neighbouring properties

- Although the development had been reduced in size, the rear extension would still have an overpowering effect on No.9 Haversham Close
- Appearance would make the property out of character with the area
- No other properties nearby have first floor extensions over the garage
- Disruption from vans and lorries in a tight area during construction
- Unclear whether the ground floor window would be installed or not
- If permitted, he requested conditions being added to address the movement of construction vehicles, and ensuring building materials are sympathetic to the streetscene

JMcP confirmed that a 45° test had been carried out at the site, and explained this was a test used when assessing two storey rear extensions on detached houses. This provides an indication of whether a proposed extension is likely to be acceptable. JMcP demonstrated on the on-screen plan how, in the case of the application before the Committee, the proposed rear 1st floor extension was considered acceptable as the line of sight was not crossed by the 1st floor extension.

The Committee then considered the application.

Permitted according to the conditions set out in the report.

Agenda item 4
CR/2015/0097/FUL

Papergraphics Ltd, Diva Innovation Centre, Crompton Way, Northgate, Crawley.

Erection of single storey warehouse unit (B8) with associated two storey office accommodation.

Michelle Harper (MH), Principal Planning Officer, provided a verbal summation of the application and advised the Committee that the application was subject to securing an S106 Manor Royal contribution, cycle parking and a footpath link.

Permitted according to the conditions set out in the report.

Agenda item 5
CR/2015/0120/FUL

Site E2, Manor Royal Business Quarter, Northgate, Crawley.

Erection of 5 storey car park and creation of new vehicular access from private road.

Councillor P Smith declared he had visited the site.

Michelle Harper provided a verbal summation of the application and advised the Committee of an amendment to condition 6, the Bird Hazard Management Plan – see below. Condition 7 was to be removed; the condition had referred to impact piling and a piling method statement but the applicant had confirmed this was no longer required as a shallow pad foundation would be implemented instead.

Condition 6

The development hereby permitted shall be operated in accordance with the approved details outlined in the Bird Hazard Management Plan dated 6th May 2015.

Tim Hardwick, the letting agent on the proposed scheme, spoke in support of the application.

The Committee then considered the application.

Permitted subject to the conditions set out in the report.

Agenda item 6
CR/2015/0176/RG3

22 Tilgate Forest Recreation Centre, Tilgate Drive, Tilgate, Crawley.

Erection of single storey timber framed building with corridor link to Building 21.

Michelle Harper provided a verbal summation of the application and advised the application was subject to conditions covering materials.

The Committee then considered the application.

Permitted subject to the conditions set out in the report.

77. Councillor Colin Moffatt, Chair

Councillor G Thomas, on behalf of the Committee, thanked Councillor Moffatt for his calm chairmanship of the Committee during the last year.

78. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 7.50pm.

C A MOFFATT
Chair

Crawley Borough Council

Minutes of Licensing Committee

3 June 2015 at 7.30pm

Present:

Councillor B J Quinn (Chair)

Councillor M L Ayling (Vice-Chair)

Councillors K L Jaggard, M G Jones, C C Lloyd, L S Marshall-Ascough,
K McCarthy, B McCrow, C A Moffatt, C J Mullins, D M Peck,
R Sharma, J Stanley and K J Trussell

Officers Present:

Tony Baldock	Environmental Health Manager
Kevin Carr	Legal Services Manager
Bill Nailen	Licensing Officer
Mez Matthews	Democratic Services Officer

Also in Attendance:

Mr Yemi Aderibigbe	Secretary of the Hackney Carriage Association
Mr Martin Feasey	Advisor to the Hackney Carriage Association
Mr Shahzad Abbas Malik	Member of the Hackney Carriage Association

Apology for Absence:

Councillor B J Burgess

1. Members' Disclosure of Interests

No disclosures of interests were made by Members.

2. New Licensing Members

The Chair welcomed new members to the first Committee meeting of the municipal year.

3. Minutes

The minutes of the meeting of the Committee held on 7 January 2015 were approved as a correct record and signed by the Chair.

4. Licensing Sub Committee Minutes

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

Date	Sub Committee Minutes	Minutes signed by
29 April 2015	Application to review the Premises Licence – 'West Sussex Wines', 198 Ifield Drive, Ifield, Crawley.	Councillor M G Jones (Member of the Panel)

Councillor Stanley, Ward Member for Ifield, thanked the Sub Committee and officers for the professionalism and diligence they had shown during the Sub Committee proceedings. He also expressed his pleasure with the outcome of the Sub Committee meeting.

5. Private Hire and Hackney Carriage Licensing Policy

The Committee considered report PES/187 of the Head of Economic and Environmental Services. The report proposed the introduction of a Private Hire and Hackney Carriage Licensing Policy to improve the Council's ability to regulate hackney carriages and private hire vehicles and their drivers in partnership with the local trade for the purposes of protecting public safety. The Policy would also assist the Council in implementing part of an action plan to improve air quality.

The Environmental Health Manager reminded those present that the report asked the Committee to consider the Policy with a view to providing comments to Cabinet. The Cabinet was due to consider the Policy at its July meeting, but the Policy would not come into force until it had been approved by Full Council in July. The Committee's attention was drawn to the fact that each application would be considered on its own merit, but where necessary and with reasons, the Council could depart from the Policy. It was also acknowledged that there would be a grace period for vehicles which did not meet the criteria outlined in the Policy.

The Committee was informed that the Policy had been subject to a 90 day consultation period, which included an advert in the press, a letter sent to all private hire and hackney carriage licence holders as well as a page on the Council's website. The Environmental Health Manager informed the Committee that 33 responses to the consultation had been received, including 16 from hackney carriage drivers and 11 from private hire drivers. The main areas of opposition to the Policy related to the removal of rear loading vehicles and the removal of vehicles over 10 years of age.

An all-Member seminar had been held to consider the responses to the consultation and, as a result, several areas of the Policy had been amended including an increase in the vehicle age limit from 10 years to 11 years. It was noted that the restrictions relating to rear loading vehicles would not affect currently licensed vehicles, but would affect new licence applications. The Environmental Health Manager proposed that Paragraph 23 of Appendix A (Hackney Carriage Vehicle Specification) of the Policy be revised to read as follows:

“The Council is fully committed to meeting the needs of the travelling public in Crawley including those who have a disability of any nature. In addition to the disability awareness training drivers shall be required to undertake, the number of hackney carriages licensed by the authority will contain a sufficient number of vehicles which are capable of carrying a wheel chair as determined by an unmet demand survey which shall include a section on this matter. The Council therefore reserves the right to increase or decrease the number of wheel chair assessable vehicles based on local need. The decision as to whether any vehicle that is submitted to the Council for the purposes of being licenced as a hackney carriage, shall be capable of carrying a wheel chair will be at the discretion of the Head of Economic and Environmental Services in conjunction with the Portfolio Holder for Licensing functions and be made with a reference to the local need at the time of the application”.

Mr Malik addressed the Committee as a hackney carriage proprietor and a member of the Hackney Carriage Association (HCA). He thanked the previous Chair of the Licensing Committee for his hard work and welcomed both the new Chair and Committee members. Firstly Mr Malik referred to an email which had been sent to all Committee members regarding the proposed Policy. Mr Malik wished to clarify that it had not been the intention to accuse anyone of illegal activity, but had been sent to both raise concerns regarding elements of the Policy and recent practices. He apologised on the HCA’s behalf for any offence which had been caused.

Mr Malik made the following comments:

- It had been proposed that a national policy would be introduced in relation to taxi licensing so, although in future local authorities would be responsible for enforcing such a policy, they would have no role in its development. It was therefore unnecessary and wasteful for the Council to introduce a local policy.
- Although the HCA had been consulted, it had been anticipated that the Association, as the main stakeholder, would have met face-to-face with officers to discuss the Policy.
- The HCA had engaged a legal representative who had advised that the removal of rear access vehicles would discriminate against electric wheel chair users.
- Currently there was a clear requirement for licensed vehicles to be under 10 years old. In recent years the Council had licensed vehicles older than 10 years which was a departure from the specified requirements.

Mr Feasey addressed the Committee as a hackney carriage proprietor and an advisor to the HCA and made the following comments:

- The legal advisor appointed by the HCA had advised that the Council was duty bound to provide an equal service to wheel chair users. Some wheel chairs were unable to access a side loading vehicle and transporters were unable to carry a power assisted wheel chair.
- A demonstration of wheel chair loading had been provided to the previous Chair, the Environmental Health Manager and the Licensing Officer.
- All side loading vehicles had been designed for a left-hand drive and so the wheel chair access was on the road side for the majority of taxi ranks. This was dangerous as the chair would block the road as it was loaded onto the vehicle.
- Whilst paragraph 4.2 of the report referred to “many other local authorities”, it was unclear how many local authorities had actually created a similar policy to the one proposed.
- Paragraph 4.3 of the report stated that the Policy “should not cause any major change to the current ways of working”. Mr Feasey stated that a driver’s only route of appeal in relation to any Policy breach made by the Council would be

via the High Court which was very expensive and would be unaffordable for the majority of drivers.

The Environmental Health Manager confirmed that any national policy would not affect hackney carriages and he reminded the Committee that paragraph 23 had been revised to take account of wheel chair accessibility. It was noted that the Town Access Group had not responded to the consultation. The Committee also noted that it would not be a blanket policy and that each case would be assessed on its own merit. It would be unfair to refuse a licence without a valid reason, but deviation from the Policy would only occur in exceptional circumstances. He advised that the overall financial impact to the Council and the majority of hackney carriage drivers would not be significant.

The Committee commended officers, and the previous Chair for producing a comprehensive policy. Disappointment was expressed that a significant number of hackney drivers were attending the Committee, however only 16 had responded to the consultation. The Committee discussed the Policy in detail and it was acknowledged that if adopted, the Policy would not be set in stone. The appendices could be amended, or new ones added should it become clear that revisions needed to be made.

Following discussion regarding the emissions of older vehicles, and whether a licence would not be granted if a vehicle did not meet the emission level requirements the Environmental Health Manager advised that newer vehicle engines were designed to be less polluting which was part of the reason for an age policy. It was confirmed that the hackney carriage compliance test, set by the Council, included an emission test relevant to the age of the vehicle being tested as per an MOT.

Following a question from the Committee in relation to paragraph 5.3.1 of Appendix L to the Policy, the Environmental Health Manager confirmed that it was very unlikely that a licence would be granted to an applicant who had ever been convicted of the offences outlined in paragraph 5.3 of the same appendix, however each application would be individually considered.

Several members of the Committee were of the opinion that the proposed vehicle age restriction was too low as modern cars had a longer life span and hackney carriages were usually maintained to a higher standard than private cars. However, other Committee members were of the view that the number of miles driven in a hackney carriage could not be compared with that of a privately owned car, and an 11 year old hackney carriage vehicle was significantly older in real terms.

The Committee was concerned that the Policy required all wheel chair accessible hackney carriages to load the chair from the side rather than the rear of the vehicle as hackney carriage drivers had suggested that power assisted wheel chairs could not be accommodated by a side loading vehicle. It was proposed that a suitable alternative for electric wheel chairs should be researched before that element of the Policy was introduced. It was agreed that the Environmental Health Manager would research the issue further before the July Cabinet meeting, so that Cabinet could consider the full facts, and make any necessary amendments to the Policy before it was recommended to Full Council.

The Committee supported the revision of Paragraph 23 of Appendix A to the Policy as suggested by the Environmental Health Manager.

RESOLVED

That the comments made by the Licensing Committee on the Private Hire and Hackney Carriage Licensing Policy be submitted to the Cabinet (Appendix 1 to these minutes).

6. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.52pm.

B J QUINN
Chair

**Comments from the Licensing Committee
at its meeting on Monday 8 June 2015
LDS/106**

Private Hire and Hackney Carriage Licensing Policy

1. Supported the revision of Paragraph 23 of Appendix A to the report to read as follows:

“The Council is fully committed to meeting the needs of the travelling public in Crawley including those who have a disability of any nature. In addition to the disability awareness training drivers shall be required to undertake, the number of hackney carriages licensed by the authority will contain a sufficient number of vehicles which are capable of carrying a wheel chair as determined by an unmet demand survey which shall include a section on this matter. The Council therefore reserves the right to increase or decrease the number of wheel chair assessable vehicles based on local need. The decision as to whether any vehicle that is submitted to the Council for the purposes of being licenced as a hackney carriage, shall be capable of carrying a wheel chair will be at the discretion of the Head of Economic and Environmental Services in conjunction with the Portfolio Holder for Licensing functions and be made with a reference to the local need at the time of the application”.

