

Crawley Borough Council

Minutes of the Full Council

Wednesday 22 July 2015 at 7.30 p.m.

Present:

Councillor C A Cheshire (Mayor)

Councillor R Sharma (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 MeCrow, C A Moffatt, C J Mullins, D M Peck, B J Quinn, A C Skudder, B A Smith, 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 J G Smith MBE – Honorary Freeman and Alderman.

Dr B Jones – Re-appointed Independent Person (Minute No. 22 below refers).

Mr P Nicolson – Appointed Independent Person.

Officers Present:

Lee Harris
Ann-Maria Brown
Roger Brownings
Karen Dodds

Chief Executive
Head of Legal and Democratic Services
Democratic Services Officer
Head of Crawley Homes

16. Apologies for Absence

Mr A Quine - Honorary Freeman and Alderman.

17. Members' Disclosures of Interests

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

18. Communications

There were no communications.

19. Presentation of Gifts to Former Members

The Mayor presented a gift to each of the following former Members of the Council, who had recently ceased to hold office, to commemorate their service to the Council:-

Keith Blake
Sally Blake
Chris Oxlade
Michael Pickett
David Shreeves

With regard to former Councillors Nigel Boxall and Lenny Walker, they had informed the Head of Legal and Democratic Services that they would be unable to attend this meeting, and alternative arrangements were being made in terms of the receipt of their gift.

20. Presentation of Long Service Badge

The Mayor presented Councillor Ward with a badge commemorating his 20 years service as a Member of Crawley Borough Council.

21. Public Question Time

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

Questioner's Name	Subject	Name of Councillor(s) Responding
Mr R Symonds	Seeking clarification of training provided to Council staff in relations to matters associated with Crawley's Chagossian community.	Councillor Lamb referred to the good links that the Council had with that community, and that whilst he was not fully aware of training specifics, he would get back to Mr Symonds on this matter.
Mr A Quirk	Issues raised around the delay to the Broadfield Barton Environmental Improvements project, as well as matters regarding security at Broadfield Park, with reference made to some incidences of vandalism.	Councillor Jones referred to the withdraw of funding from a private company for the Broadfield Barton project, which had also resulted in the project's delay. The funding shortfall had now been resolved, with the project to commence soon. He emphasised that the Broadfield community deserved this project, and

Questioner's Name	Subject	Name of Councillor(s) Responding
		<p>they were going to get it. Councillor Quinn indicated that he had been updating Mr Quirk by email on the work being undertaken to see this project through.</p> <p>In terms of the issues raised by Mr Quirk relating to Broadfield Park, Councillor Mullins commented that we were all aware of how difficult it was to deal with vandalism, including that of trees, and emphasised that the Council was aware of the issues being raised. Councillor Mullins indicated that whilst bearing in mind current budget constraints, all was being done to curtail the incidences identified, whilst Councillor Irvine suggested that all efforts needed to be made to try and engage people within communities to work together to prevent vandalism.</p>
Mr J Herbert	With Mr Herbert raising concerns regarding the relocation of the Bandstand to the Memorial Gardens, which he felt should remain in the Queens Square and "not in the mud" of the Gardens, he asked if that relocation had been decided ?	<p>Councillor Mullins confirmed that as part of the Queens Square Environmental Improvement Scheme, the Council had made the decision to approve the relocation of the Bandstand. In response to comments by Councillor B J Burgess, she was reminded that the decision to approve the Scheme, including the Bandstand relocation, followed a wide ranging consultation exercise, with the proposals / options also being well reported in the local press.</p> <p>Councillor Mullins reiterated that the special</p>

Questioner's Name	Subject	Name of Councillor(s) Responding
		<p>status of the Memorial Gardens would continue to be acknowledged, and that all caution would be taken to ensure that future events would not detrimentally affect the Garden's. Events had successfully been held there before, whilst Councillor Lamb emphasised the considered view that the relocation of the Bandstand would help the need to enhance the viability of the Town Centre generally.</p> <p>It had become evident that a large event space was needed within the Queens Square, with a key weakness of the existing Square being the number of physical obstacles, including the Bandstand. With the particular status of the Memorial Gardens being greatly appreciated, and historical events acknowledged (specific reference to these issues was further made by Councillor Thomas), it was generally considered that the Gardens should be a positive centre for community activities for the town to enjoy.</p>

22. Appointment of Independent Person

The Council currently had 2 independent persons (Mr Peter Nicolson and Dr Barry Jones), but the term of office of one of those persons was due to end. Dr Barry Jones had indicated that he was willing to serve a further term of office for one year. The Council would then have the requisite number of independent persons to undertake a new role under new regulations relating to the dismissal of Council statutory officers as well as their existing role on Standards matters within the Localism Act 2011.

The Chair of the Governance Committee took this opportunity to thank Dr Barry Jones for his past work and was happy to move the motion as below:-

Moved by Councillor Stanley, seconded by Councillor Burrett (as Chair and Vice-Chair respectively of the Governance Committee) and

RESOLVED

That Dr Barry Jones be appointed as an Independent Person under section 28(7) of The Localism Act 2011 for a further term of office of one year.

23. Appointment of Members to Serve on the Members' Allowances Independent Remuneration Panel

In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 (No.1021), before it made or amended its' Members' Allowances Scheme, the Council should have regard to the recommendations made in relation to it by an Independent Remuneration Panel. Consequently, the Council was required to establish such a Panel.

The Council had previously appointed 4 representatives (in 2011) to serve on the Panel for a four year period until July 2015. The following persons had kindly agreed to serve on the Panel for the coming four year period 2015-2019:-

Name	Nominating organisation
Rachel Booles	Chief Executive, Crawley CVS
Alan Kennedy	Lay Chair, Crawley Clinical Commissioning Group Governing Body
Jeremy Taylor	Chief Executive, Gatwick Diamond Business Association
New Crawley District Commander (tbc) or Chief Inspector Justina Beeken	Sussex Police

If the new Crawley District Commander was unable to sit on the Panel, Chief Inspector Beeken had kindly offered to do so or to help identify any new nomination from Sussex Police.

Moved by Councillor Stanley, seconded by Councillor Burrett (as Chair and Vice-Chair respectively of the Governance Committee) and

RESOLVED

- (1) That Rachel Booles, Alan Kennedy, Jeremy Taylor and either Chief Inspector Justina Beeken or her successor as Crawley District Commander (to be confirmed) be appointed to serve on the Members' Allowances Independent Remuneration Panel from 2015/16 to 2018/2019;
- (2) If required, the Head of Legal and Democratic Services, in consultation with the Chair and Vice-Chair of the Governance Committee, be authorised to approve any additional nominees and that these be reported in the Members' Information Bulletin.

24. Minutes

The minutes of the meeting of the Full Council held on [29 May 2015](#) were approved as a correct record and signed by the Mayor.

25. Items for Debate (Reserved Items)

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

Minute Book Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
45	Overview and Scrutiny Commission 8 June 2015 Minute 4 (Labour Group)	Prevent Duty	
55	Governance Committee 22 June 2015 Minute 5 (Conservative Group)		Revised Operations for the Overview and Scrutiny Commission and the Future of Performance Monitoring Scrutiny Panel (Recommendation 1)
92	Overview and Scrutiny Commission 6 July 2015 Minute 25 (Conservative Group)	Overview and Scrutiny Commission Work Programme 2015-2016	
Page 2 of Supp Minute Book	Cabinet 8 July 2015 Minute 8 (Conservative Group)		Private Hire and Hackney Carriage Licensing Policy (Recommendation 3)
Page 6 of Supp Minute Book	Cabinet 8 July 2015 Minute 9 (Conservative Group)	Treasury Management Outturn for 2014/15	
Page 8 of Supp Minute Book	Cabinet 8 July 2015 Minute 11 (Labour Group)	Broadfield Barton Environmental Improvements	

Minute Book Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
Page 9 of Supp Minute Book	Cabinet 8 July 2015 Minute 12 (Conservative Group)		Financial Outturn 2014/15 (Recommendation 4)

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

Moved by Councillor Sharma (as the Deputy Mayor) and

RESOLVED

- (1) That the following reports be received:-
- (a) Development Control Committee – 23 March 2015.
 - (b) Development Control Committee – 13 April 2015.
 - (c) Appointments and Investigating Committee – 14 April 2015
 - (d) Development Control Committee – 8 May 2015.
 - (e) Licensing Committee – 3 June 2015.
 - (f) Overview and Scrutiny Commission – 8 June 2015.
 - (g) Development Control Committee – 9 June 2015.
 - (h) Governance Committee – 22 June 2015.
 - (i) Audit Committee – 24 June 2015.
 - (j) Overview and Scrutiny Commission – 6 July 2015.
 - (k) Development Control Committee – 7 July 2015.
 - (l) Cabinet – 8 July 2015.
- (2) That the recommendations contained in the reports on the following matters, which had not been reserved for debate, be adopted:-
- (i) **Changes to the Constitution
(Governance Committee – 22 June 2015)
(Recommendation 2)**

The Committee had considered report [LDS/102](#) of the Head of Legal and Democratic Services.

RESOLVED

That the amendments to the Constitution as proposed in Appendix B to the minutes of the Governance Committee meeting of 22 June 2015 be agreed.

**(ii) Procurement Code
(Cabinet – 8 July 2015)
(Recommendation 5)**

The Cabinet had considered report [CPS/011](#) of the Head of Partnership Services. As part of its decision on this matter, the Cabinet had agreed that any future minor changes to the Procurement Code be delegated for approval to the Head of Partnership Services in consultation with the Head of Finance, Revenues and Benefits and the Head of Legal and Democratic Services.

RESOLVED

That the revised Procurement Code as attached as Appendix 1 to report CPS/011 be approved.

**(iii) Acquisition of Affordable Housing at the Southern Counties site, 27-45 Ifield Road
(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).
(Cabinet – 8 July 2015)
(Recommendation 6)**

The Cabinet had considered report DCE/01 of the Deputy Chief Executive. The report had also been considered by the Overview and Scrutiny Commission at its meeting on 6 July 2015.

RESOLVED

- (1) That authority be delegated to negotiate and agree the detailed terms of the Conditional Purchase Agreement and acquisition (as set out in report DCE/01) to the Deputy Chief Executive in consultation with the Leader; the Head of Finance, Revenues and Benefits; the Head of Legal and Democratic Services; and the Head of Crawley Homes.
- (2) That a supplementary capital estimate (as set out in report DCE/01), funded from Housing Revenue Account reserves and Right To Buy 1-4-1 receipts, for the acquisition of the completed residential dwellings for Crawley Homes, be approved.

**(iv) Telford Place Residential Development
(Exempt Paragraph 3 - information relating to financial and business affairs of any particular person (including the Authority holding that information))
(Cabinet – 8 July 2015)
(Recommendation 7)**

The Cabinet had considered report SHAP/049 of the Head of Strategic Housing and Planning Services. The report had also been considered by the

Overview and Scrutiny Commission at its meeting on 6 July 2015. As part of its decision on this matter, the Cabinet had agreed:-

(a) That officers be authorised to determine the viability of including a ground floor commercial element within the development and to delegate authority to the Head of Strategic Housing and Planning Services in consultation with the Head of Finance, Revenues and Benefits, Head of Economic and Environmental Services, Cabinet Member for Housing and Cabinet Member for Planning and Economic Development to approve the final use mix.

(b) That the tenure mix set out in paragraph 5.2.3 of report SHAP/049 for 40% affordable housing and 60% market sale be approved in principle, subject to the outcome of detailed feasibility work, and that delegated authority be given to the Head of Strategic Housing and Planning Services, Head of Crawley Homes and Head of Finance, Revenues and Benefits in consultation with the Cabinet Member for Housing and Cabinet Member for Planning and Economic Development to approve the final tenure mix.

RESOLVED

- (1) That the inclusion of the affordable housing element of this site to the Council's Housing Delivery Programme to be funded through the HRA and the Right to Buy one-for-one replacement fund, be approved.
- (2) That officers be authorised to develop an Implementation Strategy for the delivery of the scheme and to enter into the procurement of a development partner in accordance with the Council's Procurement Code and to delegate authority to the Head of Crawley Homes to approve the appointment in consultation with the Head of Strategic Housing and Planning Services, Head of Finance, Revenues and Benefits, Cabinet Member for Housing and Cabinet Member for Planning and Economic Development.

27. Reserved Items

The matters identified in Minute No. 25 above were debated by the Full Council. These included:

(a) **Matter raised under the report of the Overview and Scrutiny Commission (OSC) – 8 June 2015**

The matter raised was on the new Prevent Strategy (Minute 4). This included the Duty placed on local authorities, in respect of which Members expressed concern that Prevent funding from the Home Office was only in place for one year. A brief discussion was held on this and on issues raised regarding the possibility of introducing Member briefings as part of future meetings of the OSC, whilst the Commission's Chair referred to the scheduled attendance (at its 7 September meeting) of the Police and Crime Commissioner. The Chair suggested that there was perhaps an opportunity to put the issue of Prevent funding to the Commissioner, whilst indicating that she was keen to see the commencement of Prevent briefings to all Members, and to the public, so that information could be disseminated across the town, and enable the Council to learn from it.

(b) Matter raised under the report of the Overview and Scrutiny Commission – 6 July 2015

The matter raised was in respect of the Overview and Scrutiny Commission Work Programme 2015-2016 (Minute 25). Members continued to have mixed views regarding the decision to review the Council's Democratic Structures, and discussed and considered related issues at length. The Chair of the Commission indicated that Members generally would be invited to give their views as part of the established Panel's review process.

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

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

28. Revised Operations for the Overview and Scrutiny Commission and the Future of Performance Monitoring Scrutiny Panel (Governance Committee – 22 June 2015) (Recommendation 1)

The Committee had considered report [LDS/100](#) of the Head of Legal and Democratic Services. The Committee had also considered report OSC/238 of the Acting Chair of the Overview and Scrutiny Commission which detailed the comments and recommendations on this matter made by the Overview and Scrutiny Commission (OSC) at its meeting on 8 June 2015.

As part of the Full Council's consideration of the issues arising, Councillor Brockwell requested the Council to further consider his request for an amendment to the Commission's Terms of Reference – Article 6, paragraph 6.1 (10). At this point, the Head of Legal and Democratic Services reiterated the opinion of the Governance Committee that the revised wording proposed did not add value and that the Committee had not supported the amendment. Members of the Full Council were of a similar view, suggesting that the amendment sought didn't materially change the purpose of the clause concerned. The debate continued, with Councillor Brockwell moving and Councillor Crow seconding that the amendment be put, as below:-

That Article 6, paragraph 6.1 (10) of the proposed Terms of Reference of the Overview and Scrutiny Commission be amended in the last sentence as follows:

The insertion of the word "properly" immediately before the word "discharged" and the deletion of the words "at all" immediately after the word "discharged".

Upon the amendment being put to the Full Council, it was LOST

It was acknowledged that as part of the Committee's decision on the revised OSC operations, the Committee had agreed 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.

Moved by Councillor Stanley, seconded by Councillor Burrett and

RESOLVED

That the revised Terms of Reference and Scrutiny Procedure Rules for the Overview and Scrutiny Commission as set out in Appendix A to the minutes of the Governance Committee meeting of 22 June 2015 be agreed

**29. Private Hire and Hackney Carriage Licensing Policy
(Cabinet – 8 July 2015)
(Recommendation 3)**

The Cabinet had considered report [PES/187](#) of the Head of Economic and Environmental Services. The matter had also been considered at the meeting of the Licensing Committee on 3 June 2015, and report [LDS/106](#) documented the Committee's comments.

Councillor Crow referred to representations he had received from a private hire operative relating to requirements within the Policy, which it was felt needed to be made clearer. These related to restrictions for private hire vehicle colour (which sought to overcome uncertainty in distinguishing between private hire and hackney carriage vehicles), and to requirements regarding the minimum vehicle engine size. (The minimum 1.6 engine if registered as, say, 1598 cc, would remain acceptable for the Council's licensing purpose, provided the manufacturer confirmed it was badged as a 1.6 vehicle).

In response, it was confirmed that the Policy was an evolving document which had been devised to maintain the high standards of the Council, and that the points raised by Councillor Crow would be taken forward and be considered further.

Moved by Councillor Lamb, seconded and

RESOLVED

That the Private Hire and Hackney Carriage Licensing Policy as detailed in report PES/187 be approved, subject to the following amendments:-

1. The revision of Paragraph 3 of Appendix A to the report to read as follows:

“The passenger carrying capacity will be at the discretion of the Council, but shall usually be such for the carriage capacity of not less than 4 and not more than 8 passengers with the provision of a seatbelt for each passenger.”

2. The revision of Paragraph 22 (emissions) of Appendix A to the report to read as follows:

“From 1st April 2016, an 11 year rolling age limit will be introduced for taxis unless exempted. Vehicles already licensed at the date of adoption of this policy must, as a minimum, meet Euro 4 standards for emissions or be capable of being retrofitted to achieve the same within a reasonable time period and all newly licensed taxis must, as a minimum, meet Euro 5 standards for emissions. Vehicles older than 4 years with **an average annual** mileage of less than 30,000 may be considered but any such application must be accompanied by original MOT certificates or other suitable documents such as a service history to verify the vehicle mileage as genuine.”

3. 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.”

4. The insertion of the following new bullet point after Paragraph 52(c) of Appendix B to the report:

“(d) Whilst public safety and comfort are the key elements that the Council considers when judging the suitability of vehicles meeting the requirements of section 52 of this policy, predicating that they should be of a side loading type, it reserves the right to deal with any application concerning other vehicle types on their own merits based on suitable expert opinion and evidence. Any such evidence or opinion will normally be required to originate from a qualified automotive engineer or similar professional.”

5. The revision of Paragraph 8 of Appendix E to the report to read as follows:

“From 1st April 2016, an **11 year** rolling age limit will be introduced for private hire vehicles unless exempted. Vehicles must, as a minimum, meet Euro 4 standards for emissions and be no older than 4 years at the time of initial licensing. Vehicles older than 4 years with **an average annual** mileage of less than 30,000 may be considered but any such application must be accompanied by original MOT certificates or other suitable documents such as a service history to verify the vehicle mileage as genuine.”

**30. Financial Outturn 2014/15
(Cabinet – 8 July 2015)
(Recommendation 4)**

The Committee had considered report [FIN/362](#) of the Head of Finance, Revenues and Benefits. As part of its decision on this matter, the Cabinet had agreed that the Outturn for the year 2014/2015, as summarised within the report FIN/362, be noted.

Moved by Councillor Lamb, seconded and

RESOLVED

That the allocation of £5m of capital reserves to an earmarked Investment Acquisition Reserve to fund the potential acquisition of commercial properties in accordance with the criteria set out in section 9 of report FIN/362, be agreed.

31. Notice of Motion (1 of 3)

The Full Council considered a Notice of Motion in accordance with Council

Procedure Rule 12, which was moved by Councillor Marshall-Ascough and seconded by Councillor Crow.

Amendments

In connection with this motion, it was moved by Councillor Lamb and seconded by Councillor Lunnon that the motion be amended as follows. (Additional / amended text is shown in bold, whilst deleted text has been crossed through):-

Crawley has a significant number of residents who are employed in the airline industry as flight crew, as well as many frequent flying airline passengers. There are increasing public concerns about Aerotoxic Syndrome, which is the term given to the illness caused by exposure to contaminated air in jet aircraft. Earlier this year, when investigating the death of a 43 year old pilot, the Senior Coroner for Dorset stated that people regularly exposed to fumes circulating in planes faced “consequential damage to their health”. **In addition, a large number of Crawley residents work at Gatwick airport as ground crew and in other areas, getting exposure to aircraft emissions on a daily basis.**

With an increasing number of unexplained illnesses and deaths potentially linked to Aerotoxic Syndrome **and other aircraft emissions**, this council believes that there should be a full and open public inquiry into the cases surrounding the possibility of toxic air poisoning ~~in~~ **caused by** British registered aircraft.

Therefore this Council resolves to instruct the ~~Chief Executive~~ **Council Leader** to:

1. Write to the Secretary of State for Transport requesting the instigation of a public inquiry into Aerotoxic Syndrome and **the effects of aircraft emissions** and how ~~it~~ **they** can be prevented.
2. Write to the Chief Executive Officer of Gatwick Airport to raise the Council's concern about Aerotoxic Syndrome **and the effects of aircraft emissions**, and to seek reassurance that every possible measure is implemented at Gatwick to reduce the risk of toxic air in aircraft cabins **and in working airport environments**.
- 3. Write to Unite, expressing support for their continued leading efforts in seeking safer working conditions for flight crew and passengers.**

Councillors Marshall-Ascough and Crow (as mover and seconder of the original motion) indicated their support for the amendments. Whilst this was the case, Councillor Crow sought and received consent for him (as Leader of the Opposition) to join the Leader of the Council, in writing to the three parties identified in the motion as amended. With this further amendment in mind, and upon all the amendments now being put to the Full Council, all amendments were CARRIED.

The original motion as amended then became the substantive motion. Upon the substantive motion being put to the Full Council, it was CARRIED, and it was

RESOLVED

That Crawley has a significant number of residents who are employed in the airline industry as flight crew, as well as many frequent flying airline passengers. There are increasing public concerns about Aerotoxic Syndrome, which is the term given to the illness caused by exposure to contaminated air in jet aircraft. Earlier this year, when investigating the death of a 43 year old pilot, the Senior Coroner for Dorset stated that

people regularly exposed to fumes circulating in planes faced “consequential damage to their health”. In addition, a large number of Crawley residents work at Gatwick airport as ground crew and in other areas, getting exposure to aircraft emissions on a daily basis.

With an increasing number of unexplained illnesses and deaths potentially linked to Aerotoxic Syndrome and other aircraft emissions, this council believes that there should be a full and open public inquiry into the cases surrounding the possibility of toxic air poisoning caused by British registered aircraft.

Therefore this Council resolves to instruct the Council Leader and the Leader of the Opposition to:

1. Write to the Secretary of State for Transport requesting the instigation of a public inquiry into Aerotoxic Syndrome and the effects of aircraft emissions and how they can be prevented.
2. Write to the Chief Executive Officer of Gatwick Airport to raise the Council's concern about Aerotoxic Syndrome and the effects of aircraft emissions, and to seek reassurance that every possible measure is implemented at Gatwick to reduce the risk of toxic air in aircraft cabins and in working airport environments.
3. Write to Unite, expressing support for their continued leading efforts in seeking safer working conditions for flight crew and passengers.

32. Notice of Motion (2 of 3)

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

Amendments

In connection with this motion, it was moved by Councillor Lamb and seconded by Councillor P C Smith that the motion be amended, commencing at the point of the motion's third paragraph, as follows. (Deleted text has been crossed through, whilst additional text is shown in bold):-

Therefore, in relation to Council-owned land being put forward for housing development, this Council resolves to;

~~1. Investigate and present to the membership of the Council all potential viable options for housing development which are in accordance with the Council's Local Plan, with any associated figures calculated on a Borough-wide basis.~~

1. Recognise the council's ongoing efforts to meet the housing aspirations of the whole of Crawley's community, whether they be for a council house, decent private rental accommodation or personal home ownership.

2. Ensure that options for aspirational housing are given due and fair consideration within the context of providing a broad mix of housing tenure across the town”.

Councillors Burrett and B J Burgess (as mover and seconder of the original motion) indicated their acceptance of the amendments, and upon the amendments now being put to the Full Council, the amendments were CARRIED.