2. Several members of the Committee were of the opinion that the proposed vehicle age restriction was too low as modern cars had a longer life span and hackney carriages were usually maintained to a higher standard than private cars. However, other Committee members were of the view that the number of miles driven in a hackney carriage could not be compared with that of a privately owned car, and an 11 year old hackney carriage vehicle was significantly older in real terms.
3. The Committee was concerned that the Policy required all wheel chair accessible hackney carriages to load the chair from the side rather than the rear of the vehicle as hackney carriage drivers had suggested that power assisted wheel chairs could not be accommodated by a side loading vehicle. It was proposed that a suitable alternative for electric wheel chairs should be researched before that element of the Policy was introduced. It was agreed that the Environmental Health Manager would research the issue further before the July Cabinet meeting, so that Cabinet could consider the full facts, and make any necessary amendments to the Policy before it was recommended to Full Council.

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission

Monday 8 June 2015 at 7.00p.m.

Present:

Councillor K Sudan (Vice-Chair / Acting Chair)
Councillors M L Ayling, K Brockwell, R G Burgess, C A Cheshire, I T Irvine,
R A Lanzer, L Vitler and W A Ward

Also in Attendance:

Councillor A C Skudder

Apologies for Absence

Councillors Dr H S Bloom and B A Smith

Officers Present:

Peter Browning Deputy Chief Executive
Carrie Burton Transformation Manager
Heather Girling Democratic Services Officer
Lee Harris Chief Executive
Steve Lappage Democratic Services Manager

1. Members' Disclosure of Interests and Whipping Declarations

The following declarations were made:

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor C A Cheshire	2	Health and Adult Social Care Select Committee (HASC)	Personal interest – Patient Representative of Crawley Clinical Commissioning Group (CCG)
Councillor K Sudan	2	Health and Adult Social Care Select Committee (HASC)	Personal interest – husband is a 'lay Member' of the Crawley Clinical Commissioning Group (CCG).

No whipping declarations were made.

2. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [16 March 2015](#) were approved as a correct record and signed by the Chair. The Commission conveyed its thanks to Councillor Ward as previous Chair of the Commission. A discussion took place on Minute

83 in relation to the Northgate surgery and its proposed re-location. This had been discussed at the OSC on [16 March 2015](#) and included in the Comments to Cabinet (OSC/236). Concern was further expressed regarding the process, with particular reference to communications and accountability. The Commission felt that since the consultation process had been completed that the Cabinet be requested to undertake a strategic view, agree an overall policy direction and take measures to alert NHS England regarding any detrimental effects on residents.

A further discussion took place on Minute 86. It was commented by one Member that the scrutiny function needs to be robust and add value, whilst also seeking fairness and it was felt this should be embodied throughout all Council operations.

3. Public Question Time

No questions from the public were asked.

4. Prevent Duty

The Commission received a presentation from the Chief Executive which detailed the new Prevent Strategy and the Duty placed on local authorities. Crawley was recently assessed as a 'priority area', attracting 1 year funding for a Prevent Co-ordinator post and funding for Prevent projects/activities to reduce the risk of individuals being drawn into or supporting terrorism. Since September 2014, Crawley has been delivering Home Office funded projects such as the Web Guardians Project and Young Leaders.

During the discussion, the following points were expressed:-

- It is the 'Prevent' part of Contest (UK Government's Counter-Terrorism Strategy) that places a responsibility on statutory organisations such as local authorities.
- The Counter-Terrorism and Security Bill received Royal Assent in February 2015. The government intends the Duty to commence from 1 July 2015. Local authorities must comply with the Duty and work effectively with local partners.
- WSCC has primary responsibility for Prevent.
- Crawley has provided Prevent training since 2011 and it was noted that further training and Members' briefings will be conducted once the Prevent Co-ordinator is in post.
- Concern was expressed that the Co-ordinator's post was temporary for twelve months. Members would be informed accordingly once the position was filled.
- Crawley operates its own Channel Panel, providing multi-agency support and interventions for individuals at risk of radicalisation.
- There was recognition that working with communities in a constructive and positive way is paramount as 'Prevent' cannot be delivered in isolation.

RESOLVED

That the Commission welcomed the presentation and noted the new Duty affecting local authorities.

5. Review of Working Groups, Advisory Groups, Policy Development Forums and Seminars

The Commission, with the Democratic Services Manager considered report [LDS/098](#) of the Head of Legal and Democratic Services as currently drafted. The report summarised the review that had recently been undertaken examining the various groups that the Council has. It proposed the administration and support relocates to the relevant service department. The report recognised that working groups, advisory groups and PDFs may be beneficial, however it was also felt that all Member seminars resulted in improved communication and engagement with Members and should be used where appropriate and/or whenever possible.

This report was requested in advance of the July Cabinet. During the discussion, the following points were expressed:

- Members were in agreement that responsibility for the meetings should reside in the relevant service department, supported (where required) by the Corporate Support Team as opposed to Democratic Services.
- There was support for the disbanding of the Town Centre Committee, although concerns were expressed that responsibility for decisions may be delegated to the Cabinet Member, and the Commission's preference was that decisions be undertaken by the Cabinet (rather than an individual).
- Acknowledgement that PDFs were only actioned when required and at the request of the Cabinet Member, and consequently due to their infrequency there would be little gain in disbanding them. It was felt that PDFs had previously been underutilised and could be used more effectively in terms of considering and developing policies.
- Recognition that all Members' seminars could be used where appropriate in order to improve communications to Members and openness. It was felt that seminars would educate and inform as part of an overall reporting process.

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet, with the concerns noted above.

6. Transformation Plan 2015-2018 and Review of 2014/2015 progress

The Commission received a presentation from the Transformation Manager on the various Systems Thinking Reviews and the outcomes of these reviews over the last year. A lively debate took place. It was important to acknowledge 'what matters to the customer'. The ever evolving Transformation Plan was available on the Intranet. It was envisaged that updates would be presented to the Commission and that Members would use the Transformation Plan 2015-2018 to scrutinise service reviews and to assist in determining its work programme at the Workshop on 23 June 2015.

Members' main comments included:

- There might be potential benefit to link the property acquisition strategy and treasury management strategy in order to acknowledge investment acquisitions.
- There was support for the Commission to use the Transformation Plan to scrutinise services as it provided an opportunity to be efficient, open and inclusive, whilst being constructively involved in the process.
- It was noted that the timing of scrutinising the Transformation Plan would be crucial.

- It was acknowledged that the System Thinking Reviews had provided efficiency and income savings. However it was emphasised that the Reviews had also caused uncertainty for staff. It was important to engage and consult with staff whilst ensuring the process was conducted quickly to provide assurance and/or security.

RESOLVED

The Commission welcomed the presentation and noted the Transformation Plan 2015-2018.

7. Revised Operations for the Overview and Scrutiny Commission and the Future of Performance Monitoring Scrutiny Panel

The Commission considered report [LDS/100](#) of the Head of Legal and Democratic Services with the Acting Chair of the Overview and Scrutiny Commission. The report proposed amendments to the operation of the scrutiny function and the disbanding of the Performance Monitoring Scrutiny Panel (PMSP), which would result in a more valuable role for Members and could provide more effective outcomes for both Council services and customers.

Members held a long and in-depth discussion during which the following points were made:

- The majority of Members supported the future direction of Scrutiny including the Transformation Plan and Cabinet Member, Chief Executive and other agency discussions. It was felt discussions with the Deputy Chief Executive would also be beneficial. The timing of scrutinising the Transformation Plan would be vital and there might need to be future work (with the Transformation Manager) to schedule reviews to undertake in-depth reviews and optimise value.
- It was noted that undertaking scrutiny reviews which were 'neighbourhood specific' might be difficult as it was thought that neighbourhoods might have differing needs. By analysing the Transformation Plan, Members would be able to scrutinise each service area. Depending on the service, these would be neighbourhood specific and consequently challenges and potential improvements may be made in certain wards as a result. Scrutiny at a neighbourhood level would be an integral part of analysing services and facilities within the Transformation Plan.
- It was noted that PMSP had provided little value, however reservations were addressed regarding the inclusion of Quarterly Budget Monitoring and Quarterly Complaints reports within the Members' Information Bulletin (MIB). In particular it would be important that all data and detail was provided. It was noted both these reports should be publicly available on the website.
- It was discussed that the Access to Information Procedure Rules in the Constitution currently did not cover the MIB. The Overview and Scrutiny Commission proposed that the Governance Committee investigate and review the Access to Information Procedure Rules (Part 4) of the Constitution.
- It was proposed that compliments should also be included in the Quarterly Complaints report.
- There was support for the decision that any future scrutiny panels could potentially be chaired by the scrutiny suggestion nominator (who might not necessarily be an OSC Member) as this would encourage additional involvement and creativity. Reporting to OSC would then reside with either the Panel Chair or OSC Member.
- The Overview and Scrutiny Commission proposed one additional change to the Overview and Scrutiny Commission Terms of Reference - Article 6 (although it was

acknowledged the Commission could not scrutinise specific cases). This addition is proposed in bold with the deletions shown as strikethrough text.

6.1 Terms of Reference

- (10) To discuss any local government matter or local crime and disorder matter either referred to the Commission or otherwise, to review or scrutinise such a matter and, where appropriate, make reports or recommendations to the Council or the Cabinet except where an excluded matter (i.e. any matters relating to a planning decision, a licensing decision or where a person has right of recourse to a review or right of appeal; any matter which is vexatious, discriminatory or not reasonable; any matter referring to an individual complaint; or any local crime and disorder matter excluded under S.19 of the Police and Justice Act 2006. However, a matter is not excluded if it consists of an allegation that a function for which the authority is responsible has not been **properly** discharged ~~at all~~ or that its discharge has failed or is failing on a systemic basis).

RESOLVED

That the Commission agreed recommendations 2.1a and 2.1b and requested the Governance Committee on 22 June 2015 to recommend to Full Council the approval of the revised Terms of Reference and Scrutiny Procedure Rules for the Overview and Scrutiny Commission, with the amendment to the Terms of Reference noted above.

8. Establishment of and Appointments to the Scrutiny Panels for 2015-2016

RESOLVED

That the Fairness Commission Scrutiny Panel, be re-constituted, with a membership of Councillors C A Cheshire, K Sudan, G Thomas with substitute Member: Councillor W A Ward and that Councillor K Sudan be appointed as Chair for 2015/2016.

9. Appointments

It was moved by Councillor Lanzer, seconded by Councillor R G Burgess that Councillor Bloom be appointed as the representative for West Sussex Health and Adult Social Care Select Committee (HASC), whilst Councillor Ayling, seconded by Councillor Cheshire, proposed the appointment of Councillor Ward. A vote was taken. As a result of the vote, Councillor Ward was appointed as the representative for West Sussex Health and Adult Social Care Select Committee (HASC).

RESOLVED

That the Commission endorsed the following appointments:

West Sussex Health and Adult Social Care Select Committee (HASC)

Councillor W A Ward

West Sussex Joint Scrutiny Steering Group (JSSG)

Councillor B A Smith

West Sussex Joint Scrutiny Flooding Task and Finish Group

Councillor G Thomas

10. Scrutiny Workshop

The OSC Workshop evening was proposed for Tuesday 23 June in Committee Room B. It was agreed to commence this Workshop at 7.00pm. Members would use this Workshop to determine the OSC work programme for 2015-2016 (including services contained within the Transformation Plan and any potential scrutiny suggestions).

11. Scrutiny Training

'Making effective use of Overview & Scrutiny' for Members has been arranged for Wednesday 15 July 2015 at 6.00pm in the Civic Hall.

12. Forward Plan – 1 July 2014 and Provisional List of Reports for the following meetings of the Commission

The Commission considered the latest version of the Forward Plan and the provisional lists of reports for future meetings. The referrals included:

July 2015

- Treasury Management Outturn 2014-2015
- Five Year Business Plan for Crawley's Adventure Playgrounds.
- Proposed Article 4 Directions
- Broadfield Barton Environment Improvements
- 27-45 Ifield Road – West Green Crawley
- Telford Place

September 2015

- Budget Strategy 2016/17-2020/21
- Crawley Borough Local Plan: Crawley 2030
- Review of the Council's Website and Intranet Infrastructure and Associated Systems.

13. Closure of Meeting

The meeting ended at 9.57pm.

K SUDAN
Acting Chair

Crawley Borough Council

Minutes of Development Control Committee 9 June 2015 at 7.30pm

Present:

Councillor	I T Irvine (Chair)
Councillor	C A Moffatt (Vice-Chair)
Councillors	B J Burgess, D G Crow, F Guidera, K L Jaggard, S J Joyce, B McCrow, R Sharma, A C Skudder, P C Smith, J Tarrant and W A Ward

Officers Present:

Tony Baldock	Acting Head, Planning & Environmental Services
Kevin Carr	Legal Services Manager
Sally English	Democratic Services Officer
Steve Lappage	Democratic Services Manager
Jean McPherson	Group Manager, Development Management
Marc Robinson	Principal Planning Officer
Clem Smith	Head of Economic and Environmental Services

Apologies for Absence:

Councillors M A Stone and G Thomas

1. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillor C A Moffatt had been lobbied regarding item 1, CR/2015/0119/FUL.