The original motion as amended then became the substantive motion. Upon the substantive motion being put to the Full Council, it was CARRIED, and it was

RESOLVED

That one of the greatest challenges facing the Council is the delivery of an adequate supply of housing of all types. The right to a home is fundamental, and this is one of the most important areas in which the Council can positively influence quality of life and social cohesion.

The formation and sustainability of strong communities is assisted through the development of all types and tenures of housing to cater for the full range of residents' needs. This includes aspirational housing, which can bring substantial benefits for the whole community.

Therefore, in relation to Council-owned land being put forward for housing development, this Council resolves to;

1. Recognise the council's ongoing efforts to meet the housing aspirations of the whole of Crawley's community, whether they be for a council house, decent private rental accommodation or personal home ownership.
2. Ensure that options for aspirational housing are given due and fair consideration within the context of providing a broad mix of housing tenure across the town.

33. Notice of Motion (3 of 3)

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

Amendments

In connection with this motion two amendments were moved and seconded.

First Amendment

It was moved by Councillor Crow and seconded by Councillor McCarthy that the motion be amended, commencing at the point of the motion's fourth paragraph, as follows. (Additional / amended text is shown in bold):-

In supporting the needs of local residents, the council authorises the Leader of the Council to write to the Government on behalf of the authority to:

- 1) Challenge the Prime Minister's decision to break his commitment to the electorate made less than two months ago by agreeing to the cuts in tax credits, and;
- 2) Call upon the Chancellor on behalf of the council to reverse the changes to tax credits, prioritising measures for addressing the deficit which do not unduly target Crawley families on average and low incomes".

3) State that the motion authorising his letter on behalf of the council has the support of the council's 19-strong Labour group, but that it does not have the support of the council's 18-strong Conservative group, who welcome the Chancellor's budget and his plan to move the UK away from a low wage, high

tax and high welfare economy, to a higher wage, lower tax and lower welfare society.

A debate on the amendment then followed, with the Mayor emphasising her view that on the grounds of predetermination and negating the original motion, the amendment could not be considered as being valid. The Mayor suggested that the amendment predetermined the outcome of support / non-support before the motion had been debated. Concerns highlighted by the Leader of the Council reflected the comments of the Mayor, and there was a strong exchange of views between Members of both political groups.

With this exchange of views continuing, the Mayor adjourned the meeting for 10 minutes to allow further consideration to be given to the amendment and the issues arising.

The meeting was then reconvened, and the Mayor addressed the meeting. The Mayor considered that on balance the amendment was not in the spirit of the motion as originally proposed, and that based on advice she had received from the Council's Monitoring Officer, who had further considered this matter, the Mayor ruled that on the grounds of predetermination, and that the amendment negated the original motion, the amendment was to be withdrawn from further consideration.

Second Amendment

It was moved by Councillor Guidera and seconded by Councillor B J Burgess that the motion be amended, commencing at the point of the motion's fourth paragraph, as follows. (Deleted text has been crossed through, whilst additional text is shown in bold):-

In supporting the needs of ~~local residents~~ **the Labour Party**, the council authorises the Leader of the Council to write to the Government on behalf of the authority to:

- 1) Challenge the Prime Minister's decision to break his commitment to the electorate made less than two months ago by agreeing to the cuts in tax credits, and;
- 2) Call upon the Chancellor on behalf of the council to reverse the changes to tax credits, prioritising measures for addressing the deficit which do not unduly target Crawley families on average and low incomes".

In considering this second amendment, a further exchange of views between Members of both political groups ensued. As with the first amendment, the Mayor considered that on balance this second amendment was not in the spirit of the motion as originally proposed, and following further considerations she had received from the Council's Monitoring Officer, the Mayor ruled that on the grounds that the amendment focussed specifically on a political stance, as opposed to the original motion's reference to local residents, this amendment was also to be withdrawn from further consideration.

34. Duration of the Meeting

As the business had not been completed within the two and a half hours specified within Council Procedure Rule 2.2, the Mayor required the Full Council to consider if it

wished to continue with the meeting, and having put it to the Council, the meeting was continued for an additional period not exceeding 30 minutes.

35. Notice of Motion (3 of 3)

(Continued)

With both amendments being withdrawn, and whilst Members of the opposition continued to support the views set out in the amendments (referring particularly to the first amendment), the Full Council undertook a detailed discussion on the original motion.

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

RESOLVED

Protecting Working Families Motion

That Despite David Cameron stating as recently as last April that “I’m not going to cut your tax credits,” this council notes that just two months since the General Election and the Prime Minister’s commitment, the Chancellor of the Exchequer announced wide-scale cuts to tax credits. These plans are set to hit over 3m working families in Britain, including many living in Crawley.

In some cases families are set to lose over twice as much as any projected uplift in the National Minimum Wage, leaving them hundreds, if not thousands, of pounds worse off as a result of the recent Budget.

This council believes Crawley’s population will be hit harder than most, for while the town has traditionally had low levels of unemployment, a significant proportion of the work has tended to be low paid. For the relatively high numbers of those in low paid work in Crawley tax credits have, until now, provided a lifeline for the town’s working families. The Government’s decision risks causing severe financial hardship to hard-working residents they claimed to support only a few months ago.

In supporting the needs of local residents, the council authorises the Leader of the Council to write to the Government on behalf of the authority to:

- 1) Challenge the Prime Minister’s decision to break his commitment to the electorate made less than two months ago by agreeing to the cuts in tax credits, and;
- 2) Call upon the Chancellor on behalf of the council to reverse the changes to tax credits, prioritising measures for addressing the deficit which do not unduly target Crawley families on average and low incomes.

36. Duration of the Meeting

The business of the meeting had still not been completed. Having put it to the Council, the meeting was continued for an additional period not exceeding 30 minutes.

37. Members' Written Questions

Questions asked in accordance with Council Procedure Rule 10.3, together with the answers, were tabled as follows:-

Questioner	Councillor Irvine
Addressed to	Cabinet Member for Housing
Subject	Sale of Council Houses
Questioner	Councillor Irvine
Addressed to	Cabinet Member for Housing
Subject	Total Dwelling Stock
Questioner	Councillor Ward
Addressed to	Chair of the Development Control Committee.
Subject	Planning Consents for Residential Development.
Questioner	Councillor Peck
Addressed to	Cabinet Member for Resources
Subject	Veterans Interview Programme
Questioner	Councillor Crow
Addressed to	Chair of the Cabinet
Subject	Redundancy Payments

38. Announcements by Cabinet Members

Cabinet Member	Subject
Councillor Lloyd (Cabinet Member for Environmental Services and Sustainability)	Councillor Lloyd was pleased to confirm that the work associated with the 18 month renovation of the Ifield Mill Pond would be completed this month. In response to enquiries he had received from residents and Councillors he indicated that plans were currently being considered as to how the reopening of the Mill Pond was to be celebrated. A Group had been established which would include representatives from the local community and resident groups, along with Members and Officers, and which would consider appropriate ways of celebrating this newly restored and lovely location within Crawley.
Councillor Mullins (Cabinet Member for Wellbeing)	Councillor Mullins referred to the Fun Day on 19 July at Worth Park, and which included a Victorian Picnic, to celebrate a milestone in the restoration project being undertaken there. The day marked the switching on of the Park's fountain for the first time in many years, and with Councillor Mullins confirming that it had been a wonderful day of celebrations, he took this opportunity to thank staff, contractors, volunteers, the local community and the Heritage Lottery Fund for all their work, commitment and support in bringing the Worth Park project to near completion. It was a good news

Cabinet Member	Subject
	<p>story and he hoped that people would continue to visit the Park and enjoy what it had to offer.</p> <p>Councillor Mullins also referred to the new access road into Tilgate Park (linking the Park to the A23), which would be opening very shortly. He indicated that the road would form part of the Park's economy and its ongoing improvement works, and he thanked staff and all concerned for their continuing positive work in that popular visitor area.</p>

39. Questions to Cabinet Members

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

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
Councillor Thomas	Grass Verges in Crawley	Councillor Lloyd (as Cabinet Member for Environmental Services and Sustainability) agreed with Councillor Thomas' view that there had been a big improvement in the control of the length of grass locally. He considered that this reflected our commitment to the in-house service, the good work of staff concerned and good management.
Councillor Eade	Update required for West Green Bowls Club and 4sight on the need for additional improved lighting to the K2, Crawley bowls facility, to assist visually impaired people.	Whilst emphasising how pleased he was that visually impaired people were using those facilities, Councillor Mullins (as Cabinet Member for Wellbeing) indicated that he was still awaiting feedback in terms of the update required.
Councillor Peck	Column afforded to Group Leaders in the local press	The issues referred to were similar to those raised by Councillor Burrett and put to Councillor Lamb (as Leader of the Council) at the last two ordinary meetings of the Full Council. Councillor Lamb in referring to points he made in his responses at those previous Council meetings, reiterated that at times when he was involved in other important business and not available to write in the column, he felt it appropriate for the Cabinet Member responsible for

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
		Community Engagement to undertake that column instead.
Councillor Irvine	Fly-tipping in Crawley	Councillor Lloyd (as Cabinet Member for Environmental Services and Sustainability) acknowledged Councillor Irvine's view that work to address fly-tipping locally was producing some positive outcomes. Councillor Lloyd commented that the campaign to help stop fly-tipping locally, and thus also reduce associated costs incurred by the Council, was an ongoing process, with an improving situation in the fly-tipping hot spots. The emphasis of the message was to dispose of rubbish in a social (not anti-social) and legal way.
Councillor R G Burgess	The Worth Park project, and the vote by Councillor Lamb against that project's commencement, bearing in mind the subsequent and successful re-opening of that Park area.	In response, Councillor Lamb emphasised that at the time of the Full Council taking the vote in question, it was a period of economic recession and that we were all having to consider financial constraints, and that Members had to think very carefully as to the best ways of spending public money. With all this in mind, he did think at that time that he was right to vote (along with others) in the way he had, but that whilst this was the case, he was now pleased that the project had proved to be a success, and that with the public money invested had come a park for the people.
Councillor Stanley	Councillor Stanley asked that congratulations be conveyed to all staff concerned for their work undertaken in relation to the Ifield Mill Pond project.	Councillor Lloyd (as Cabinet Member for Environmental Services and Sustainability) confirmed that it would give him great pleasure to pass the Council's thanks and congratulations to all the staff concerned, as well as to the contractors, and to local residents for all their patience during the time of construction. Councillor Lloyd confirmed that the project had cost the Council £1 million less than originally budgeted.
Councillor Lanzer	Seeking an update relating to the current status of the work of	In response, Councillor Mullins (as Cabinet Member for Wellbeing) indicated that discussions were

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
	art on the boundary between Pound Hill South, Worth and Maidenbower, by the Balcombe Road.	currently being undertaken, including that with the artist, on a number of matters, such as costs, relating to the art work concerned.
Councillor B J Burgess	Councillor Burgess referred to an accumulation of rubbish gathering on an area next to St. Elizabeth Church, Northgate.	In response, Councillor Lloyd (as Cabinet Member for Environmental Services and Sustainability), suggested that the matter needed to be investigated and that he would be raising the matter with Northgate Ward Members.
Councillor Crow	Councillor Crow raised some concerns about the number of emails currently being circulated within the Council regarding IT problems, and asked how much disruption had been caused to the Council's services as a result thereof and what was being done to stop them.	Councillor Skudder (as Cabinet Member for Resources) indicated that a detailed response to the issues raised would be provided to all Members shortly.

40. Questions to Committee Chairs

Name of Councillor asking Question	Subject	Name of Chair Responding
Councillor McCarthy	Issues raised relating to the recent consultation on the Private Hire and Hackney Carriage Licensing Policy, particularly around the matter of wheel chair accessibility to vehicles, with Councillor McCarthy asking whether any lessons had been learnt from that consultation process.	Councillor Quinn (as Chair of the Licensing Committee) indicated that all parties had been given the chance to contribute to the consultation, which had spanned a period of 2 months, with, a number of members of the local trade also attending the Committee's meeting on 3 June, for example. Ultimately the Council was required to regulate the local trade, and had to balance the interests of all parties. As such, it was not always possible to make decisions which all parties agreed with. The

Name of Councillor asking Question	Subject	Name of Chair Responding
		Policy was an evolving document which had been devised to maintain the high standards of the Council.
Councillor Crow	On the basis that the Chair and Vice Chair of the Overview and Scrutiny Commission were both members of the current administration, Councillor Crow asked the Chair of the Commission if she would consider inviting the Leader of the Opposition to the Commission's pre meetings.	Councillor B A Smith (as Chair of the Overview and Scrutiny Commission) indicated that she would consider Councillor Crow's request, but also indicated that if she was to accept that request it would be her choice as to which member of the opposition would be invited.

41. Closure of Meeting

The meeting ended at 11.04 p.m.

C A Cheshire
Mayor

APPENDIX A

Members' Disclosures of Interest

Member	Agenda Item No.	Name and date of Cabinet/ Committee and Minute No.	Minute Book Page No.	Subject or Planning Application No.	Type and Nature of Disclosure.
Councillor R G Burgess	6			Public Question Time - Bandstand	Personnel Interest as Chairman of Crawley Festival.
Councillor G Thomas	11(1)(b)	Development Control 13 April 2015 Minute 69	P26	CR/2014/0316/ARM Fairfield House site, West Green Drive, West Green, Crawley	Personal Interest as Cllr Thomas was a member of the Central Crawley Conservation Committee.
Councillor W A Ward	11(1)(b)	Development Control 13 April 2015 Minute 69	P26	CR/2014/0316/ARM Fairfield House site, West Green Drive, West Green, Crawley	Personal Interest as Cllr Ward was a member of the Central Crawley Conservation Committee.
Councillor B J Burgess	11(1)(d)	Development Control 8 May 2015 Minute 76	P35	CR/2015/0062/FUL 10 Haversham Close, Three Bridges, Crawley	Personal and prejudicial interest.
Councillor C A Cheshire	11(1)(f)	Overview and Scrutiny Commission 8 June 2015 Minute 2	P44	Minutes and Matters Arising - Health and Adult Social Care Select Committee (HASC) – Northgate Surgery.	Personal interest – Patient Representative of Crawley Clinical Commissioning Group (CCG)
Councillor K Sudan	11(1)(f)	Overview and Scrutiny Commission 8 June 2015 Minute 2	P44	Minutes and Matters Arising - Health and Adult Social Care Select Committee (HASC) – Northgate Surgery.	Personal interest – husband is a 'lay Member' of the Crawley Clinical Commissioning Group (CCG).
Councillor Dr H S Bloom	11(1)(j)	Overview and Scrutiny Commission 6 July 2015 Minute 19	P90	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.
Councillor R D Burrett	11(1)(j)	Overview and Scrutiny Commission 6 July 2015 Minute 26	P94	Health and Adult Social Care Select Committee (HASC)	Personal Interest as a Member of West Sussex County Council.
Councillor Dr H S Bloom	11(1)(l) and 12	Cabinet 8 July 2015 Minute 11	P8 of Supp. Minute Book.	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.

Member	Agenda Item No.	Name and date of Cabinet/ Committee and Minute No.	Minute Book Page No.	Subject or Planning Application No.	Type and Nature of Disclosure.
Councillor P K Lamb	13 (a)			Notice of Motion	Personal Interest – A Member of Unite.
Councillor T Lunnon	13 (a)			Notice of Motion	Personal Interest – Employee at a Local Airways Company.
Councillor L S Marshall-Ascough	13 (a)			Notice of Motion	Personal Interest – Employee at a Local Airways Company.
Councillor L S Marshall-Ascough	13 (a)			Notice of Motion	Personal Interest – A Member of Unite.

Crawley Borough Council

Minutes of Development Control Committee 3 August 2015 at 7.30p.m.

Present:

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

Officers Present:

Tony Baldock	Environmental Health Manager
Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Heather Girling	Democratic Services Officer
Michelle Harper	Principal Planning Officer
Marc Robinson	Principal Planning Officer

Also in Attendance:

Ian Gledhill	WSCC Highways
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Apologies for Absence:

Councillors	F Guidera and S J Joyce
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11. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors D G Crow, I T Irvine, B McCrow, C A Moffatt, A C Skudder, P C Smith, M Stone and G Thomas had been lobbied regarding application CR/2015/0020/FUL

Councillors J Tarrant and G Thomas had been lobbied regarding application CR/2015/0041/FUL.

Councillor P C Smith had been lobbied regarding applications CR/2015/0188/FUL and CR/2015/0393/RG3.

12. Members' Disclosure of Interests

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

13. Minutes

The minutes of the meeting of the Committee held on [7 July 2015](#) were approved as a correct record and signed by the Chair.

14. Planning Applications List

The Committee considered report [PES/173](#) of the Head of Economic and Environmental Services.

RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report [PES/173](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 5

CR/2015/0307/TPO

Harlech Close, Pound Hill, Crawley.

Row of 13 x English oaks - reduce by 25% reduction via thinning removing approx 0.5-1.0m in height and lateral spread from each tree. The trees are approx 18m in height with lateral spreads of north 8.0m, east 6.0m, south 8.0m & west 7.0m. Remove all stubs that are not pruned to bs 3998:2010 on the southern lateral spreads

Councillor K L Jaggard had visited the site.

Michelle Harper, Principal Planning Officer, provided a verbal summation of the application, which the Committee then considered.

Consent subject to the conditions set out in report [PES/173](#).

Item 8

CR/2015/0426/TPO

247 Ifield Road, West Green, Crawley.

T1 oak - remove epicormic growth to approx 6m & cut back on house side by up to 1.5m maximum. Remove deadwood to allow light

Councillor W A Ward had visited the site.

Michelle Harper, Principal Planning Officer, provided a verbal summation of the application. The Committee then considered the application.

Consent subject to the conditions set out in report [PES/173](#).

Item 1

CR/2015/0020/FUL

Gatwick 23, Gatwick Road, Northgate, Crawley.

Change of use from offices (B1) to a co-educational school (D1) with new build sports hall, including parking, external play areas and landscaping works.

Councillors B J Burgess, D G Crow, C A Moffatt, G Thomas had visited the site.

Valerie Cheesman, Principal Planning Officer provided a verbal summation of the application, and highlighted the Planning Considerations in section 5.1 and reasons for refusal.

Richard Symonds addressed the Committee in objection to the application. Whilst Tim McCarthy, Ann-Marie Shivnen, Paul Jobson and Councillor R G Burgess spoke in support of the application.

The Committee considered the application in detail and the following topics were discussed:

- The need for the school and school places should be given significant weight.
- Some Members commented that parking was provided on site, there are local bus links, a school bus service could be provided to the school, staggered timetabling would assist, a car park management plan and school travel plan would help with improving modal choices and Traffic Regulation Orders (TROs) would improve the situation on surrounding streets.
- Views were expressed that conditions and a S106 could deal with issues of concern.
- Some Members commented that the overall scale of the school proposal, in this location in Manor Royal, was inappropriate and unsustainable, given the number of pupils, associated high level of traffic movements and modes of travel, lack of outdoor sports/play facilities and the extent of parking that would be required to the front and rear of the site to meet the operational needs of the use.
- Vehicle movements to, from and on site would be excessive and safety was a serious consideration.
- The lack of parking and the situation in surrounding streets in this commercial area may lead to routes being blocked at peak times.
- Some Members commented that the staggering of the timetable would have limited effect and would be off-set by the potential impact on the surrounding roads and the car park management plan was impractical.
- Concerns about future uses of the site were deemed irrelevant.
- The Borough was short of employment land and the loss of a business use should be resisted.
- Noise issues could be dealt with by condition and the 2nd runway had not been determined.
- Other Members expressed concern about the noise environment for pupils, both internally and externally.
- Clarification was requested on the current position, the submission of an application for a temporary period and the situation if the application was refused.

In response it was noted that:

- The Committee needed to consider the application as that submitted, based on full capacity of 1020 pupils.
- The need for the school was a planning consideration, but has to be weighed against the other planning considerations.

- Other schools are sited in residential and neighbourhood areas and in contrast the application was perceived unfavourable due to its location and the safety concerns raised.
- The car park management plan was not considered to be practical and the outcome of any TROs was unknown. Thus they did not overcome or outweigh the concerns in this respect.
- The erection of the sports hall could prejudice any potential future re-use of the site due to a reduction in the car parking space. Manor Royal is a key business location and development should thus respect the character and function of this locality.
- The submission of a temporary application had been previously discussed with the applicant. The applicant had requested that the application be determined at this Committee meeting.
- Members were being asked to determine this application at this meeting. If the application were to be refused, the matter would be discussed with the school and the taking of further action would be a separate decision.
- Should the application be approved then conditions could be attached and a S106 Agreement would be required.

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

For the recommendation to refuse:-

Councillors I T Irvine, B McCrow, C A Moffatt, R Sharma, A C Skudder, P C Smith, G Thomas, W A Ward (8).

Against the recommendation to refuse:-

Councillors B J Burgess, D G Crow, K L Jaggard, M A Stone, J Tarrant (5).

Abstentions:- None

Refused for the reasons set out in report [PES/173](#).

Item 2

CR/2015/0041/FUL

Land at Keepers Cottage, Brighton Road, Tilgate, Crawley.

Change of use to clay pigeon shooting area and erection of shed.
(Additional information received).

Councillor A C Skudder declared an interest in the item and left the meeting at 8.58pm before the presentation and took no part in the discussion or voting on the item.

Councillor D G Crow declared he had visited the site.

Marc Robinson, Principal Planning Officer provided a verbal summation of the application. The Committee was advised that condition 6 was to be amended as follows:

Condition 6

The site shall only be used for clay pigeon shooting between the hours of 1000-1600 on Thursdays and 1000 - 1400 on alternate Sundays. There shall be no shooting at any other times, including bank and public holidays.

REASON: To safeguard the amenities of neighbouring properties and the users of nearby facilities in accordance with 'saved' policies GD1 and GD20 of the Crawley Borough Local Plan 2000 and policy ENV11 of the emerging Crawley Borough Local Plan 2015-2030.

Kevin Tidy addressed the Committee in objection to the application.

The Committee then considered the application. There were mixed views in relation to noise disruption, effect on ecology and potential impact on Tilgate Park. In response it was noted that the limited days/hours of operation and number of attendees could be considered acceptable and the temporary application would allow for a review in one year's time by the Committee.

Permitted to grant a temporary permission for one year from the permission date, (to end on 3 August 2016), subject to the conditions set out in report [PES/173](#) and the amended condition above.

Item 3

CR/2015/0188/FUL

Ifield Sports and Social Club, Ifield Green, Ifield, Crawley.

Change of use of sports pavilion from d2 (outdoor sports and leisure) to a split d1 (place of worship) and d2 use. Erection of new entrance gates and 2 x flag poles plus construction of a section of pavement (Additional information received).

Councillors D G Crow, B McCrow, M A Stone, G Thomas and W A Ward had visited the site.

Marc Robinson Principal Planning Officer, provided a verbal summation of the application and informed the Committee of a correction in the report, which was as follows:

Para 1.2 should read: Access is via Ifield Green to east.

The Committee were advised that conditions 3, 6 and 9 were to be revised as follows:

Conditions 3

Within 6 months of the change of use of the building being commenced, a building/storage container shall be provided to store sports equipment at the location shown within the blue line in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority. The building shall thereafter be retained solely for this purpose unless otherwise agreed in writing by the Local planning Authority.

REASON: To ensure the existing sports facilities can continue to operate in accordance with the NPPF 2012, 'saved' policy RL21 of the Crawley Borough Local Plan 2000 and policy ENV4 of the emerging Crawley Borough Local Plan 2015-2030.