Councillor S J Joyce had been lobbied regarding item 2, CR/2015/0168/FUL.

2. Members' Disclosure of Interests

No disclosures of interests were made.

3. Minutes

Councillor B J Burgess queried why a comment she had made regarding application CR/2015/0062/FUL at the last meeting had not been recorded in the minutes. The Chair advised this was because her comment had been made after the decision on that application had been taken, and had also been made after the meeting had closed. Councillor B J Burgess accepted the explanation. The minutes of the meeting of the Committee held on 8 May 2015 were then approved as a correct record and signed by the Chair.

4. Planning Applications List

The Committee considered report PES/171 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/171 of the Head of Planning and Environmental Services and in the Register of Planning Applications, the decisions be given as indicated:-

Item 1

CR/2015/0119/FUL

Badgers Bank, Old Brighton Road (North), Broadfield, Crawley.

Erection of a dwelling and garage to the rear of the existing dwelling with provision of new access drive. Replacement garaging to serve the existing dwelling following demolition of existing garage.

Councillors K L Jaggard, S J Joyce, B McCrow, C A Moffatt, P C Smith and W A Ward declared they had visited the site.

Marc Robinson, Principal Planning Officer, provided a verbal summation of the application and explained that as well as being called in by a Member it had also received in excess of the requisite number of objections to warrant coming before the Committee.

Mrs Hilary Darvishi spoke in objection to the application, and Mr Hamish Watson, the agent, spoke in support of the application.

In their consideration of the application, some Members expressed concerns regarding the access road and its potential surface materials, and the lighting of the access road; there were concerns that a gravel access road and bright lighting would create noise and disturbance that would be detrimental to neighbouring properties. Marc Robinson advised that although planning officers would not usually control road materials for a single dwelling house and its associated level of activity, he would include a general landscaping condition to address the Members' concerns regarding road surface materials and lighting on the access road, and the condition would also cover planting.

New condition

Before the new dwelling hereby permitted is first occupied details of the hard and soft landscaping for the dwelling including surfacing and lighting details of the proposed driveway shall be submitted to and approved by the Local Planning Authority. The dwelling hereby permitted shall not be occupied until the approved details are fully implemented and thereafter maintained in accordance with the agreed details.
REASON: To safeguard the amenities of the neighbouring property and visual amenities of the surrounding area in accordance with 'saved' policy GD1 of the Crawley Borough Local Plan and EN5 of the Core Strategy.

Permitted subject to the conditions set out in the report and the new condition above.

Item 2

CR/2015/0168/FUL

28 Maiden Lane, Langley Green, Crawley

Erection of 1 x attached three bed house.

Jean McPherson, Group Manager, Development Management, provided a verbal summation of the application and drew the Committee's attention specifically to policies EN5 'Protecting and enhancing the built environment' and CH3 'Normal Requirements of All New Development'.

Mr Lawrence Simmons, the agent, and Mr Reginald Dias, the applicant, spoke in support of the application.

The Committee then considered the application.

Refused for the reasons set out in the report.

Item 3

CR/2015/0181/RG3

Land near Broadfield Place, Broadfield, Crawley.

Change of use from amenity land to outdoor play area (D2) including erection of 1.2m

Councillor C A Moffatt declared he had visited the site.

Marc Robinson provided a verbal summation of the application.

Councillor B J Quinn, ward member for Broadfield North, addressed the Committee to express his sincere thanks to both the Broadfield councillors and the CBC officers who had worked on this application, which was then considered by the Committee.

Permitted subject to the conditions set out in the report.

Item 4

CR/2015/0204/FUL

Land at Church Road Nurseries, Church Road, Pound Hill, Crawley.

Demolition of existing bungalow and erection of 5 x four bedroom detached dwellings each with single garages.

Councillors K L Jaggard, S J Joyce, B McCrow, C A Moffatt, P C Smith and W A Ward declared they had visited the site.

Marc Robinson provided a verbal summation of the application, and reminded the Committee that permission had already been granted in 2014 for 4 x 5 bedroomed properties on the site.

Emma Hayler, the applicant, spoke in support of the application.

A Member queried condition 17 which referred to obscured glass in the first floor window of the west elevation; the Member asked for clarification on whether this was in fact a bedroom window. Marc Robinson confirmed the detail in the condition was incorrect and should refer to the first floor window of the north elevation. He agreed to correct the condition to read as follows:

Condition 17

The first floor window of the north elevation of Plot 5 shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening.

Permitted subject to the conditions set out in the report and the amended condition 17 as indicated above.

Item 5

CR/2015/0205/FUL

Shambles, Ifield Green, Ifield, Crawley.

Erection of single storey flat roofed rear extension.

Councillors K L Jaggard, S J Joyce, B McCrow, P C Smith and W A Ward declared they had visited the site.

Jean McPherson provided a verbal summation of the application which was then considered by the Committee.

Refused for the reasons set out in the report.

5. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 9.03pm.

I T IRVINE
Chair

Crawley Borough Council

Minutes of Governance Committee

22 June 2015 at 7.00pm

Present:

Councillor	J Stanley (Chair)
Councillor	R D Burrett (Vice-Chair)
Councillors	M L Ayling, D G Crow, C R Eade, M G Jones, P K Lamb, R A Lanzer, T Lunnon, K McCarthy and A C Skudder

Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Heather Girling	Democratic Services Officer
Andrew Oakley	Electoral Services Manager
Mez Matthews	Democratic Services Officer

1. Welcome to New Members of the Committee

The Chair welcomed Councillors McCarthy and Skudder who had been recently elected, and Councillor Jones who was also new to the Committee. The Chair hoped that they would enjoy undertaking the work of the Committee.

2. Members' Disclosure of Interests

No disclosures of interests were made by Members.

3. Minutes

The minutes of the meeting of the Committee held on 9 March 2015 were approved as a correct record and signed by the Chair.

4. Individual Electoral Registration: Update

The Committee considered report LDS/105 of the Head of Legal and Democratic Services which updated the Committee on electoral registration for the elections on 7 May 2015 and the first annual household canvass under Individual Electoral Registration in advance of the publication of the new register on 1 December 2015.

The Committee was informed that the number of unverified electors on the register was comparable with the national average, and that this number was expected to decrease following the annual canvass. The Electoral Services Manager anticipated

that the Borough would have 80,000 electors on the register by 1 December 2015. The Government Minister would shortly decide whether unverified names on the register would be removed from registers in December 2015. The Electoral Commission had recommended that those electors should remain on the register until December 2016.

The Committee noted that, although the number of electors on the register had dropped when the annual register had been published on 1 December 2014, the number had recovered by the general election. The Electoral Services Manager drew the Committee's attention to the table set out in paragraph 4.3 of the report and confirmed that the figures identified as 'moved' referred to moves within the Borough or Ward and corresponded with where the elector had moved from, and 'changed' figures related to a change in name, circumstance or verification status.

The Electoral Services Manager confirmed that, where a response to the annual canvass was not received, households would receive multiple personal visits, and individual electors would receive one personal visit. The reminders would also be personally addressed.

It was agreed that a further update be brought to the November Committee meeting following the annual canvass, to ascertain whether the new Household Enquiry Form had affected the level of response.

RESOLVED

1. The Committee noted the progress made in the transition to Individual Electoral Registration and the steps taken to maximise registration.
2. That a further update on Individual Electoral Registration be brought to the 23 November 2015 Governance Committee.

5. Revised Operations for the Overview and Scrutiny Commission and the Future of Performance Monitoring Scrutiny Panel

The Committee considered report LDS/100 of the Head of Legal and Democratic Services which proposed amendments to the Performance Monitoring Scrutiny Panel (PMSP), the Terms of Reference and Scrutiny Procedure Rules which would result in a more valuable role for Members and could provide more effective outcomes for both Council services and customers. The Committee also considered report OSC/238 of the Acting Chair of the Overview and Scrutiny Commission which detailed the comments and recommendations made by the Overview and Scrutiny Commission (OSC) on 8 June 2015 on the matter. The Commission had agreed to cancel PMSP meetings and use OSC as set out in recommendations 2.1(b) of the report. The Governance Committee was asked to consider the changes to the Constitution as a consequence of the OSC's decision.

The Committee thanked the report author and the Overview and Scrutiny Commission for the work they had undertaken and for a thorough report. The Committee noted that the Head of Legal and Democratic Services would investigate and review the Access to Information Procedure Rules (Part 4 of the Constitution) as the Rules did not currently cover the Members' Information Bulletin.

The Committee was in support of the disbandment of PMSP and noted that a review of working groups, advisory groups, policy development forums and seminars was a separate issue which was due to be considered at the 8 July 2015 meeting of the Cabinet.

The Committee considered the OSC's suggestion that paragraph 6.1(10) of Article 6 be amended as set out in report OSC/238, but the Committee was of the opinion that the revised wording proposed did not add value and therefore did not support the additional amendment.

It was questioned whether Paragraph 16 (The Party Whip) of the Scrutiny Procedure Rules was necessary as no member of the OSC had made a whipping declaration since 2004. It was debated whether there was a legal requirement that such declarations be made. It was agreed that the Head of Legal and Democratic Services would investigate the issue and inform Committee members whether there was a legal requirement for OSC members to declare the existence of a whip prior to the Commission's or panel's consideration of a matter.

It was suggested that paragraph 7 of the Scrutiny Procedure Rules be amended to prescribe that the Chair and Vice Chair of the Overview and Scrutiny Commission be members of different political groups. The Committee considered the proposal, but upon being put to the Committee, the amendment was LOST. It was agreed that a report be brought back to a future meeting of the Committee regarding the Chair and Vice Chair membership options for OSC based on the recommendations of the Centre for Public Scrutiny.

RESOLVED

That a report regarding the Chair and Vice Chair membership options for OSC based on the recommendations of the Centre for Public Scrutiny be considered by a future meeting of the Committee.

RECOMMENDATION 1

That Full Council be recommended to approve the revised Terms of Reference and Scrutiny Procedure Rules for the Overview and Scrutiny Commission as set out in Appendix A to these minutes.

6. Disciplinary Arrangements for Statutory Officers

The Committee considered report LDS/104 of the Head of Legal and Democratic Services and the Head of People and Technology which updated the Committee on the changes that were being made to Disciplinary Arrangements for Statutory Officers and sought a view from the Committee on the proposals for the establishment of an Independent Panel.

The Committee noted that the legislation currently lacked detail, and the Head of Legal and Democratic Services was awaiting further information regarding how the process would work in practice before detailed changes to the Constitution were proposed.

The Head of Legal and Democratic Services informed the Committee that the current Designated Independent Person (DIP) process in its application in practice had been complex, expensive and cumbersome and in some local authorities had taken over 15 months to reach completion.. The proposed new arrangements would be less bureaucratic, more streamlined and would attempted to retain an independent check within the system. It was noted that it might necessary to amend the Terms and Conditions of employment for the Statutory Officers to accord with the new legislation.

The Committee was of the opinion that, to remain completely independent, any Panel appointed to consider a disciplinary matter involving a Statutory Officer should not include Councillors. It was noted that an appeal against a decision to dismiss a Statutory Officer would not be considered by the Independent Panel.

RESOLVED

That the arrangements outlined in Paragraph 6 of report LDS/104 be supported subject to any Panel being comprised solely of Independent Persons.

7. Changes to the Constitution

The Committee considered report LDS/102 of the Head of Legal and Democratic Services which proposed changes to the Constitution.

It was suggested that the Council's Complaints Procedure should remain in the Constitution to maintain its accessibility, and so any changes would be considered by the Committee. The Democratic Services Officer informed the Committee that any changes would be made by an officer, in consultation with the Cabinet Member if appropriate, and that any consequential changes to the Constitution would be made under delegated authority and would not necessarily be brought before the Committee. The Committee agreed that the Council's Complaints Procedure should be removed from the Constitution.

RESOLVED

RECOMMENDATION 2

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

8. Annual Governance Statement

The Committee considered report FIN/365 of the Head of Finance, Revenues and Benefits which requested that the Committee consider the Annual Governance Statement and provide any comments for incorporation into the final version to be included in the annual statement of accounts, which was to be approved by the Audit Committee in September 2015. The Committee noted that the Statement covered the period from 1 April 2014 to 31 March 2015.

Following consideration of the Statement, the Committee suggested that the following amendments be made:

Report Page	Paragraph / Bullet Point	Amendment
G3	Paragraph 3	Delete duplication of the words “also on” in relation to the Council’s website.
G5	Bullet point 9	Amend to read “Reports on complaints have been received are presented to CMT and the performance Monitoring Scrutiny Panel on a quarterly basis.”
G7	Bullet point 3 of “Review of Effectiveness”	Amend to read “As part of the Council’s open and transparent approach, Overview and Scrutiny Committee Commission has responsibility
G8	Bullet point 1 and paragraph 2	Amend “Audit and Governance Committee” to read “Audit Committee”.

RESOLVED

That the amendments detailed in the table above be incorporated into the final version of the Annual Governance Statement to be included in the annual statement of accounts, which is to be approved by the Audit Committee in September 2015.

9. Closure of Meeting

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

J STANLEY
Chair

APPENDIX A

ARTICLE 6 – OVERVIEW AND SCRUTINY COMMISSION

6.1. Terms of Reference

The Council will appoint an Overview and Scrutiny Commission with the following terms of reference to discharge the functions conferred by section 21 of the Local Government Act 2000, regulations under section 32 of the Local Government Act 2000, the Local Government and Public Involvement in Health Act 2007, the Local Democracy, Economic Development and Construction Act 2009 and the Localism Act 2011:-

- (1) The performance operation of all overview and scrutiny functions on behalf of the Council.
- (2) The appointment of task-orientated, time-limited scrutiny panels, with membership that reflects the political balance of the Council and, the setting of such terms of reference and duration as it considers appropriate to fulfil those functions by carrying out overview and scrutiny on functional matters or cross-cutting themes or with an area focus.
- (3) To receive requests from the Cabinet for scrutiny involvement in policy review and development and decide how to respond.
- (4) To monitor the Cabinet's Forward Plan and, where appropriate, comment on proposals prior to the Cabinet taking a decision.
- (5) To receive all appropriate ~~performance management~~ budget monitoring **and service** information **particularly in relation to the transformation plan.**
~~(This function may either be carried out by the Commission or by one of its panels).~~
- (6) To approve and co-ordinate an annual overview and scrutiny work programme, noting the programme of any scrutiny panels it appoints so as to ensure that the Overview and Scrutiny Commission's and scrutiny panels' time is effectively and efficiently utilised.
- (7) To ensure community and voluntary sector organisations, users of services and others are appropriately involved in giving evidence to relevant scrutiny panels.
- (8) To review the implementation of other completed scrutiny reviews.
- (9) Where appropriate, to review any other issue affecting the Borough but for which the Council is not directly responsible.
- (10) To discuss any local government matter or local crime and disorder matter either referred to the Commission or otherwise, to review or scrutinise such a matter and, where appropriate, make reports or recommendations to the Council or the Cabinet except where an excluded matter (i.e. any matters relating to a planning decision, a licensing decision or where a person has right of recourse to a review or right of appeal; any matter which is vexatious, discriminatory or not reasonable; **any matter referring to an individual complaint**; or any local crime and disorder matter excluded under S.19 of the Police and Justice Act 2006. However, a matter is not excluded if it consists of an allegation that a function for which the authority is responsible has not been discharged at all or that its discharge has failed or is failing on a systemic basis).

- (11) To discuss any item relevant to the functions of the Commission referred to the Commission by a member of the Commission, to review or scrutinise such a matter and, where appropriate, make reports or recommendations to the Council or the Cabinet except where an excluded matter (i.e. any matters relating to a planning decision, a licensing decision or where a person has right of recourse to a review or right of appeal; any matter which is vexatious, discriminatory or not reasonable; **any matter referring to an individual complaint**; or any local crime and disorder matter excluded under S.19 of the Police and Justice Act 2006. However, a matter is not excluded if it consists of an allegation that a function for which the authority is responsible has not been discharged at all or that its discharge has failed or is failing on a systemic basis).
- (12) To discuss any local government matter or local crime and disorder matter either referred to the Commission or otherwise, where necessary referring the matter to a scrutiny panel to review or scrutinise and on receipt of the panel's report, to make reports or recommendations to the Council or the Cabinet where appropriate except where an excluded matter (i.e. any matters relating to a planning decision, a licensing decision or where a person has right of recourse to a review or right of appeal; any matter which is vexatious, discriminatory or not reasonable; **any matter referring to an individual complaint**; or any local crime and disorder matter excluded under S.19 of the Police and Justice Act 2006. However, a matter is not excluded if it consists of an allegation that a function for which the authority is responsible has not been discharged at all or that its discharge has failed or is failing on a systemic basis).
- (13) Where appropriate, to recommend to the Council the appointment of co-optees to serve on the Overview and Scrutiny Commission and whether they shall have voting rights.
- (14) Where appropriate, to appoint co-optees to serve on scrutiny panels and to decide whether they shall have voting rights or agree to let the Chair of the relevant scrutiny panel decide this in consultation with the Chair of the Overview and Scrutiny Commission and the Head of Legal and Democratic Services.
- (15) To appoint Chairs of scrutiny panels ~~from the membership of the Overview and Scrutiny Commission.~~
- (16) Where the Commission may reasonably require in order to discharge its function, being information which has been requested in writing and relates to the functions of the relevant partner authority so far as exercisable in relation to the authority's area or the inhabitants of that area, to obtain information from relevant partner authorities and require executives of local authorities to exclude confidential and exempt information when publishing their response to reports and recommendations of Overview and Scrutiny Committees.
- (17) To ensure that any reports by the Joint Scrutiny Task and Finish Groups be reported to the appropriate decision maker via the Commission, and that the appropriate decision maker responds accordingly to the West Sussex Joint Scrutiny Steering Group.
- (18) To consider any petition before its consideration by the appropriate decision-maker.
- (19) To consider a petition referred to the Commission before its consideration by the appropriate decision-maker.

Scrutiny Procedure Rule 8 sets out the process to be followed in respect of functions **(10), (11) and (12)** above.

6.2. General Matters

1. Overview and Scrutiny Commission

The Overview and Scrutiny Commission has responsibility for all overview and scrutiny functions on behalf of the Council. It has a remit to review or scrutinise the full range of the Council's activities.

Specifically the Commission undertakes policy review, looks closely at decisions the Cabinet is going to take, and oversees the work of the Cabinet. It therefore has an overview of activities across the Council.

2. Scrutiny Panels

The Overview and Scrutiny Commission may establish time-limited scrutiny panels, the number to be running at any one time to be subject to resource constraints. These panels will be charged with carrying out an in-depth investigation into a specific service area or policy or any issue of genuine importance to the town. Each panel will work to a specific brief set out by the Commission and will report to the Commission.

Membership of the scrutiny panels may be drawn from the Commission itself and/or from other non-Cabinet Members of the Council. The panels will be politically balanced unless agreed otherwise by the Group Leaders. Membership will depend on the knowledge and expertise required to deal with the matter in hand, as long as the principle of independence is not compromised.

The Commission will agree the Chair of any scrutiny panel it establishes (who will not necessarily be an OSC Member and may potentially be the nominator). Panel members will then be agreed in consultation with Group Leaders and the party group secretaries. However at least one member of the panel must be an OSC Member.

Choosing the topics for the scrutiny panels to work on is a key task for the Commission. It will be impossible for the scrutiny panels to cover all the Council's activities and there is therefore a need to prioritise particular issues. It will also be important for the Commission to hold some capacity in reserve for urgent issues that may emerge.

3. West Sussex Joint Scrutiny Task and Finish Groups

A formal but flexible joint scrutiny arrangement, through an overarching steering group and bespoke task groups, was established in West Sussex initially for a pilot period commencing July 2011.

The West Sussex Joint Scrutiny Steering Group will consider suggestions for joint scrutiny and may establish time-limited Task and Finish Groups. The Task and Finish Groups will investigate issues of common concern affecting either the whole county or the areas of more than one District/Borough Council. Any joint scrutiny will be outcomes- focused (i.e. where it's felt that improvements can be achieved for the community), and will scrutinise performance as opposed to processes. Whilst issues under joint scrutiny may relate to the work of organisations with a wider remit than local authorities (e.g. quangos,

utilities, Environment Agency etc.), any scrutiny will not be of the organisations themselves, but rather of relevant issues relating to their work/role.

Any joint scrutiny will be carried out by non-Cabinet members of County, District and Borough Councils. Non-Executive County Council Members who are Cabinet Members on District or Borough Councils (or vice-versa) will not carry out any joint scrutiny activities that relate to their portfolio area.

Any Task and Finish Groups will consist of a minimum of 3 members, with the exact number to be determined by the Steering Group according to the topic. Membership of Task and Finish Groups will be non-political and geographically balanced (as appropriate). The Steering Group may wish to recommend co-opted members from relevant authorities, but ultimately this should be the decision of the Task and Finish Group.

These Task and Finish Groups will submit a final report via the Overview and Scrutiny Commission(s) to the Cabinet(s) of the relevant Council(s) and/or other partners with a copy to the Joint Steering Group.

6.3. Specific Functions

- (1) The Overview and Scrutiny Commission (and its panels) may:
 - (a) review and scrutinise the decisions made by and the performance of the Cabinet and Committees and Council employees both in relation to individual decisions and over time;
 - (b) review and scrutinise the **transformation plan, operation** of the Council in relation to its policy objectives, ~~measures performance targets~~ and particular service areas;
 - (c) review other issues which might impact on the quality of life in the town;
 - (d) review any matter relating to, or arising out of, any issue that has previously been referred to scrutiny.
 - (e) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Commission, or a panel, or local people, about their activities and performance;
 - (f) question and gather evidence from any person (with their consent);
 - (g) question members of the Cabinet and Chairs of Committees and **the Chief Executive/Deputy Chief Executive** ~~/Directors/~~Heads of Service about their decisions and ~~performance~~ **services**, whether generally in comparison with service plans and ~~targets~~ **measures (performance)** over a period of time, or in relation to particular decisions, initiatives or projects;

In addition, the Overview and Scrutiny Commission may:

- (h) make recommendations arising from the outcome of the scrutiny process to the Cabinet (if the proposals are consistent with the existing budgetary and policy framework), to a Committee where the matter falls within its terms of reference or to the Council as appropriate (e.g. if the proposal would require a departure from or a change to the agreed budget and policy framework ~~or if it relates to the outcome of a best value review~~)

Where the Council is to receive the report, a copy of the report will be submitted to the Cabinet held in the same cycle. The Cabinet may comment upon the report and these comments will be presented to the Council at the time the report is considered.

- (i) exercise overall responsibility for the finances made available to it;
 - (j) exercise overall responsibility for the work programme of the employees employed to support its work.
- (2) The Overview and Scrutiny Commission (and its panels) will conduct their proceedings in accordance with the Scrutiny Procedure Rules set out in Part 4 of this Constitution.
 - (3) The remit of the Overview and Scrutiny Commission (and its panels) is not to perform the function of an appellate body nor to examine individual complaints.
 - (4) The Overview and Scrutiny Commission will not normally be responsible for the development of new policies. This function will be fulfilled by the Policy Development Forums (see page 381 of this Constitution), except where policy development arises from the Overview and Scrutiny Commission reviewing current policy in which case the Commission may, as part of the review, recommend new policies.

6.4. Role of Chair of Overview and Scrutiny Commission

- (1) To oversee and provide leadership, management and strategic direction to the Overview and Scrutiny Commission and process.
- (2) To represent the Overview and Scrutiny Commission on the West Sussex Joint Scrutiny Steering Group. In the event that the Chair is unable to attend, the Vice-Chair shall attend on his/her behalf. If neither the Chair nor the Vice-Chair are able to attend, another Commission member shall be nominated by the Chair to attend on his/her behalf;
- (3) To develop and promote the role, profile and impact of overview and scrutiny
- (4) To develop a knowledge of the Council and how it relates to other organisations and the community
- (5) To develop the skills set for a successful chair of overview and scrutiny
- (6) To chair meetings of the Overview and Scrutiny Commission impartially, encouraging contributions from all Commission members;
- (7) To consider how Scrutiny work might be assisted by:-
 - arranging informal discussions outside the Committee process or undertaking visits
 - inviting outside contributors to attend Overview and Scrutiny Commission meetings
 - calling for reports from ~~Directors~~ **the Chief Executive, Deputy Chief Executive or Service Heads** ~~relevant officers~~ or commissioning research.
- (8) To produce a report for submission to the Cabinet, a Committee or the Council as appropriate.
- (9) To present review reports at the Cabinet, at a Committee and/or the Full Council.

- (10) To decide, in consultation with the Chair of the relevant scrutiny panel and the Head of Legal and Democratic Services, whether any co-optees serving on such scrutiny panels should have voting rights (as in accordance with paragraph 6.1(14) of this Article).

6.5. **Scrutiny and the Forward Plan**

Following the publication of the Forward Plan, Members will be invited by the Head of Legal and Democratic Services to indicate which items, if any, should be scrutinised prior to consideration by the Cabinet. Items should not be identified for Overview and Scrutiny Commission consideration if a Member's queries could easily be answered by reference to the appropriate Head of Service or relevant Cabinet Member.