Condition 6

The change of use of the building shall not be undertaken until covered and secure cycle parking spaces have been provided in accordance with the approved details. The covered and secure cycle parking spaces shall thereafter be retained in accordance with the approved details.

REASON: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and 'saved' policies GD3 and T28 of the Crawley Borough Local Plan 2000.

Condition 9

The two sports pitches, tennis court, cricket nets and Social Club and Sport Club Pavilion shall be made available to the community in accordance with the arrangements set out in the D2: Sport Use Strategy dated July 2015 hereby approved. The development shall not be used at any time other than in strict compliance with the approved agreement.

REASON: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with the NPPF 2012, 'saved' policy RL19 of the Crawley Borough Local Plan 2000 and policy ENV4 of the emerging Crawley Borough Local Plan 2015-2030.

Jarnail Singh then spoke in support of the application.

The Committee considered the application. It was felt that the application proposed a significant benefit by providing a facility and sports provision for the community.

At the request of Councillor D G Crow 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 B J Burgess, D G Crow, I T Irvine, K L Jaggard, B McCrow, C A Moffatt, R Sharma, A C Skudder, P C Smith, M A Stone, J Tarrant, G Thomas, W A Ward (13).

Against the recommendation to permit:- None

Abstentions:- None

Permitted subject to the conditions and informatives set out in report [PES/173](#) and the amended conditions above.

Item 7

CR/2015/0393/RG3

Queens Square, Northgate, Crawley.

Regeneration of Queens Square involving:

Removal of the sunken area

Repaving of the entire square

Installation of new soft landscaping

Installation of new street lighting

Installation of new street furniture

Installation of a water feature within the middle of the Square

Councillors B J Burgess, K L Jaggard and W A Ward had visited the site.

Michelle Harper, Principal Planning Officer provided a verbal summation of the application.

Jeff Herbert and Colin Maughan addressed the Committee and both raised objections to the application.

The Committee then considered the application.

Permitted subject to the conditions and informatives set out in report [PES/173](#).

Item 4

CR/2015/0261/RG3

Land Adjacent to south eastern boundary of Tilgate Forest Recreation Centre, Tilgate Crawley.

Change of use to an area for camping and recreation for use by Girl Guides.

Councillor D G Crow had visited the site.

Marc Robinson, Principal Planning Officer provided a verbal summation of the application.

The committee then considered the application. Concern was raised regarding the colour proposal of the black chain link fence to be erected around the boundary to provide security. It was thought by some Members that green would be more sympathetic to the environment, the specific details of which would be required from the applicant and approval sought from the local planning authority.

The following new condition was therefore added:

New condition

Notwithstanding the details submitted, prior to the erection of the fence the applicant shall first have submitted and had approved in writing by the Local planning Authority details of its finished colour. The fence shall thereafter be implemented in accordance with the approved details.

REASON: To ensure a development of quality in accordance with 'saved' policies GD1, GD2 and C13 of the Crawley Borough Local Plan 2000.

Permitted subject to the conditions set out in report [PES/173](#) and the new condition above.

Item 6

CR/2015/0322/FUL

Harwoods (former BOC Edwards site), Manor Royal, Northgate, Crawley.

Amendments to approved application [CF/2014/0437/FUL](#) for new car showroom, vehicle servicing workshops and smart repair workshop, all with associated storage, delivery & administration facilities, car parking and landscaping.

Councillor C A Moffatt had visited the site.

Michelle Harper Principal Planning Officer, provided a verbal summation of the application. The application requires a deed of variation to the Section 106 Agreement attached to the previous permission ([CR/2014/0437/FUL](#)) to reflect the revised Manor Royal contribution of £12,890 and the Committee was informed of a correction in the report as follows:

Para 5.15 should read: The recommendation is therefore to permit this planning application subject to the attachment of conditions and informatives and the conclusion of a S106 Agreement to secure Manor Royal contributions by 19 August 2015.

The Committee then considered the application.

Permitted subject to the conditions, informatives set out in report [PES/173](#), and the conclusion of a Section 106 Agreement to secure Manor Royal contributions by 19 August 2015.

15. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 10.15p.m.

I T IRVINE
Chair

Appendix A

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor B J Burgess	Minute 14	CR/2015/0261/RG3 Land adjacent to South Eastern Boundary of Tilgate Forest Recreation Centre, Tilgate, Crawley	Personal Interest - a Guiding Ambassador
Councillor D G Crow	Minute 14	CR/2015/0020/FUL Gatwick 23, Gatwick Road, Northgate, Crawley	Personal Interest – Member of WSCC
Councillor R Sharma	Minute 14	CR/2015/0188/FUL Ifield Sports and Social Club, Ifield Green, Ifield, Crawley	Personal Interest – Knows the applicant
Councillor P C Smith	Minute 14	CR/2015/0020/FUL Gatwick 23, Gatwick Road, Northgate, Crawley	Personal Interest – Board Member for Manor Royal Business Group
Councillor P C Smith	Minute 14	CR/2015/0393/RG3 Queens Square, Northgate, Crawley	Personal Interest – Cabinet Member for Planning and Economic Development
Councillor M Stone	Minute 14	CR/2015/0041/FUL Land at Keepers Cottage, Brighton Road, Tilgate, Crawley	Personal Interest – Knows the applicant
Councillor J Tarrant	Minute 14	CR/2015/0041/FUL Land at Keepers Cottage, Brighton Road, Tilgate, Crawley	Personal Interest – Knows the applicant
Councillor G Thomas	Minute 14	CR/2015/0041/FUL Land at Keepers Cottage, Brighton Road, Tilgate, Crawley	Personal Interest – Knows the applicant
Councillor G Thomas	Minute 14	CR/2015/0188/FUL Ifield Sports and Social Club, Ifield Green, Ifield, Crawley	Personal and non-prejudicial interest – CBC Representative on the Ifield Village Conservation Area Advisory Committee

Crawley Borough Council

Minutes of Development Control Committee 1 September 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 MeCrow, R Sharma, A C Skudder, P C Smith, M A Stone, J Tarrant, G Thomas and W A Ward

Officers Present:

Tony Baldock	Environmental Health Manager
Kevin Carr	Legal Services Manager
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager, Development Control
Marc Robinson	Principal Planning Officer

16. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors D G Crow, F Guidera, I T Irvine, S J Joyce, B MeCrow, C A Moffatt, R Sharma, A C Skudder, P C Smith, M A Stone, G Thomas and W A Ward had been lobbied regarding application CR/2015/0285/FUL.

Councillors B J Burgess, D G Crow, F Guidera, I T Irvine, K L Jaggard, S J Joyce, B MeCrow, C A Moffatt, R Sharma, A C Skudder, P C Smith, M A Stone, G Thomas and W A Ward had been lobbied regarding application CR/2015/0417/FUL.

17. Members' Disclosure of Interests

No disclosures of interests were made by Members.

18. Minutes

The minutes of the meeting of the Committee held on [3 August 2015](#) were approved as a correct record and signed by the Chair subject to the following changes:

1. That Councillor K L Jaggard's attendance on the site visit be included under minute 14 for the following applications:
 - Item 1, CR/2015/0020/FUL – Gatwick 23, Gatwick Road, Northgate, Crawley
 - Item 2, CR/2015/0041/FUL – Land at Keeper's Cottage, Brighton Road, Tilgate, Crawley
 - Item 3, CR/2015/0188/FUL – Ifield Sports and Social Club, Ifield Green, Ifield, Crawley
2. That Councillor R Sharma's attendance on the site visit be included under minute 14 for the following application:
 - CR/2015/0020/FUL – Gatwick 23, Gatwick Road, Northgate, Crawley
3. That the following sentence be included under minute 14, item 1, CR/2015/0020/FUL, Gatwick 23, Gatwick Road, Northgate, Crawley:
"Councillor P C Smith stated that he was a member of the Manor Royal Business District Board which was opposed to the application by Gatwick School".

19. Planning Applications List

The Committee considered report [PES/174](#) of the Head of Economic and Environmental Services.

RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report [PES/174](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 4

CR/2015/0417/FUL

Woodall Duckham House, 11 The Boulevard, Northgate, Crawley.

Front ground floor infill. Extension to provide new reception/lounge area, ground floor rear extension to provide enlarged refuse store, roof extension incorporating ancillary gym/dining area and roof terrace, external alterations to facades including the provision of new windows and erection of cycle and water tank enclosures to rear of building.

Councillors K L Jaggard, P C Smith, G Thomas and W A Ward declared they had visited the site.

The Group Manager (Development Control) provided a verbal summation of the application.

One objector (Mr Andy Prentice) and the agent (Mr Daniel Rose) addressed the Committee.

The Committee understood that the use of the building as flats had already been established through the applications for prior approval granted earlier that year and that the Committee could only consider the current application before it.

The Committee listened carefully to the concerns raised by Mr Prentice as well as the points made by Mr Rose, notably the concerns expressed by Mr Prentice regarding the possibility of noise pollution, light pollution and overlooking. To alleviate those concerns, the Committee agreed that the following new condition and informatives be added:

New Condition no 8

Within 2 months of the date of this permission, details shall be submitted to the Local Planning Authority in writing of the position, design and materials of the fence / boundary treatment along the northern boundary of the site. The details shall be agreed in writing by the Local Planning Authority and once agreed implemented as early as practicable and must be in place prior to the first occupation of the building. Reason: To ensure an effective boundary treatment to the development and to safeguard neighbouring residents in Northgate Road in accordance with 'saved' policy GD5 of the Local Plan and EN5 of the Core Strategy 2007.

New Informative no 2

The applicants are requested to consider the erection of a solid temporary hoarding similar to that already in situ fronting The Boulevard along the northern boundary of the site as this would increase the privacy and screening to the neighbouring residents in Northgate Road during the construction process and assist in safeguarding their amenities.

The Committee requested that Planning Officer speak to Crawley Borough Council's Parks Department to ascertain whether additional tree screening could be provided on Council land along the northern boundary of the site.

Permitted subject to the conditions set out in report [PES/174](#) and the new condition and informatives above.

Item 1

CR/2015/0285/FUL

Fircroft, Church Road, Pound Hill, Crawley.

Demolition of two garage buildings and erection of five new houses together with garages and associated access drive.

Councillors F Guidera, K L Jaggard, S J Joyce, B McCrow, P C Smith and M A Stone declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application.

The applicant (Mr Andrew White) addressed the Committee.

The Committee then considered the application.

Refused for the reasons set out in report [PES/174](#).

Item 2

CR/2015/0338/RG3

Ifield Drive, Ifield, Crawley.

Works to form additional parking spaces in existing grass verge (amended description).

Councillors P C Smith and G Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and informed the Committee that West Sussex County Council (Highways) had responded to the re-consultation stating that it was satisfied with the amendments proposed in paragraph 3.1 of report [PES/174](#).

The Committee then considered the application.

Permitted subject to the conditions and informative as set out in report [PES/174](#).

Item 3

CR/2015/0397/FUL

Former TSB Trustcard Site, County Oak Way, Langley Green, Crawley.

External alterations and change of use from business (B1) to a storage and distribution use (B8) with ancillary trade counter and showroom for the display, sale and storage of building supplies with car parking, servicing and associated works.

The Committee then considered the application.

The Principal Planning Officer provided a verbal summation of the application.

Permitted subject to the conditions set out in report [PES/174](#).

Item 5

CR/2015/0465/FUL

The Shambles, Ifield Green, Ifield, Crawley (amended drawings received 05/08/15).

Erection of single storey rear extension with pitched roof.

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

The Group Manager (Development Control) provided a verbal summation of the application.

A Committee member raised confusion regarding the depth of the proposed extension as report [PES/174](#) stated that the proposed application did not involve an enlargement of the current extension, however the [plans](#) which had been submitted with the application appeared to indicate that one side of the proposed extension would be deeper than the current rear extension.

The Committee agreed that the application be permitted should the depth of the proposed extension be the same as the existing extension. It was therefore agreed that the decision to permit the application be delegated to Officers to seek amended plans to ensure the depth of the proposed extension measurements remain the same as the existing extension. Should there be an increase in the depth of the extension it

was agreed that the application would be brought back to the Committee for consideration.

That the Head of Economic and Environmental Services, in consultation with the Chair of the Development Control Committee, be authorised to permit the application subject to the conditions set out in report [PES/174](#) and the depth of the proposed extension being the same as the existing extension.

That the application be brought back to the Development Control Committee for re-consideration should the depth of the proposed extension be larger than that of the current extension.

Item 6

CR/2015/0500/TPO

35 Westfield Road, West Green, Crawley.

Oak – reduce leaf volume by 25%-30% via reduction and thinning. Remove deadwood and remove all lower epicormics growth to the lower canopy crown break (approx. 4m).

Councillor W A Ward declared he had visited the site.

The Principal Planning Officer provided a verbal summation of the application.

The Committee then considered the application.

Consented subject to the conditions set out in report [PES/174](#).

20. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.55pm.

I T IRVINE
Chair

Crawley Borough Council

Minutes of Licensing Committee 2 September 2015 at 7.00pm

Present:

Councillor B J Quinn (Chair)

Councillors B J Burgess, K L Jaggard, M G Jones, C C Lloyd, K McCarthy,
B McCrow, 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
Mez Matthews	Democratic Services Officer

Apologies for Absence:

Councillors L S Marshall-Ascough and C A Moffatt

7. Members' Disclosure of Interests

No disclosures of interests were made by Members.

8. Minutes

The minutes of the meeting of the Committee held on [3 June 2015](#) were approved as a correct record and signed by the Chair subject to the following amendment to the final bullet point of the comments made by Mr Malik (Minute 5, page 3):

- Currently, there was a clear requirement for licensed vehicles to be under ~~10~~ 4 years old. In recent years the Council had licensed vehicles older than ~~10~~ 4 years which was a departure from the specified requirements.

9. Licensing Sub Committee Minutes

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

Date	Sub Committee Minutes	Minutes signed by
18 May 2015	Application to Review the Premises Licence – 'The Boulevard	Councillor M G Jones (Chair of the Panel)

	Newsagents', 62 The Boulevard, Northgate, Crawley.	
20 May 2015	Application Grant a New Premises Licence – '53 Ifield Road', West Green, Crawley.	Councillor B J Burgess (Chair of the Panel)
10 June 2015	Application Grant a Premises Licence – 'Beautiful Nail and Body Salon Ltd', South Lodge, Worth Park Avenue, Pound Hill, Crawley.	Councillor C C Lloyd (Chair of the Panel) * subject to the amendment below

- * The minutes of the Licensing Sub Committee held on [10 June 2015](#) (Application Grant a Premises Licence – 'Beautiful Nail and Body Salon Ltd', South Lodge, Worth Park Avenue, Pound Hill, Crawley) were approved as a correct record subject to the following amendments:
- Minute 21, page 38 – That the first sentence under the heading "Questions asked by the Interested Parties of the Applicant (Denise Holland-Brown)" be amended as follows: "~~Denise Holland-Brown, the applicant, then asked the following questions of the interested parties~~ **The interested parties then asked the following questions of Denise Holland-Brown, the applicant**".
 - Minute 21, page 39 – That the last sentence of the answer to the second question under the heading "Further questions asked by the Sub Committee of the Applicant" be amended as follows: "Clients ~~were~~ **would only be** provided with one glass of alcohol each".

10. Licensing Sub Committee Hearing Procedure Revision

The Committee considered report [PES/192](#) of the Head of Economic and Environmental Services which proposed that a revised Licensing Sub Committee Hearing procedure be adopted and included in the Constitution. The current adopted procedure had been in operation since the introduction of the Licensing Act 2003 ten years ago, the procedure had been revised to reflect the current format which was now used as standard by each Licensing Committee.

The Committee supported the revised procedure and thanked officers for producing a clear and simplified document.

The Committee was encouraged to sit on a future Licensing Sub Committee Panel and/or observe a Sub Committee to familiarise members with the procedure. It was agreed that the Council Chamber was not appropriate for the use of Sub Committee meetings and should be avoided where possible. It was also suggested that a Sub Committee should be given priority over existing internal, non-Committee Council bookings.

RESOLVED

RECOMMENDATION 1

That Full Council be Recommended:-

To approve the revised Licensing Sub Committee Procedure attached as Appendix B to report [PES/192](#) for inclusion in the Constitution.

11. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.00pm.

B J QUINN
Chair

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission

Monday 7 September 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 and W A Ward

Also in Attendance:

Councillors	B J Burgess, M G Jones, P K Lamb, B McCrow, A C Skudder, P C Smith, G Thomas and K J Trussell
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Mr J G Smith MBE, Honorary Freeman and Alderman
Katy Bourne, Police and Crime Commissioner
Chief Inspector Dave Padwick

Apologies for Absence

Councillors	R A Lanzer and L Vitler
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Officers Present:

Sarah Barnes	Contact Centre Manager
Laura Carter	Transformation Officer
Garry Craven	Grounds Maintenance Assistant
Heather Girling	Democratic Services Officer
Nicola Glemas	Assistant Community Warden Manager
Lucasta Grayson	Head of People and Technology
Chris Harris	Head of Community Services
Lee Harris	Chief Executive
Karen Hayes	Head of Finance, Revenues and Benefits
Suzanne Holloway	Principal Planning Officer
Jon Law	Street Cleanser
Bethany Lester	Planning Officer
Clare Prosser	Nuisance and Anti-Social Behaviour Team Manager
Karen Rham	Parks and Streetscene Manager

30. Members' Disclosure of Interests and Whipping Declarations

No disclosures of interests or whipping declarations were made.

31. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [6 July 2015](#) were approved as a correct record and signed by the Chair. Councillor Brockwell raised a question on Minute 18 and a brief discussion took place in relation to the Proposed Article 4 Directions at

Manor Royal. It was acknowledged that consultation would still be open until 23 October 2015 and any views should be expressed through the appropriate channels.

32. Public Question Time

No questions from the public were asked.

33. Community Policing – Policing in Sussex

The Chair welcomed the Police and Crime Commissioner, Katy Bourne and Chief Inspector Dave Padwick to the meeting to discuss the challenges Sussex Police face in the future.

During the discussion, the following points were expressed:

- The Sussex Police spending review is continuing and is expected to be finalised at the end of the year. It was noted that Sussex Police is regularly involved in joint procurement exercises in order to obtain value for money and be efficient in all areas.
- The neighbourhood and local policing model will take account of a new way of working, including the use of mobile technology to improve access to systems.
- Changes to the neighbourhood and local policing model may affect the number of PCSOs. However, it is envisaged that key contact officers will be maintained. Information will be shared with Community Safety Partnership Chairs and then disseminated to Members.
- A resolution centre is being trialled for non-emergency calls operated by trained police officers to deal with incidents as they arise.
- Partnership working is paramount to successful policing, particularly around mental health custody. The street triage pilot in Crawley has proven a successful collaboration, with the police and mental health services joining forces to provide immediate help and support to people who may be experiencing a mental health crisis.
- There is a requirement to consult and work closely with all partners. It is important to share information and data, particularly around new training initiatives or the commissioning of services.
- It was noted that there has been an increase in Hate Crime and there is currently a Hate Crime Ambassador within the force.
- Members were informed that Restorative Justice is the responsibility of the Police and Crime Commissioner. This can take place at various levels, working with partners to result in successful outcomes.
- It was acknowledged that WSCC takes the lead on safeguarding issues and each local authority has a safeguarding officer.

RESOLVED

That the Chair thanked both the Commissioner and Chief Inspector for attending, together with Councillor Ward for initially arranging the meeting and welcomed Chief Inspector Padwick to Crawley in his new role as District Commander.

34. Budget Strategy 2016/17 – 2020/21

The Commission considered report FIN/368 with the Leader of the Council and the Head of Finance, Revenues and Benefits, which set out the projected financial position for 2016/17 to 2020/21 for the General Fund, Housing Revenue Account, capital programme and the underlying assumptions.

During the discussion, the following points were expressed:

- The recognition that future capital bids needed to ensure an effective use of capital. There was an appreciation that additional capital bids would be for maintaining existing assets, for environmental obligations 'spend for save' bids or 'spend to earn' investment income. However, concern was expressed by some Members that future capital bids might restrict the freedom to develop community opportunities and it was suggested the Cabinet be requested to reconsider this funding criteria.
- An acknowledgement that General fund reserve will be capped with any surplus transferred to the capital programme reserve.
- The recognition that reserves will be available for investment properties within the Investment Acquisition Reserve and any unused money could be returned to the general capital reserves in future.
- The advantages and disadvantages of a balanced budget over a 3 year period were highlighted.

RESOLVED

That the Commission welcomed the report but asked the Cabinet to reconsider the criteria for future capital bids based on merit so as not to restrict bids for community opportunities.

35. Crawley Community Infrastructure Levy (CIL) Draft Charging Schedule

The Commission considered report SHAP/50 of the Head of Strategic Housing and Planning Services which sought approval of the content and approach of the draft charging schedule and supporting documents for a six week public consultation period in accordance with the Community Infrastructure Levy regulations, prior to submission for independent examination.

A discussion was held with the Cabinet Member for Planning and Economic Development Engagement and the Principal Planning Officer.

Members' main comments included:

- Support for the CIL in terms of transparency and the allocation of CIL receipts for spending in the area where the development is taking place (in agreement with the local community).
- Acknowledgement that whilst the Commission attempted to equate the S106 and CIL list it was recognised that the draft Regulation 123 list was rather ambiguous, and did not provide a high degree of clarity.
- Encouragement that wider, detailed consultation will take place with Members for the next stage of the process in terms of establishing governance.
- Acknowledgement that the governance stage will commence autumn 2015 and Members requested an update on these arrangements prior to CIL adoption.

RESOLVED

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

36. Transformation Update – Nuisance and Anti-Social Behaviour (NASB)

The Commission received an update from the Nuisance and Anti-Social Behaviour Team Manager on the System Thinking Review.

The conclusions from the 'check phase' were:

- There were multiple "hand offs" meaning that work was passed between several officers which caused delays and duplication.
- The work was "pushed" at the caseworkers, resulting in further work irrespective of current workload.
- Customers were being offered the same "one size fits all" approach at the start of each case, rather than dealing with case on an individual basis.
- The caseworkers were prioritising the new demand over existing cases and re-opening cases, causing a delay in response.
- 50% of the demand was met by voicemail.

As a result of the 'redesign' several changes were made to the system:

- The admin role was removed at the front end. Caseworkers now have autonomy in allocating cases.
- The caseworkers now "pull" work from the system and speak directly to the customer in the first instance.
- The team changed the process for "pulling" in Community Wardens to assist in 'hotspot' listing to avoid a duplication within the process.
- An interactive spreadsheet was designed to record and provide immediate feedback.
- Community Wardens can now feel empowered to take action on NASB cases.

During the discussion, the following points were expressed:

- The caseworker is involved in the process "end to end" ensuring one contact for the ensure process, taking out enforcement action if necessary.
- The team conduct regular reviews of "measures" and "demand" in order to share knowledge and improve learning. There was recognition that Systems Thinking has changed the team's thinking, behaviour and as a result improved performance.
- There was an acknowledgement that the Community Social Worker (Mental Health) post will prove an asset to the team.

RESOLVED

That the Commission welcomed the update and noted the review.

37. Transformation Update – Streetscene/Community Wardens

The Commission received a presentation from the Head of Community Services and the Streetscene and Community Wardens Systems Thinking Review Team on the Check Phase of the Review.

The conclusions from the 'check phase' were:

- An acknowledgement that the review covered a huge amount of services, including Community Wardens, Cleansing Team, Grass Cutting and Shrub/Hedge Maintenance.