RESPONSIBILITY FOR COUNCIL FUNCTION

OVERVIEW AND SCRUTINY COMMISSION

The functions conferred by Section 21 of the Local Government Act 2000 or regulations under Section 32 of the Local Government Act 2000 will be discharged by the Overview and Scrutiny Commission

Membership:- Councillors:

Functions of the Overview and Scrutiny Commission

- (1) The performance **operation** of all overview and scrutiny functions on behalf of the Council.
- (2) The appointment of task-orientated, time-limited scrutiny panels, with membership that reflects the political balance of the Council, and the setting of such terms of reference and duration as it considers appropriate to fulfil those functions by carrying out overview and scrutiny on functional matters or cross-cutting themes or with an area focus.
- (3) To receive requests from the Cabinet for scrutiny involvement in policy review and development and decide how to respond.
- (4) To monitor the Cabinet's Forward Plan and, where appropriate, comment on proposals prior to the Cabinet taking a decision.
- (5) To receive all appropriate ~~performance management and budget monitoring and service information~~ **particularly in relation to the transformation plan including measures.** ~~(This function-~~

Delegation of Functions (concurrently with the Overview and Scrutiny Commission)

Functions of the Overview and Scrutiny Commission

~~may either be carried out by the Commission or by one of its panels).~~

- (6) To approve and co-ordinate an annual overview and scrutiny work programme, noting the programme of any scrutiny panels it appoints so as to ensure that the Overview and Scrutiny Commission's and scrutiny panels' time is effectively and efficiently utilised.
- (7) To ensure community and voluntary sector organisations, users of services and others are appropriately involved in giving evidence to relevant scrutiny panels.
- (8) **To review the annual Transformation Plan and to scrutinise the implementation of current and previously completed reviews.** ~~undertake Best Value Reviews of the Council's services and to monitor the implementation of previously completed Best Value Reviews.~~
- (9) To review the implementation of other completed scrutiny reviews.
- (10) Where appropriate, to review any other issue affecting the Borough but for which the Council is not directly responsible.
- (11) To discuss any local government matter or local crime and disorder matter referred to the Commission by a Councillor, to review or scrutinise such a matter and, where appropriate, make reports or recommendations to the Council or the Cabinet.

Delegation of Functions (concurrently with the Overview and Scrutiny Commission)

Functions of the Overview and Scrutiny Commission

- (12) To discuss any item relevant to the functions of the Commission referred to the Commission by a member of the Commission, to review or scrutinise such a matter and, where appropriate, make reports or recommendations to the Council or the Cabinet.
- (13) To review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions and, where appropriate, make reports or recommendations thereon.
- (14) Ensuring effective scrutiny of the Treasury Management Strategy and policies.
- (15) To consider any petition before its consideration by the appropriate decision-maker.
- (16) To consider a petition referred to the Commission before its consideration by the appropriate decision.

Scrutiny Procedure Rule 8 sets out the process to be followed in respect of functions **(10)**, (11), (12) and (13) above.

Delegation of Functions (concurrently with the Overview and Scrutiny Commission)

SCRUTINY PROCEDURE RULES

1. **What will be the Arrangements for the Overview and Scrutiny Commission and its Panels?**

The Council will have an Overview and Scrutiny Commission as set out in Article 6 of the Constitution. The Overview and Scrutiny Commission may establish task-orientated, time-limited scrutiny panels, the number to be running at any one time to be subject to resource constraints. These panels will be charged with carrying out an in-depth investigation into a specific service area or policy or any issue of genuine importance to the town. ~~The Commission will also establish, on an annual basis, a Performance Monitoring Panel.~~ Each panel will work to a specific brief set out by the Overview and Scrutiny Commission and will report to the Commission.

2. **Who May Sit on the Overview and Scrutiny Commission and its Panels?**

All Councillors except Members of the Cabinet may be Members of the Overview and Scrutiny Commission.

Membership of the scrutiny panels may be drawn from the Commission itself and/or from other non-Cabinet Members of the Council. **The panels will be politically balanced unless agreed otherwise by the Group Leaders. Membership will depend on the knowledge and expertise required to deal with the matter in hand, as long as the principle of independence is not compromised. The Commission will agree the Chair of any scrutiny panel it establishes (who will not necessarily be an OSC Member and may potentially be the nominator). Panel members will then be agreed in consultation with Group Leaders and the party group secretaries. However at least one member of the panel must be an OSC Member.**

No Member may be involved in scrutinising a decision in which he/she has been directly involved. Paragraph 7 of the Councillors Code of Conduct refers

3. **Co-optees**

- (a) The Overview and Scrutiny Commission shall be entitled to recommend to Council the appointment of additional people to serve on the Commission as co-optees and whether they shall have voting rights.
- (b) The Commission may appoint co-optees onto any of its panels and decide whether or not they shall have voting rights or agree to let the Chair of the relevant scrutiny panel decide this in consultation with the Chair of the Overview and Scrutiny Commission and the Head of Legal and Democratic Services. The requirements of Regulation 3 of the Crime and Disorder (Overview and Scrutiny) Regulations 2009 apply to the co-option of members to a Committee dealing with crime and disorder matters.

4. Terms of Reference

The terms of reference of the Overview and Scrutiny Commission are as set out in Article 6 of the Constitution.

The Overview and Scrutiny Commission may set such terms of reference for the scrutiny panels as it considers appropriate.

5. Meetings of the Overview and Scrutiny Commission

There shall be at least seven ordinary meetings of the Overview and Scrutiny Commission programmed each year. In addition, extraordinary meetings may be called from time to time as and when appropriate. An extraordinary meeting of the Overview and Scrutiny Commission may be called by the Head of Legal and Democratic Services if he/she considers it necessary or appropriate and must be called by the Head of Legal and Democratic Services if required to do so by a notice in writing given either by the Chair of the Overview and Scrutiny Commission or by any three Members of the Overview and Scrutiny Commission.

6. Quorum

The Quorum for the Scrutiny Commission and Scrutiny Panels shall be as set out in the Council Procedure Rules in Part 4 of this Constitution.

7. Who Chairs Overview and Scrutiny Commission Meetings?

The Council will appoint the Chair and Vice Chair of the Overview and Scrutiny Commission ~~and the Commission will appoint the Chairs of any scrutiny panels it establishes.~~ The Chair and Vice Chair of the Overview and Scrutiny Commission will be drawn from amongst the Councillors sitting on the Commission.

~~The Commission will appoint the Chair of each scrutiny panel from the membership of the Commission.~~

The Commission will agree the Chair of any scrutiny panel it establishes (who will not necessarily be an OSC Member and may potentially be the nominator). Panel members will then be agreed in consultation with Group Leaders and the party group secretaries. However at least one member of the panel must be an OSC Member.

8. Agenda Items

- (a) Any member of the Council shall be entitled to give notice to the Head of Legal and Democratic Services that he/she wishes to refer a local government matter relevant to the functions of the Commission or a local crime and disorder matter to the Commission and for it to be included on the agenda and discussed at the next available meeting of the Commission. As part of the discussion, the Commission will decide whether or not it would be appropriate

to refer a matter to a scrutiny panel to carry out an in-depth investigation and report back to the Commission.

A local government matter is defined in S.21A of the Local Government Act 2000 as one that

- (i) relates to the discharge of any function of the Council,
- (ii) is not an excluded matter (a local crime and disorder matter or a matter defined by Order).

A local crime and disorder matter as defined in S.19 of the Police and Justice Act 2006, in relation to a Councillor, means a matter concerning crime and disorder (including, in particular, forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment), or the misuse of drugs, alcohol and other substances which affects all or part of the electoral area for which the Councillor is elected or any person who lives or works in that area.

Excluded Matters as defined by Order include:

- (i) any matter relating to a planning decision;
- (ii) any matter relating to a licensing decision;
- (iii) **any matter relating to an individual complaint;**
- (iv) any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
- (v) any matter which is vexatious, discriminatory or not responsible to be included in the agenda for, or to be discussed at, a meeting of the Overview and Scrutiny Commission or at a meeting of a Sub-Committee of that Commission.

However, a matter which consists of an allegation of systematic failure to discharge a function for which it is responsible may be referred to the Overview and Scrutiny Commission, notwithstanding the fact that the allegation specifies matters which would otherwise be excluded by virtue of the above.”

- (b) Any Member of the Overview and Scrutiny Commission shall be entitled to give notice to the Head of Legal and Democratic Services that he/she wishes to refer an item relevant to the functions of the Commission to the Commission (and for a member of a Scrutiny Panel to be able to refer to the Panel any matter which is relevant to the Panel’s functions). The item shall then be included on the agenda and be discussed at the next available meeting of the Commission (or Panel).
- (c) The Commission may also review or scrutinise decisions made, or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions. The Commission will meet for the purpose when it is considered appropriate but no less than once in every twelve month period.

(d) **Procedure**

When considering whether or not to exercise its powers to review or scrutinise a local government matter or a local crime and disorder matter, the Commission may have regard to representations made by a local Councillor exercising powers under Section 236 of the Local Government and Public Involvement in Health Act 2007. If the Commission decides not to exercise its powers, the local Councillor should be advised of the reasons for the decision. The local Councillor should also receive a copy of any report or recommendations which the Commission makes to the Council or to the Cabinet relating to the matter (subject, in the case of a local government matter, to the exclusion of any confidential information and, where appropriate, of any exempt information which should, instead, be summarised). In the case of a local crime and disorder matter and matters relating to the discharge by the responsible authorities of their crime and disorder functions, a copy of the report and recommendations should be provided to the responsible authorities and the co-operating persons and bodies (as defined in S5 of the Crime and Disorder Act, 1998) as is considered appropriate

In the case of a local government matter or an item relevant to the functions of the Commission, the Commission must (by notice in writing) require the Council or the Cabinet to consider and respond within two months to any report or recommendations it makes, and to indicate what (if any) action is proposed. The Council or the Cabinet are under a duty to comply with these requirements and if the Commission has published its report or recommendations, then the response should also be published (subject to the exclusion of any confidential information and, where appropriate, of any exempt information which should, instead, be summarised).

In the case of a matter relating to the discharge by the responsible authorities of their crime and disorder functions, the Commission shall notify the responsible authorities to whom the report or recommendations have been made, and the co-operating persons and bodies who have been provided with a copy, that they must consider and respond to the report or recommendations, indicating what (if any) action is proposed, and must have regard to the report and recommendations in exercising their functions.

9. Petitions

Officer Evidence

- (a) If a petition contains between 50 and 999 signatures it will be considered by the Overview and Scrutiny Commission prior to its submission to the appropriate decision-maker.
- (b) The Commission will endeavour to consider any petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

- (c) At the meeting of the Overview and Scrutiny Commission the Chair will invite the petition organiser to address the Commission for a maximum of 3 minutes on the issue.

Matters Referred to the Commission

- (a) The Commission may consider a petition referred to it by the Cabinet, Council or a Committee or Sub-Committee of the Council.

10. Reports from the Overview and Scrutiny Commission

- (a) In addition to reporting to the Full Council each cycle on its current work, the Overview and Scrutiny Commission will produce reports when a particular piece of work has been completed, to the Cabinet (if the proposals are consistent with the existing budgetary and policy framework), to a Committee where the matter falls within its terms of reference or to the Council as appropriate (e.g. if the proposal would require a departure from or a change to the agreed budget and policy framework ~~or if it relates to the outcome of a best value review~~). These reports will be presented directly by the Chair of the Overview and Scrutiny Commission (or, with the agreement of the Chair of the Overview and Scrutiny Commission, by the Member who led the review). Where the Council is to receive the report a copy of the report will be submitted to the Cabinet held in the same cycle. The Cabinet may comment upon the report and these comments will be presented to the Council at the time the report is considered. The Chair of the Overview and Scrutiny Commission will be entitled to introduce his/her report and to answer questions made by Members of the Cabinet if he/she wishes to do so.
- (b) If the Overview and Scrutiny Commission cannot agree on one single report, then **no more than up to** one minority report may be prepared and submitted for consideration with the majority report.
- (c) The report of the Overview and Scrutiny Commission shall be considered as soon as reasonably practicable.

11. Rights of Overview and Scrutiny Commission Members to Documents

- (a) In addition to their rights as Councillors, Members of the Overview and Scrutiny Commission and its panels have the additional rights to documents and to notice of meetings as set out in the Access to Information Procedure Rules in part 4 of this Constitution.
- (b) Nothing in this paragraph prevents more detailed liaison between the Cabinet and Overview and Scrutiny Commission as appropriate, depending on the particular matter under consideration.

12. Members and Officers Giving Account

The Overview and Scrutiny Commission and its panels may, within their terms of reference, scrutinise and review decision-making or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in

fulfilling the scrutiny role, it may require any Member of the Cabinet, any Committee Chair, the Head of Paid Service/**Chief Executive** and/or **the Deputy Chief Executive** ~~any Director~~ or any Service Head to attend before it to explain in relation to matters within their remit:

- (i) Any particular decision or series of decisions;
- (ii) The extent to which the actions taken implement Council policy; and/or
- (iii) Their performance;
- (iv) Any response to a petition calling for a senior Council officer to give evidence.

And it is the duty of those persons to attend if so required.