- Whilst the Contact Centre receives a large proportion of “demand”, the majority of this was deemed “failure” demand meaning that it cannot be answered “first time” and was “handed off” to other teams to complete.
- The reasons for failure demand included cyclical work, access issues, the weather and leaving the site for wildflowers to grow.
- Considerable “waste” was also discovered in having specialist teams focusing on narrow areas of responsibility.
- The Community Wardens encountered a vast amount of demand (both reactive and proactive), from the public, internal customers and partners.
- It was acknowledged that improved promotion and marketing can be paramount to achieving results, for instance the reports of abandoned shopping trolleys had significantly reduced as a result of improved advertising and communication.
- It was recognised that the majority of issues concerned with grass verge parking related to WSCC.
- There were differences in “thinking” and “behaviour” between the various teams.
- The new purpose was “Help me to live in a safe, clean and well maintained town”. The Re-design of the service will commence shortly.

During the presentation, the following points were expressed:

- Members applauded the work being undertaken by the Parks & Streetscene Teams.
- It was acknowledged that the service would be re-designed in the future and this may include the Let’s Face It scheme.
- It was felt that retailers had a responsibility to collect abandoned shopping trolleys. New legislation has been introduced to enforce this.
- There was recognition that the re-design of services would involve experimenting with different approaches and opportunities. There was support for increased marketing and also education for any future initiatives.

RESOLVED

That the Commission welcomed the presentation and thanked all members of the project team for attending. The Chair thanked individual staff for their contribution and attendance at the Commission.

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

There had been no meeting of the HASC since the July meeting of the Commission. The next meeting of the HASC will take place in October 2015.

39. Scrutiny Panels

Fairness Commission Scrutiny Panel

The final report is being drafted and the next meeting of the Panel is scheduled to take place on 22 September 2015.

40. Establishment of and Appointments to Scrutiny Panels

It is the responsibility of the Commission to establish Scrutiny Panels as required, to appoint a Chair to each Panel and agree the Members to be appointed to each Panel.

Review of Democratic Structures

Nominations had been received for the Scrutiny Panel along with nominations for Chair for both Councillors B A Smith and K J Trussell.

A vote was taken.

As a result of the vote, and in accordance with the Local Government and Housing Act 1989, the Commission confirmed the establishment of the 'Review of Democratic Structures Scrutiny Panel', with the membership of Councillors Dr H S Bloom, R G Burgess, I T Irvine, T Lunnon, B A Smith, K Sudan and K J Trussell, with Councillor B A Smith as Chair.

41. Forward Plan

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

November 2015

Crawley Borough Council Local Plan: Local Development Scheme 2015-2018

42. Exclusion of the Public

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following 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.

43. Review of Intranet, Website and Associated Systems

(Exempt Paragraphs 3)

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

The Commission considered report PAT/026 of the Head of People and Technology which sought agreement to invest in the updating of the Council's website, intranet and associated document and case management systems.

A discussion was held with the Cabinet Member for Resources and the Head of People and Technology.

During the discussion, the following points were expressed:

- Recognition that the current intranet, website and associated systems required upgrading or replacement as the current infrastructure is no longer supported.
- Acknowledgement that the proposal provided opportunities to experiment in-house with various options.
- Support for Members' input into the "look, feel" and content of the website during any re-development, with the option of potential scrutiny panel involvement.

RESOLVED

That the Commission agreed to note the report to the Cabinet.

44. Closure of Meeting

The meeting ended at 11.00pm.

B A SMITH
Chair

Crawley Borough Council

Minutes of Cabinet

Wednesday 9 September 2015 at 7.30pm

Present:

Councillor	P K Lamb	(Chair of Cabinet and Leader of the Council)
	S J Joyce	(Deputy Leader of the Council and Cabinet Member for Housing)
	M G Jones	(Cabinet Member for Public Protection and Community Engagement)
	C C Lloyd	(Cabinet Member for Environmental Services and Sustainability)
	C J Mullins	(Cabinet Member for Wellbeing)
	A C Skudder	(Cabinet Member for Resources)
	P Smith	(Cabinet Member for Planning and Economic Development)

Also in Attendance:

Councillors R D Burrett, D G Crow and B A Smith

Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Peter Browning	Deputy Chief Executive
Karen Dodds	Head of Crawley Homes
Lucasta Grayson	Head of People and Technology
Heather Girling	Democratic Services Officer
Lee Harris	Chief Executive
Karen Hayes	Head of Finance, Revenues and Benefits
Sallie Lappage	Forward Planning Manager

Apologies for Absence:

There were no apologies for absence.

20. Members' Disclosure of Interests

There were no disclosures of interest.

21. Minutes

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

22. Public Question Time

There were no questions from the public.

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

The Head of Legal and Democratic Services reported that no representations had been received in respect of agenda items *16 Review of Intranet, Website and Associated Systems* or *17 Relocation of the Council's Data Centre*.

24. Matters Referred to the Cabinet

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

25. Budget Strategy (Leader's Portfolio)

The Cabinet considered report [FIN/368](#) of the Head of Finance, Revenues and Benefits which requested Cabinet to recommend to Full Council the approval of the Budget Strategy 2016/2017 to 2020/2021.

The matter had been considered at the meeting of the Overview and Scrutiny Commission on 7 September 2015 and Members' main comments included:

- The recognition that future capital bids needed to ensure an effective use of capital. There was an appreciation that additional capital bids would be for maintaining existing assets, for environmental obligations 'spend for save' bids or 'spend to earn' investment income. However, concern was expressed by some Members that future capital bids might restrict the freedom to develop community opportunities and it was suggested that the Cabinet be requested to reconsider this funding criteria.
- The recognition that reserves will be available for investment properties within the Investment Acquisition Reserve and any unused money could be returned to the general capital reserves in future.
- The advantages and disadvantages of a balanced budget over a 3 year period were highlighted.

The Commission had welcomed the report but asked the Cabinet to reconsider the criteria for future capital bids based on merit so as not to restrict bids for community opportunities.

Councillor Crow voiced his support for the establishment of the Business Rates Equalisation reserve given the volatility of business rates. Whilst the transformation

programme was welcomed along with the funds for property acquisition purchase, he believed the Council should be required to set a balanced budget for 2016/17. The Leader thanked Councillor Crow for his comments and acknowledged that the Council was very likely to achieve a balanced budget in the forthcoming year, as it had in the last, however enabling officers to use the flexibility of a multi-year approach was the best way of ensuring services were redesigned in a way which would produce the best results for the long-term, rather than forcing unnecessarily harmful one-year reforms to meet single year targets.

RESOLVED

RECOMMENDATION 2

That Full Council is RECOMMENDED to:

1. Approve the Budget Strategy 2016/2017 to 2020/2021.
2. Note the current a gap of £0.8m between projected General Fund income and expenditure for the three year period to 2018/2019 and work towards balancing this over a three year period, including putting back into reserves when the Budget is in surplus.
3. Set up a separate Business Rates Equalisation reserve by transferring £5m from the General Fund Reserve. This reserve will be used to absorb in year fluctuations due to the complications of accounting for business rates.
4. Instruct Corporate Management Team to take action to address the long term budget gap and to identify policy options for consideration by Cabinet Members and the Budget Advisory Group.
5. Note that items for the Capital Programme are driven by the need for the upkeep of council assets and environmental obligations, and schemes will also be considered that are spend to save and spend to earn.

Reasons for Decision

1. To set a Strategy for savings and income generation; working towards a balanced budget over three years.
2. To give more in year certainty for business rates monitoring.
3. To determine the criteria for capital programme bids.

26. **Crawley Community Infrastructure Levy (CIL) Draft Charging Structure (Planning and Economic Development Portfolio)**

The Cabinet considered report [SHAP/50](#) of the Head of Strategic Housing and Planning Services. The report sought approval of the content and approach of the draft charging schedule and supporting documents for a six week public consultation period in accordance with the Community Infrastructure Levy regulations, prior to submission for independent examination.

The matter had been considered at the meeting of the Overview and Scrutiny Commission on 7 September 2015. Members' main comments included:

- Support for the CIL in terms of transparency and the allocation of CIL receipts for spending in the area where the development is taking place (in agreement with the local community).
- Encouragement that wider, detailed consultation will take place with Members for the next stage of the process in terms of establishing governance.
- Acknowledgement that the governance stage will commence autumn 2015 and Members requested an update on these arrangements prior to CIL adoption.

The Commission had agreed to support the recommendations to Cabinet.

The Cabinet Member for Planning and Economic Development thanked the Commission for its comments and acknowledged that there were similarities between S106 agreements and CIL and that further engagement work would be undertaken with all Members and WSCC representatives.

RESOLVED

1. That the Draft Charging Schedule, and supporting evidence including the Draft Regulation 123 List for a statutory six week consultation period as set out in Appendix 1 and 2 of report [SHAP/50](#) be approved.
2. That authority be delegated to the Head of Strategic Housing and Planning Services in consultation with the Cabinet Member for Planning and Economic Development to consider the representations received from the statutory consultation period and to make minor amendments to the Charging Schedule deemed necessary, before submission to the CIL Examiner for independent examination.
3. That authority be delegated for the approval of any additional evidence or statements or minor amendments required as part of the CIL Examination to the Head of Strategic Housing and Planning Services in consultation with the Cabinet Member for Planning and Economic Development.

Reason for Decision

1. The Crawley Borough Local Plan 2030 is in its final stages of adoption and the Council is looking to develop its Community Infrastructure Levy (CIL) that will set a charge on new development to help fund infrastructure set out in the Local Plan. Following a commitment by the Council to adopt and implement the CIL in Crawley, the procedure set out in the CIL Regulations 2010 (as amended) must

be followed. In line with this, a CIL Preliminary Draft Charging Schedule was prepared and consulted on in February-March 2015. The Charging Schedule sets out the proposed charges for each development for the borough and is supported by the following evidence base documents:-

- Draft Regulation 123 List: - a list of infrastructure types or schemes to be wholly or partly funded by money raised through CIL.
 - Whole Plan and CIL Viability Assessment: - this provides justification for the rates proposed in the Charging Schedule.
 - Infrastructure Delivery Schedule: - to demonstrate that there is an infrastructure funding gap in Crawley.
2. In order to progress towards the adoption of CIL and to use the income from new development to fund infrastructure, the Council must approve the CIL Draft Charging Schedule and its supporting evidence. There is then a statutory six week public consultation period held, before the Council submits its CIL rates to the CIL Examiner for independent examination in public.

27. 2015/2016 Budget Monitoring – Quarter 1 (Leader’s Portfolio)

The Cabinet considered report [FIN/367](#) of the Head of Finance, Revenues and Benefits. The report provided a summary of the Council’s actual revenue and capital spending for the first Quarter to June 2015, together with identified variations from the approved spending levels and any potential impact on future budgets.

RESOLVED

That the projected outturn for the year 2015/2016 as summarised in report [FIN/367](#) be noted.

Reason for Decision

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

28. Your Energy Sussex (Formally Sussex Energy Saving Partnership) and the Installation of PV to Crawley Homes Properties (Environmental Services and Sustainability Services and Housing Portfolio)

The Cabinet considered report [HPS/01](#) of the Heads of Partnership Services and Crawley Homes. The report provided an update on the current position relating to the Your Energy Sussex Partnership (previously known as Sussex Energy Saving Partnership) together with the installation of photovoltaic (PV) solar panels to council tenanted properties. The report sought to explain the benefits of both projects and recommended the best value option for PV installation considering the differing implications for funding, payback and benefits to the Council and its Tenants

Cabinet Members acknowledged that the scheme assisted in reducing fuel poverty and also carbon emissions and the Council would continue to investigate future opportunities to reduce energy consumption. It was remarked that the Government’s proposed changes to the Feed-in-Tariff would require further investigation. It was also

noted that the Council would be liable for the solar PV array insurance and this could be built into any contract.