- (b) Where any Member, Committee Chair or Employee is required to attend the Overview and Scrutiny Commission or a scrutiny panel under this provision, the Chair of the Commission/or that panel will inform the Head of Legal and Democratic Services. The Head of Legal and Democratic Services shall inform the Member or Employee in writing, giving at least five working days' notice of the meeting at which he/she is required to attend. The notice will state the name of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Commission or panel. Where the account to be given to the Commission or panel will require the production of a report, then the Member or Employee concerned will be given sufficient notice to allow for preparation of that documentation.
- (c) Where, in exceptional circumstances, the Member or Employee is unable to attend on the required date, then the Overview and Scrutiny Commission or panel shall in consultation with the Member or Employee arrange an alternative date for attendance.

13. Attendance by Others

The Overview and Scrutiny Commission or its panels may invite people other than those people referred to in paragraph **12** ~~44~~ above to address it, discuss issues of local concern and/or answer questions. It may, for example, wish to hear from residents, stakeholders, Members and Employees in other parts of the public sector and shall invite such people to attend. When carrying out its functions relating to crime and disorder, the attendance of an officer or employee of a responsible authority or of a co-opted person or body may be required in order to answer questions. Reasonable notice of the intended date of attendance must be given to that person.

Petition organisers may attend a meeting of the Overview and Scrutiny Commission as detailed in the Crawley Borough Council Petitions Scheme (see page 449).

14. Call In

Call in should only be used in exceptional circumstances. These are where the Member(s) calling in the decision believes that the decision was not taken in accordance with the principles set out in Article 12.2 (decision-making).

Call In of Decisions Made by the Cabinet as a Whole

- (a) At Cabinet meetings or Committees of the Cabinet, immediately after the decision is taken, any Member of the Council present may indicate that they wish to call-in the decision because they do not believe it has been taken in accordance with the provisions of decision making set out in Article 12 of the Constitution.
- (b) The Member of the Council calling in the decision must indicate how they believe the principles of Article 12.2 have been breached, not only by identifying the principle which they feel has not been complied with but also by specifying how they consider it has been breached. If there should be any doubt about the validity of a call-in, the matter may be referred to the Head of Legal and Democratic Services for determination. Where it is decided by the Head of Legal and Democratic Services that a request for call-in is invalid, the Leader and the Member of the Council calling in the decision will be advised that the call-in provisions do not apply and that, therefore, the original decision will stand. The implementation of the decision will be reported to the Cabinet and to Full Council.
- (c) If a decision is called in, it is treated as suspended. The Member of the Council calling in the decision must then obtain within the five working days following the call-in, the support of three other Members of the Council. The support must be communicated to the Head of Legal and Democratic Services either by way of a signed pro-forma or separate written confirmation by each supporter, which may be a hard copy or e mail communication (to democraticservices@ Crawley.gov.uk) and acknowledgement of receipt shall be obtained. Failure to obtain the support of three other Members within this period will mean that the original decision will stand and, on the sixth working day, the decision will be implemented. The implementation of the decision will be reported to the Cabinet and to Full Council.
- (d) In the case of the Cabinet or a Committee of the Cabinet, if the required number of signatures is produced within the period specified, then the decision will continue to be treated as suspended and the matter will be reconsidered at the next meeting of Full Council. If the Full Council does not object, then the original decision stands. If the Council does object, it cannot change the decision unless that decision was contrary to the policy framework or contrary or not wholly in accordance with the budget. Unless that is the case, the Council will refer the matter back either to the next meeting of the Cabinet for reconsideration (in which case the matter may not be called-in a second time) or to the Overview and Scrutiny Commission. If the matter has already been the subject of scrutiny, it shall only be referred back to the Overview and Scrutiny Commission if there is new material to be considered. The Council may pass a resolution specifying the nature of its objection to the proposed decision.

Call In of Decisions Made by Individual Cabinet Members

- (e) Notice of decisions to be made by individual Cabinet Members, or of key decisions made by employees with delegated authority from the Cabinet, will

be published in the weekly Members' Information Bulletin and will be made available for public inspection at the Council's offices.

- (f) Unless, within five working days of the publication date of the Members' Information Bulletin, any Member of the Council objects to the proposed decision on the grounds that they do not believe the decision, if implemented, would be in accordance with the principles of decision-making set out in Article 12 of the Constitution, then the decision is implemented on the sixth working day.
- (g) If any Member of the Council objects, then the decision is called in. If a decision is called in, it is treated as suspended. The Member of the Council calling in the decision must then obtain the support of three other Members of the Council within the five working days following the publication date of the Members' Information Bulletin. The call in and the support must be communicated to the Head of Legal and Democratic Services either by way of a signed pro-forma or separate written confirmation by each supporter, which may be a hard copy or e mail communication (to democraticservices@ Crawley.gov.uk) and acknowledgement of receipt shall be obtained. Failure to obtain the support of three other Members within this period will mean that the original decision will stand and, on the sixth working day, the decision will be implemented.
- (h) If the required support is given within the period specified, then the decision will continue to be treated as suspended and the matter will then be referred to the next Council meeting. Any decision taken by the Cabinet Member for Community Engagement relating to grants applications will not be subject to call-in since it would be subject to appeal to the Grants Appeals Panel.
- (i) Any objection to a proposed decision by an individual Cabinet Member, or to a key decision made by an employee with delegated authority from the Cabinet, must be made in writing to the Head of Legal and Democratic Services (either hard copy or email). The Member of the Council calling in the decision must indicate how they believe the principles of Article 12 have been breached.
- (j) If the required number of signatures is produced within the period specified, then the decision will continue to be treated as suspended and the matter will be reconsidered at the next meeting of Full Council. If the Full Council does not object, then the original decision stands. If the Council does object, it cannot change the decision unless that decision was contrary to the policy framework or contrary or not wholly in accordance with the budget. Unless that is the case, the Council will refer the matter back to either the individual Cabinet Member who originally took the decision for reconsideration (in which case the matter may not be called in a second time), to the next meeting of the Cabinet for reconsideration (in which case the matter may not be called in a second time), or to the Overview and Scrutiny Commission. If the matter has already been the subject of scrutiny, it shall only be referred back to the Overview and Scrutiny Commission if there is new material to be considered. The Council may pass a resolution specifying the nature of its objection to the proposed decision.

Call In and Urgency (Protection from Call In)

- (k) The call in procedure set out above shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The agenda item in the case of matters to be decided by the Cabinet as a whole or the Members' Information Bulletin item in the case of proposed decisions by individual Cabinet Members, or key decisions made by employees with delegated authority from the Cabinet, must indicate the reason why, in the opinion of the Head of Paid Service or his/her nominee, the matter should be treated as urgent, and that in his/her opinion the decision proposed is reasonable in all the circumstances. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- (l) The operation of the provisions relating to call in and urgency shall be monitored annually and a report submitted to Council with proposals for review if necessary.

15. The Party Whip

When considering any matter in respect of which a Member of the Overview and Scrutiny Commission or its panels is subject to a party whip, the Member must declare the existence of the whip and the nature of it before the commencement of the Commission's or the panel's deliberations on the matter. The declaration and the detail of the whipping arrangements shall be recorded in the minutes of the meeting.

16. Procedure at Overview and Scrutiny Commission Meetings

- (a) The Overview and Scrutiny Commission shall consider the following business:
 - (i) Minutes of the last meeting;
 - (ii) Declarations of interest (including whipping declarations);
 - (iii) The business otherwise set out on the agenda for the meeting, including:-
 - (a) consideration of any matter referred to the Overview and Scrutiny Commission for a decision in relation to call-in of a decision;
 - (b) matters referred to the Overview and Scrutiny Commission in relation to relevant petitions submitted under the Crawley Borough Council Petitions Scheme; and
 - ~~(c) responses of the Cabinet or Full Council to reports of the Overview and Scrutiny Commission;~~
 - (iv) Forward Plan;
 - (v) Supplemental agenda. (This item can be used to discuss any item on the forthcoming Cabinet agenda)

- (b) Where the Overview and Scrutiny Commission or its panels conduct investigations, the Commission or its panels may also ask people to attend to give evidence at Commission or panel meetings which are to be conducted in accordance with the following principles:
 - (i) That the investigation be conducted fairly and all Members of the Commission or panel be given the opportunity to ask questions of attendees, and to contribute and speak;
 - (ii) That those assisting the Commission or panel by giving evidence be treated with respect and courtesy; and
 - (iii) That the investigation be conducted so as to maximise the efficiency of the investigation or analysis.
- (c) Following any investigation or review, the Commission/panel shall prepare a report, for submission to the Cabinet and/or Council as appropriate and shall make its report and findings public.

17. Public Speaking at the Overview and Scrutiny Commission

- (1) At the beginning of every ordinary meeting of the Commission, there will be a public question time.
- (2) During public question time, a member of the public may ask a question which is relevant to any item on the agenda, a scrutiny panel or potential review. The question must not relate to an individual case which should be dealt with under the Council's complaints procedure or any other formal appeals procedure.
- (3) The Chair of the Commission at his/her discretion may answer the question or invite other Members or employees to respond.
- (4) Members of the public do not need to give prior notice of their questions. They may signify their wish to ask a question by raising their hand.
- (5) After the question has been answered, the person asking the question may ask one supplementary question.
- (6) The duration of question time will be a maximum of 15 minutes. It may be extended at the Chair of the Commission's discretion.
- (7) Petition organisers may address the Commission in accordance with Paragraph 9 of these procedure rules.

APPENDIX B

CHANGES TO THE CONSTITUTION

<u>Function</u>	<u>Proposed amendment</u>	<u>Reason for amendment</u>
<p>Functions of the Development Control Committee – Page 62</p> <p>(Jean McPherson)</p>	<p>Where appropriate:</p> <ul style="list-style-type: none"> Deleted wording is shown as crossed through Additional wording is shown in bold <p>Amend delegation (1)(c)(v)(e)(ii) to read as detailed in Appendix B1 to this report (LDS/102).</p>	<p>It is considered that there is no longer a special case for telecom applications to be triggered to go to Committee if an objection is received. This measure was introduced in the 1990s during the rapid expansion of the mobile phone network when there was heightened public concern about this new technology in terms of the visual impact of the masts and perceived public health risks. These are now more accepted part of the streetscene and modern life and therefore it is proposed that these planning applications and prior approval applications should now be brought in line with the requirements of all other planning applications.</p>

<u>Function</u>	<u>Proposed amendment</u>	<u>Reason for amendment</u>
<p>Functions of the Development Control Committee (page 71)</p> <p>(Jean McPherson)</p>	<p>Where appropriate:</p> <ul style="list-style-type: none"> • Deleted wording is shown as crossed through • Additional wording is shown in bold <p>Amend function (31) as follows:</p> <p>“(31) Power to deal with complaints about high hedges</p> <p><u>The following functions are delegated to the Head of Economic and Environmental Services in consultation with the Chair of the Development Control Committee</u></p> <p>(a) Approval of any charging scheme to be imposed in respect of the Council’s functions under Part 8 of the Anti-Social Behaviour Act, 2003 (dealing with complaints about high hedges).</p> <p>(b) Power to deal with complaints about high hedges including the service of remedial notices, handling of any appeals or other decisions from relevant authorities and powers of entry in relation to carrying out of such duties as set out under Part 8 of the Anti-Social Behaviour Act 2003 or any subsequent re-enactment of that provision”</p>	<p>The powers for dealing with complaints about high hedges appears to rest exclusively with the Committee. The additional wording delegates this to the Head of Services, these cases are very rare and can be effectively handled by officers, very few result in service of notices.</p>

<u>Function</u>	<u>Proposed amendment</u>	<u>Reason for amendment</u>
<p>Council's Complaints Procedure – Page 429 (Sarah Barnes)</p>	<p>Where appropriate:</p> <ul style="list-style-type: none"> Deleted wording is shown as crossed through Additional wording is shown in bold <p>Remove the Council's Complaints Procedure from the Constitution.</p>	<p>Only 2 Local Authorities in West Sussex include their Complaints Procedure in their Constitution. The Procedure is available on the Council's website and it is felt that the Constitution is not an appropriate place for the procedure. A link to the Complaints Procedure could be provided on the Constitution page of the website instead.</p>

APPENDIX B1

EXCERPT FROM FUNCTIONS OF THE DEVELOPMENT CONTROL COMMITTEE

Functions of the Development Control Committee

Planning and conservation

Functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the Functions Regulations) and as set out below:-

- (1) Power to determine applications for planning permission

Delegation of Functions (concurrently with the Development Control Committee)

The following functions are delegated to the Head of Economic and Environmental Services

- (a) The service of notices requiring further information on outline planning applications or in the case of a validation dispute in accordance with Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 or any subsequent re-enactment of that provision
- (b) The determination of the appropriate statutory notices for giving publicity to applications made under the Town and Country Planning Act 1990
- (c) The determination of applications for developments submitted to the Council (including the power to grant permission for development already carried out) for:

Functions of the Development Control Committee

Delegation of Functions (concurrently with the Development Control Committee)

- (i) planning permission under Part III of the Town and Country Planning Act, 1990;
- (ii) consent to carry out works to trees (including felling) under Part VIII of the Town and Country Planning Act 1990;
- (iii) consent to display advertisements under Part VIII of the Town and Country Planning Act 1990;
- (iv) consent to carry out works on or other development in connection with listed buildings under the Planning (Listed Building and Conservation Areas) Act 1990 and;
- (v) consent to carry out work in a conservation area under the Planning (Listed Building and Conservation Areas) Act 1990

EXCEPT WHERE:

- (a) a request has been received from a Member of the Council for an application to come before the Committee, or;
- (b) the application has been submitted by or on behalf of an employee or Member of the Council or;
- (c) the Head of Economic and Environmental Services considers an application, that would otherwise be delegated, should come before the Committee or;
- (d) the application is for a major development (as defined under the Development Management Procedure Order) of any kind or;
- (e) the Head of Economic and Environmental Services is minded to approve the development and any of the following applies:-
 - (i) an approval would constitute a departure from the Local Plan or;

Functions of the Development Control Committee

Delegation of Functions (concurrently with the Development Control Committee)

- (ii) 4 or more objections have been received in writing during the Council's normal consultation period from different individuals living in different households ~~(or one or more in the case of telecommunications development)~~ or;
- (iii) one or more objection has been received in writing during the Council's normal consultation period from a recognised residents' association, amenity or conservation group or;
- (iv) one or more objection has been received in writing during the Council's normal consultation period from a statutory consultee or;
- (v) the proposal involves the Borough Council as the applicant either alone or jointly with another person.

Crawley Borough Council

Minutes of Audit Committee

24 June 2015 at 6.30pm

Present:

Councillor	W A Ward (Chair)
Councillor	C R Eade (Vice Chair)
Councillors	R D Burrett, I T Irvine and K Sudan

Also in Attendance:

Councillor A C Skudder

Paul King, Director of Ernst and Young LLP.
Malcolm Haines, Audit Manager of Ernst and Young LLP.

Officers Present:

Mark Avery	Housing Fraud Investigator
Roger Brownings	Democratic Services Officer
Gillian Edwards	Audit and Risk Manager
Karen Hayes	Head of Finance, Revenues and Benefits

1. Members' Disclosures of Interests

There were no disclosures of interest.

2. Minutes

The minutes of the meeting of the Committee held on **11 March 2015** were approved as a correct record and signed by the Chair.

3. Fraud Team Report

The Committee considered report **FIN/366** of the Corporate Fraud and Inspections Manager. The report, which was presented by the Housing Fraud Investigator, focused on activity for the period from 17 February 2015 to 8 June 2015 and included final activity figures for 2014/15. The Committee acknowledged that the Team continued to look into a wide range of fraud and loss against the Council.

- A further three properties had been recovered as part of the work in the area of tenancy fraud. Members referred to the Tenancy Fraud Amnesty which the Council was currently publicising and would be in place for July and August only. In response to comments made, and with the view that there were potentially more tenancy fraud cases to come to light, the Housing Fraud Investigator indicated that this was an additional cost effective push to help maintain the recovery process, and, of course, ensure that all the Borough's social housing stock was available to further assist the genuine need and application for that housing. The Head of Finance, Revenues and Benefits indicated that she would circulate to Members copies of slides used as part of the recent new Member induction. Those slides provided further information regarding the Council's general fraud function, including tenancy fraud.
- Work continued to be developed in terms of investigating housing applications. The Team in this reporting period had prevented four further properties from being allocated and lost from the Council's stock. Using the National Fraud Initiative the Team had data matched all housing applications which were currently on the waiting list to verify that the information given on the application was true and correct. Matches had since been received and the data was currently being analysed.
- The Committee recognised that service performance continued to improve generally, including the application of various sanctions, of which there had been eight further prosecutions, seven relating to housing benefit fraud and one relating to housing tenancy fraud.
- The total of all overpaid benefit identified by the Team for this reporting period was £109,402.
- With regard to council tax and business rates, the Committee received details on losses stemmed, prevented and recovered, as well as new council tax and business rates gained.
- Following the conclusion of current investigations, 175 cases had their Council Tax Single Person Discount removed, resulting in a £65,156 Council Tax recovery and a £59,885 prevented loss per annum in future years.

In seeking and receiving clarification on further information presented, and whilst understanding that in one particular prosecution the Judge had thanked the Council's investigators for the thorough work they had undertaken, the Committee conveyed its thanks and appreciation to the Fraud Team generally for its continuing positive performance.

RESOLVED

That the report be noted.

4. Audit Plan Year Ended 31 March 2015

The Committee considered the Audit Plan for the year end 31 March 2015 from Ernst and Young LLP, and welcomed Paul King and Malcolm Haines, the external auditors of Ernst and Young, to the meeting. The report was attached as **Enclosure C** to the agenda.

The Audit Plan detailed the work that Ernst and Young proposed to undertake to satisfy its responsibilities, and the approach to risks identified that were relevant to the audit of the Council's accounting statements and the Council's arrangements to secure value for money. The Plan also helped ensure that the audit was aligned with the Committee's service expectations. With Paul King and Malcom Haines further clarifying issues discussed, the Committee was referred to the new accelerated

timetable for the publication and audit of local authority statement of accounts, which with effect from 2017/2018 would require the Committee to consider this Council's statement by 31 July rather than was currently the case by 30 September.

RESOLVED

That the Audit Plan for the year end 31 March 2015 be noted.

5. Annual Audit and Certification Fees 2015/2016

The Committee considered a letter from Ernst and Young LLP on the Annual Audit and Certification Fees for 2015 /2016. The letter was attached as **Enclosure D** to the agenda. As part of its discussion on this matter the Committee was advised of the reasons for the reduction in fees compared with the last Actual Fees set (for 2013/2014), including the 25% saving following the further tendering of contracts in March 2014 for each audited body's auditing services.

The Chair thanked Paul King and Malcolm Haines of Ernst and Young for their presentations to this meeting.

RESOLVED

That the Annual Audit and Certification Fees for 2015/2016 be noted.

6. Risk Management Strategy

The Committee considered report **FIN/364** of the Council's internal Audit and Risk Manager. The report reviewed the effectiveness of the Council's Risk Management Strategy, including the identified strategic risks as set out in Appendix 1 to the report.

The report referred to the Council's desire to move its approach from a risk adverse culture to that of a risk cautious culture, and that making this move fitted more comfortably with the systems thinking methodology that the Council had adopted as its main approach to reviewing many of its operations and experimenting with new ways of service delivery. With some concerns expressed around whether System Thinking itself was a risk, Officers emphasised that Systems Thinking had and continued to identify a number of unnecessary and onerous controls which were stifling a more streamlined and effective working environment, but for which their removal would not compromise the control of major risks. In all such cases the intention was to ensure that all major risks would continue to be effectively managed.

In response to comments from Members regarding risk mitigation, the Committee was advised that an update on the actions being undertaken / records thereof to mitigate the risks identified in the Risk Management Strategy, would form part of the Internal Audit Progress Report to be presented to the Committee's next meeting. This would include reference to associated reports to be submitted to Cabinet and other forums, as well as, for example, reference to minutes of Project meetings and Member briefings - including those with Cabinet Members.

RESOLVED

That subject to the issues raised by Members above, the Risk Management Strategy, including the Council's strategic risks, be supported.

7. Internal Audit Progress Report as at 31 May 2015, Incorporating the Audit and Risk Manager's Annual Report for 2014/2015.

The Committee considered report **FIN/363** 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 2014 / 2015 and 2015 / 2016 Internal Audit Plans, and to report on the progress made in implementing the previous recommendations. The report also included the Audit and Risk Manager's Annual Report for 2014 / 2015 as Appendix B.

The Committee discussed and noted all the Audit Plan reviews in progress, along with other work as detailed in the report, whilst in response to a Member's comments, the Audit and Risk Manager confirmed that a follow-up audit on the Rent Deposit Scheme (now Crawley Deposit Service) would be reported to the Committee at its next meeting.

The Committee acknowledged that the Audit and Risk Manager's Annual Report for the period 2014 / 2015 had been produced in accordance with the requirements set out in the Public Sector Internal Audit Standards. The Audit and Risk Manager considered that in her overall opinion, for the period in question, "Substantial" assurance could be given that there was generally a sound system of internal control designed to meet the Council's objectives, and that the controls were generally being applied consistently. The Annual Report was considered and noted. Appreciation was expressed by Members for the Audit and Risk Manager's most professional and competent report.

RESOLVED

That the Internal Audit Progress Report, and the progress made for the period up to 31 May 2015 be noted, together with the Audit and Risk Manager's Annual Report for the period 2014/2015.

8. Closure of Meeting

The meeting ended at 7.42 pm.

W A WARD
Chair

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission

Monday 6 July 2015 at 7.00p.m.

Present:

Councillor B A Smith (Chair)
Councillor K Sudan (Vice-Chair)
Councillors M L Ayling, Dr H S Bloom, K Brockwell, R G Burgess,
C A Cheshire, I T Irvine, R A Lanzer, L Vitler and W A Ward

Also in Attendance:

Councillors M G Jones, S Joyce, P K Lamb, C J Mullins and P Smith

Apologies for Absence

Lee Harris Chief Executive

Officers Present:

Russell Allison Housing Enabling & Development Manager
Peter Browning Deputy Chief Executive
Heather Girling Democratic Services Officer
Chris Harris Head of Community Services
Suzanne Holloway Principal Planning Officer
Anthony Masson Planning Officer
Nigel Sheehan Head of Partnership Services
Paul Windust Corporate Accounting & Treasury Services Manager
Vicky Wise Community Services Manager

14. Members' Disclosure of Interests and Whipping Declarations

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor Dr H S Bloom	Minute 19	Broadfield Barton Environmental Improvements	Personal interest as Wife is Chair of Relate in West Sussex. The organisation has a Charity Shop on Broadfield Barton shopping parade.

No disclosures of interests or whipping declarations were made.

15. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [8 June 2015](#) were approved as a correct record and signed by the Vice Chair.

16 Public Question Time

No questions from the public were asked.

17. Treasury Management Outturn for 2014/15

The Commission considered report [FIN/361](#) with the Leader of the Council and the Corporate Accounting and Treasury Services Manager. The regulatory environment places responsibility on Members for the review and scrutiny of the treasury management policy and activities. The report provided details of the outturn position for treasury activities and highlighted compliance with the Council's policies previously approved by Members.

During the discussion, the following points were expressed:-

- 2014-2015 was the first year the Council had invested in corporate bonds.
- Support that the internally managed funds earned an average rate of return of 1.12% (a return 3x 7 day LIBID). Rate at end of March indicated that investment rates are falling.
- Clarification sought and obtained on the inclusion and classification of investment properties within treasury management reports. As part of the response, the Commission was advised that investment properties are currently excluded as they are not classified as treasury management under regulations (classed as capital expenditure).

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet.

18. Proposed Article 4 Directions at Manor Royal

The Commission considered report [SHAP/47](#) with the Cabinet Member for Planning and Economic Development, Principal Planning Officer and Planning Officer. The report proposed Two Article 4 Directions for Manor Royal. These would restrict the permitted development rights afforded by the Town and Country (General Permitted Development Order) 2015 that allow offices (B1)(a) and warehouse (B8) uses to convert to residential uses (C3) without the need for planning permission. The Article 4's would withdraw these rights within Manor Royal because of the adverse impact these changes are having on the supply of employment floor space and the commercial operation of the Business District.

It was noted that the report was subject to a clerical correction and the last sentence in section 3.1 would be removed. It was proposed that the potential to introduce an Article 4 Direction in the town centre was re-examined and that officers would bring forward a further report in the autumn. Members felt that the proposal for the town centre required additional consideration.

Members supported the report but felt the following views should be noted:

- The widening of permitted development rights has resulted in a weakness in the Government's approach to support the local economy.

- Commercial floor-space was being lost. There could be a detrimental effect on the wider area as trading businesses were being moved out of premises to facilitate a change of use.
- There was support for wide consultation as part of the process throughout the Manor Royal Business District and Tinsley Lane areas.
- Members supported lobbying the LGA with views concerning the request for exemptions from permitted development.
- Members wished to maintain dialogue with the DCLG, communicating the Council's concerns, and suggested combining with Business Groups – eg Coast to Capital LEP, Gatwick Diamond Initiative, Gatwick Diamond Business, Manor Royal Business Improvement District, as well as other adjacent Local Authorities including those that have similar experiences such as Croydon and Brighton Councils.

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet.

19. Broadfield Barton Environmental Improvements

The Commission considered report [DC&PS/012](#) of the Head of Partnership Services which requested additional project funding to commence planned environmental improvement works on Broadfield Barton.

A discussion was held with the Cabinet Member for Public Protection and Community Engagement and the Head of Partnership Services.

Members' main comments included:

- Disappointment and frustration that a private company is contributing a fraction of the costs the Council is funding. It was commented that an agreement is in place for the maintenance with the Broadfield Barton Management Company and this would be monitored in the future.
- Concern that a precedent may be set in terms of funding, however there was also recognition that there is an obligation to fulfil to residents.
- There was a general reluctance to terminate the scheme together with an acknowledgement that the current circumstances are unfortunate. Yet in the interests of social value and community cohesion the parade should be developed.
- Support for promoting the parade improvements throughout the project via various communication channels.

RESOLVED

That the Commission's views expressed at the meeting be passed to the Cabinet.

20. Five Year Business Plan for Crawley's Adventure Playgrounds

The Commission considered report [DC&PS/013](#) with the Cabinet Member for Wellbeing, the Head of Community Services and the Community Services Manager. The report detailed proposals for the future development of the Council's adventure playgrounds.

During the discussion, the following points were expressed:

- Support for the ongoing marketing and promotion campaigns to increase awareness and usage through various channels.
- Encouragement that the proposals aimed to promote ownership of the ideas by staff.
- Support that the scheme incorporated 'back to basics' play together with flexible spaces. Members emphasised the need for the service to be re-opened at weekends.
- Concern that the focus should be maintained on the free open-access play offer, but also being able to sensitively work to improve income opportunities through other areas including secondary spend.

RESOLVED

That the Commission welcomed the update report and noted the proposals.

21. 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.

22. Acquisition of Affordable Housing at the Southern Counties site, 27-45 Ifield Road

(Exempt Paragraphs 3 and 5)

Exempt Paragraphs 3 (information relating to financial and business affairs of any particular person (including the Authority holding that information) and 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

The Commission considered report DCE/01 of the Deputy Chief Executive which set out a proposal to acquire up to 85 residential units by way of a partnership agreement in respect of the development of the site 27-45 Ifield Road.

A discussion was held with the Cabinet Member for Housing and the Deputy Chief Executive.

Members broadly supported the report but highlighted the following comments:

- Recognition that there is increasing pressure to commit the Right-to-Buy (RTB) funds within the anticipated timescales.
- Acknowledgement of the requirement to maximise the development opportunities available.
- The importance of the design and build of any development eg access/security.
- The significance of the relationship between housing and the surrounding community, particularly the link to other services such as education, health and any additional funding available.

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet.

23. Telford Place Residential Scheme

(Exempt Paragraph 3)

Exempt Paragraphs 3 (information relating to financial and business affairs of any particular person (including the Authority holding that information))

The Commission considered report SHAP/049 with the Cabinet Member for Housing and the Housing Enabling & Development Manager. The report set out options for the development of the Council owned site and made recommendations for an appropriate tenure mix based on housing need and market considerations.

Members' main comments included:

- Recognition that there is increasing pressure to commit the Right-to-Buy (RTB) funds within the anticipated timescales.
- Support that good design and build is paramount and should be sympathetic to the area.
- Members felt that the option element proposed in Recommendation 2.2a(i) of report SHAP/049 should not be expedient and should only be considered if it assists the entire scheme.

RESOLVED

That the Commission's views expressed at the meeting be passed to the Cabinet.

24. Re-Admission of the Public

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

Councillor B A Smith then left the meeting due to transport issues (following her accident) and the meeting was continued by the Vice Chair.

25. Overview and Scrutiny Commission Work Programme 2015-2016

The commission considered report [OSC/240](#) presented by the Chair of the Commission. The report contained the findings from the Commission's Workshop held on 23 June 2015.

The Commission examined each of the proposals. In relation to the suggestion to Review the Civic Arrangements, OSC Members held a discussion regarding the topic and agreed with the Workshop's recommendation that it would be beneficial to receive a report from the Democratic Services Manager regarding the mayoral programme of events, current arrangements, budget and general background information.

On the proposal to review the Council's Democratic Structure, the Commission held a lengthy discussion around the proposal submitted by Councillor Irvine.

Members had mixed views regarding whether to propose a scrutiny review with some Members considering that the topic did not pass the public interest test. A vote was taken. As a result of the vote, it was decided to proceed to establish a Scrutiny Panel, and the Panel size be made up of 7 members (4 Labour and 3 Conservative Group Members in accordance with political proportionality).

Whilst a nomination for a Member to Chair the Panel was received, that nomination was subsequently declined and there were no further nominations from the OSC. The revised operations for the OSC and changes to the Constitution (being submitted to Full Council on 22 July 2015) proposed that the Commission would agree the Chair of a Panel (who might potentially be the Member who nominated the topic and not necessarily an OSC Member). Panel members will then be agreed in consultation with Group Leaders and the party group secretaries. However at least one member of the Panel must be an OSC Member.

In this instance, it was agreed Group Leaders and Secretaries would be contacted to obtain nominations for Panel Members and a Chair following Full Council.

Members also discussed the review of the Council's website. Members thought it would be beneficial to undertake further work with regards to the Council's website and social media. It was felt that the website is currently under used and out-dated. There is currently work being planned to update the website and social media.

Review Workshop's recommendation was that OSC Members receive a report from the Head of People and Technology and/or Web Development Manager on the current arrangements and future plans for the website.

Information has since been provided by the Head of People and Technology that the report that is going to Cabinet in September will be about replacing the infrastructure on which the website runs. This will provide the Council with more flexibility to develop the website. The development of the self-service portal for customers to access services through the website is due to commence shortly and it was suggested that Members receive regularly progress updates.

RESOLVED

1. That the Commission agreed the following for each of the proposed scrutiny topics:

Review of the Civic Arrangements –

- That OSC Members receive a report from the Democratic Services Manager on the Mayoralty.

Review of the Council's Democratic Structures –

- That a scrutiny review be established to review the democratic structure of the Council, comprising of 7 Members (i.e. 4 Labour and 3 Conservative Group Members in accord with political proportionality).
- That nominations be sought for members and a Chair from Group Leaders and secretaries following Full Council.

Review of the Council's Website –

- That Members receive regular updates from the Web Development Manager on the current arrangements and future plans for the website.

2. That the Commission agreed the Overview and Scrutiny Commission Work Programme for 2015-2016 with the agreed amendments and an acknowledgement that it would remain flexible to consider other items throughout the year.

26. Health and Adult Social Care Select Committee (HASC)

An update was provided by Councillor Ward. Concern was acknowledged for the recruitment and retention support for GPs, general practice nurses and therapists, particularly at Langley Green Hospital. However, more recently both Councillors Ward and B A Smith had received reassurance of the transformation of services on site. Councillor Ward also reported that there had been grave concerns across Crawley surrounding the closure of Northgate Surgery and move to Cross Keys House.

27. Scrutiny Panels

Fairness Commission Scrutiny Panel

The last meeting was held on 2 July 2015 and an update was provided by Councillor Sudan. The Panel has received various mixed responses in reply to the models that had to be taken into consideration. There had been a full in-depth discussion undertaken regarding the models and the responses received. There is a vast amount of work currently being undertaken throughout the town. In some cases this places Crawley in a more advanced position than other authorities looking to establish a Fairness Commission. It was therefore felt that the full Fairness Commission model resides more with '1st tier' authorities - particularly when looking at those authorities (resources, Commission members, budget, remit and structure). It was discussed that perhaps an enhanced approach could be a way forward, using a hybrid element to model 3. A meeting has been scheduled with CCVS to discuss further and seek to share information.

28. Forward Plan – August 2015 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 meetings. The referrals included:

September 2015

- Budget Strategy 2016/17-2020/21
- Review of the Council's Website and Intranet Infrastructure and Associated Systems.
- Crawley Community Infrastructure Levy Draft Charging Schedule Consultation.

29. Closure of Meeting

The meeting ended at 10.35pm.

B A SMITH
Chair

Crawley Borough Council

Minutes of Development Control Committee 7 July 2015 at 7.30p.m.

Present:

Councillor	I T Irvine (Chair)
Councillor	C A Moffatt (Vice-Chair)
Councillors	B J Burgess, D G Crow, F Guidera, K L Jaggard, S J Joyce, B McCrow, R Sharma, A C Skudder, P C Smith, M A Stone, J Tarrant and W A Ward

Officers Present:

Tony Baldock	Acting Head, Planning & Environmental Services
Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Steve Lappage	Democratic Services Manager
Jean McPherson	Group Manager, Development Management

Apologies for Absence:

Councillor G Thomas

6. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors B J Burgess and D G Crow had been lobbied regarding application CR/2015/0242/FUL for the relocation of the exiting bandstand from Queens Square to Memorial Gardens, Queensway, Northgate.

7. Members' Disclosure of Interests

No disclosures of interests were made.

8.. Minutes

The [minutes](#) of the meeting of the Committee held on 9 June 2015 were approved as a correct record and signed by the Chair subject to a clerical correction to minute number 4 deleting Councillor W A Ward from the list of Members as having attended site visits in respect of applications CR/2015/0119/FUL, CR/2015/0204/FUL and CR/2015/0205/FUL.

9. Planning Applications List

The Committee considered report [PES/172](#) 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/172](#) of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 1

CR/2015/0241/RG3

28 Tilgate Forest Recreation Centre, Tilgate Drive, Tilgate, Crawley

Relocation of 2 storage containers from plot 22 to the existing concrete base at plot 28

Jean McPherson, Group Manager - Development Management, provided a verbal summation of the application which the Committee then considered.

Permitted subject to the conditions set out in report [PES/172](#).

Item 2

CR/2015/0242/FUL

Memorial Gardens, Queensway, Northgate, Crawley

Relocation of existing bandstand from Queens Square, Crawley to the north west corner of the Memorial Gardens plus relocation of bollards, flag pole, bench and information board

Councillors K L Jaggard, C A Moffatt and P C Smith declared they had visited the site.

Valerie Cheesman, Principal Planning Officer, provided a verbal summation of the application and explained that 2 further responses to the consultation had been received since the report was finalised. One expressed concerns at the proposals to move the bandstand to Memorial Gardens and suggested the bandstand should remain in Queens Square. The second enquired about the event planning and booking arrangements.

The Committee then considered the application during which some Members expressed concerns:

- that there would be insufficient space both for performers and their audience;
- at the tight space and the risk of access and congestion problems for other users during performances and suggested there may be a need to reroute the paths slightly;
- that the proposals would lose opportunities for passing trade;
- at the risk to the geocache capsule located close by;
- at the greater potential for vandalism of the bandstand particularly at night;

- whether there would be an increased risk to personal safety to those walking through Memorial Gardens later at night because of the screening it would provide;
- at the relative suitability of the proposed location compared to other sites and suggestions that there had not been adequate consultation on this.

In response it was noted that:

- the new location was considered to be a more appropriate environment and was expected to attract increased community use;
- events could still be held in a regenerated Queens Square which, together with the relocated bandstand, would provide greater flexibility;
- only 3 letters had been received in response to the planning consultation on this application;
- measures could be taken to ensure the geocache capsule was safeguarded;
- some of the concerns raised were either not material considerations for this planning application or could not necessarily be substantiated.

At the request of Councillor B J Burgess, and in accordance with Council Procedure Rule 24.5 (2) (a), the names of the Members voting for and against the recommendation to permit the application were recorded as set out below:-

For the recommendation to permit:-

Councillors D G Crow, F Guidera, I T Irvine, S J Joyce, B McCrow, C A Moffatt, R Sharma, A C Skudder, P C Smith and W A Ward (10).

Against the recommendation to permit:-

Councillors B J Burgess, K L Jaggard, M A Stone and J Tarrant (4).

Abstentions:-

There were no abstentions.

Permitted subject to the conditions set out in report [PES/172](#).

Item 3

CR/2015/0256/RG3

Junction of High Street/The Boulevard, Northgate, Crawley

Erection of approximately 6m high post with CCTV camera

Jean McPherson, Group Manager - Development Management, provided a verbal summation of the application which the Committee then considered.

Permitted subject to the conditions and informatives set out in report [PES/172](#).

Item 4

CR/2015/0329/RG3

The Birches, Three Bridges, Crawley

Change of use of existing grass verge adjacent to the public carriageway to form additional parking spaces (amended description).

Councillor C A Moffatt declared he had visited the site.

Valerie Cheesman, Principal Planning Officer, provided a verbal summation of the application.

Members welcomed provision of low level bird's mouth timber fencing to the south of the new parking area to prevent parking on verges and damage to trees. It was suggested such fencing be extended to the east to afford greater protection and also that these should be added as an informative.

New Informative

The applicant is advised to consider using the low level timber fencing around the east and south of the parking spaces to prevent vehicles encroaching onto the grassed areas.

Permitted subject to the conditions and informatives set out in report [PES/172](#) and the new informative above.

10. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.15 p.m.

I T IRVINE
Chair

Crawley Borough Council

Minutes of Cabinet

Wednesday 8 July 2015 at 7.30pm

These minutes are to follow