RESOLVED

1. That the Council become an Affiliate Partner in the Your Energy Sussex (YES) partnership.
2. That authority be delegated to the Deputy Chief Executive, in consultation with the Head of Legal and Democratic Services, to complete the legal processes necessary to enable the Council to become an Affiliate Partner.
3. That permission be given to West Sussex County Council, through YES, to install solar PV panels on Crawley Homes properties.

Reason for Decision

1. The council previously committed to becoming a YES Strategic Partner (Cabinet report 04 December 2013).
2. Due to procurement issues, it is now recommended to become an Affiliate Partner of YES rather than a strategic partner. The partnership agreement does allow the flexibility and freedom to move between the two levels of membership should the Council wish to opt to reconsider at a later date.
3. The YES PV programme has access to public and private domestic roof space beyond the Crawley Homes properties. The resulting economies of scale provide greater fuel poverty and carbon emissions reduction for both council and private residents than if the Council were to act alone.
4. It will deliver installed PV arrays significantly quicker than if the Council were to procure its own programme.
5. The Feed-in-Tariff revenue contributed to YES by the work will provide an important revenue stream to YES. The Council will subsequently have significant leverage in negotiations on where to spend this (and other) 'YES Funding'. This will enable officers to work on lowering energy consumption and emissions across the town further than if the Council were to have no input into YES decisions.

29. Regulation 28 of the Coroners (Investigations) Regulations 2013 (Housing Portfolio)

The Cabinet considered report [CH165](#) of the Head of Crawley Homes which contained a report of the Assistant Coroner of West Sussex issued on 4 August 2015 to prevent future Deaths made under paragraph 7 schedule 5 of the Coroners and Justice Act 2009 and Regulations 28 and 29 of The Coroners (Investigation) Regulations 2013.

RESOLVED

1. That the contents of the Coroner's Report, including commenting on the initial Officers' response to the issues identified by the Coroner that relate to Crawley Borough Council has been considered.

2. That authority be delegated to the Head of Crawley Homes in Consultation with the Portfolio Holder for Housing to provide a full written response to the Coroner by 29 September 2015.

Reason for Decision

The Coroners Regulations of 2013 require the Council to consider and respond to the Coroner's report within 56 days from the date of the report. The Council's response must contain details of action taken or proposed to be taken, setting out the timetable for action or if no action is proposed an explanation as to why no action has been taken.

30. Urgent Action

The Cabinet had been asked to note that an urgent action had been taken under paragraph 25.4 Council Procedure Rules in Part 4 (Rules of Procedure) of the Constitution to increase the supplementary capital estimate (as originally set out in report DCE/01), funded from Housing Revenue Account reserves and Right To Buy 1-4-1 receipts, for the acquisition of affordable housing at 27-45 Ifield Road.

As detailed in the report considered by the Chief Executive, if the urgency procedure had not been used then the opportunity to secure the delivery of much-needed affordable housing and ensure the development of a key town centre opportunity site may have been lost.

RESOLVED

That urgent action has been taken under paragraph 25.4 Council Procedure Rules in Part 4 (Rules of Procedure) of the Constitution, be noted.

31. Exempt Information – Exclusion of the Public (subject to agenda item 5)

RESOLVED

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

32. Review of Intranet, Website and Associated Systems (Resources Portfolio)

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

The Cabinet considered report PAT/26 of the Head of People and Technology which sought approval for investment in the updating of the Council's website, intranet and associated document and case management systems.

The matter had been considered at the meeting of the Overview and Scrutiny Commission on 7 September 2015. Members highlighted the following:

- Recognition that the current intranet, website and associated systems required upgrading or replacement as the current infrastructure is no longer supported.
- Acknowledgement that the proposal provided opportunities to experiment in-house with various options.
- Support for Members' input into the "look, feel" and content of the website during any re-development, with the option of potential scrutiny panel involvement.

The Commission agreed to note the report to the Cabinet.

The Cabinet Member for Resources thanked the Commission for its comments and confirmed that consultation would be undertaken for any re-development.

RESOLVED

1. That the development of Drupal open source technology for the intranet, website and associated document and case management systems including the external ICT consultancy support be approved.
2. That the capital funding for the development project from the IT capital fund be approved.

Reason for Decision

1. The existing infrastructure for these systems is an Oracle platform run on Windows 2003 servers. The servers became unsupported by Microsoft in July 2015. This requires the Council to upgrade the Oracle platform or develop a new infrastructure.
2. The Oracle platform, is inflexible and expensive to licence and support. The Government is actively advising its departments to move away from Oracle systems for this reason. These particular Oracle systems are used by a relatively small number of organisations and the skills needed to support and develop these are extremely difficult to identify. This would make an upgrade an expensive option.
3. The Council has researched the various options available as an alternative to upgrading the Oracle platform and has concluded that use of Drupal open source technology would provide the flexibility and the functionality that meets our needs.

Councillor B A Smith left the meeting after this item.

33. Relocation of the Council's Data Centre (Resources Portfolio)

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

The Cabinet considered report PAT/25 of the Head of People and Technology. The report sought agreement for the principles and preferred option for relocating the Data Centre.

RESOLVED

1. That the relocation of the data centre to the Surrey Business Centre as part of a partnership agreement with Surrey County Council be approved.
2. That the Head of People & Technology negotiate the terms of the Partnership Agreement.
3. That the capital funding of the migration project from the IT capital fund be approved.

Reason for Decision

1. The existing data centre is managed between 7am -7pm Monday to Friday. There is an alerts system that notifies members of the Infrastructure team if there is a problem out of hours but it can take some time for services to be restored.
2. Back-up tapes of activity are created on a daily and weekly basis but no other disaster recovery process is in place. This means that a major incident would leave the Council unable to access IT systems for some time. This risk is identified on the Council's corporate risk register.
3. There are a number of providers offering a range of services to host systems in specialist large scale data centres. These offer high level resilience and 24/7 support. They also offer a range of options from hosting our own equipment to providing fully managed services.
4. Surrey Business Centre is the most cost effective option and will allow us to enter into a partnership arrangement with another council rather than undertaking a procurement process.

34. Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.15pm.

P K LAMB
Chair

Crawley Borough Council

Minutes of Development Control Committee 21 September 2015 at 7:30pm

Present:

Councillor I T Irvine (Chair)

Councillors B J Burgess, D G Crow, F Guidera, K L Jaggard, B McCrow, R Sharma, A C Skudder, P C Smith, M A Stone, J Tarrant, G Thomas and W A Ward

Officers Present:

Tony Baldock	Environmental Health Manager
Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Heather Girling	Democratic Services Officer
Jean McPherson	Group Manager, Development Control

Apologies for Absence:

Councillors S J Joyce and C A Moffatt

21. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors K Jaggard and P C Smith had been lobbied regarding application CR/2015/0345/RG3.

22. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor B J Burgess	Minute 24	CR/2015/0345/RG3 High Street, Northgate, Crawley	Personal - Member of Crawley Cycling Forum
Councillor P C Smith	Minute 24	CR/2015/0435/FUL Land parcel at Jersey Farm, County Oak Way, Langley Green, Crawley	Personal – Member of the Manor Royal Business District Board
Councillor G Thomas	Minute 24	CR/2015/0345/RG3 High Street, Northgate, Crawley	Personal - Member of Crawley Cycling Forum

Councillor G Thomas		Minute 24		CR/2015/0509/NCC Crawley Baptist Church, Crabtree Road, West Green, Crawley	Personal – previously spoken to members and applicant from Crawley Baptist Church
Councillor W A Ward		Minute 24		CR/2015/0506/NCC Crawley Baptist Church, Crabtree Road, West Green, Crawley	Personal – previously spoken to members and applicant from Crawley Baptist Church

23. Minutes

The minutes of the meeting of the Committee held on [1 September 2015](#) were approved as a correct record and signed by the Chair.

24. Planning Applications List

The Committee considered report [PES/175](#) of the Head of Economic and Environmental Services.

RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report [PES/175](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 1

CR/2015/0135/FUL

Leaf Cottage, Forge Wood, Pound Hill, Crawley

Demolition of existing outbuildings and erection of 4 bedroom dwelling (amended plan received and revised description).

Councillor K L Jaggard declared she had visited the site.

The Principal Planning Officer provided a verbal summation of the application.

One objector (Kay Verbeeten) and the applicant (Amber Wilmot) addressed the Committee.

The Committee listened to the concerns raised in objection that there was potential to impact the rural character of the area. The Committee understood that in support, the application design had been amended to be sympathetic to the neighbourhood and limit the impact on the street scene.

Permitted subject to the conditions and informatives set in report [PES/175](#).

Item 2

CR/2015/0260/NCC

First floor, Pelham House, Broadfield Barton, Broadfield, Crawley

Variation of condition 2 (occupancy) pursuant to CR/2001/0351/COU for consent to be extended to include Crime Reduction Initiatives (CRI).

Councillor M A Stone declared he had visited the site.

The Principal Planning Officer provided a verbal summation of the application and informed the Committee of a correction in the report, which was as follows:

Reason for Reporting to Committee should read: Referred by Member Cllr M Jones - objection.

One objector (Councillor M G Jones) addressed the Committee. Whilst recognising the requirement for the services provided by CRI, it was noted that an alternative central location might prove beneficial for the organisation. Concerns were raised that there was an impact on the perception of 'fear of crime'. Any increase in crime in the immediate area, would be detriment to the neighbourhood and to any planned redevelopment. Regular monitoring by the organisation may not be effective.

The Committee listened to the concerns raised by Councillor Jones and it was acknowledged that the application was to vary the condition to allow the use to be operated by CRI. The Committee was advised that it needed to consider the application as that submitted, based on the applicant's current location. Overall, the Committee felt that the operation run by CRI, in this sustainable location, would not be likely to result in a material increase in crime that would justify the loss of the benefit that the use would bring to the clients requiring the services proposed and the wider community of Crawley.

Permitted subject to conditions as set out in report [PES/175](#).

Item 3

CR/2015/0345/RG3

High Street, Northgate, Crawley

Installation of a shared cycleway and footpath along the eastern Side of the High Street, Crawley. The shared cycleway and footpath shall form a link between the Existing cycle route at the junction of Peglar Way and the high street and with the existing Cycleway at the junction of the boulevard and the High Street (amended description)

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

The Group Manager (Development Management) provided a verbal summation of the application and informed the Committee that further amended plans had been received which now depicted a reduction in the number of bollards and signage.

The Committee was advised that condition 4 and 5 were to be amended as follows:

Condition 4

The tree protection measures shall be implemented and retained throughout the construction period in accordance with the approved details detailed within the amended Arboricultural Method Statement received on 11.09.15.

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

Condition 5

The cycleway scheme hereby approved shall be designed, laid out and constructed in accordance with the details shown on drawing number PL04-A05.

REASON: In the interests of highway safety in accordance with policy T1 of the Core Strategy (2008) and saved policy T26 of the Local Plan (2000).

The Committee then considered the application. Concern was raised regarding the need for appropriate signage on the shared cycleway and footpath, to clearly minimise any conflicts between cyclists and pedestrians. Additionally, it was noted that a plaque is currently located in the earth by one of the trees adjacent to the cycleway and there was a need to ensure the plaque was not damaged or removed by the works. It was suggested that it could be appropriate for this to be repositioned during the construction.

The following new informatives were therefore added:

New Informative no 2

The applicant is asked to ensure that the works do not result in the removal or damage to the commemorative tree plaque located at the base of oak tree T37 (as identified on the Tree Constraints Plan) located outside Sterling House (105 High Street).

New Informative no 3

The applicants are requested to ensure that there is sufficient clear signage and street markings in order to minimise potential conflicts and accidents between cyclists and pedestrians.

Permitted subject to the conditions and informatives as set out in report [PES/175](#) and the new informatives above.

Item 4

CR/2015/0435/FUL

Land Parcel at Jersey Farm, County Oak Way Langley Green, Crawley

Construction of an industrial warehouse building comprising three units, A, B and C, to provide B2 and B8 usage, together with associated parking and amenity.

Councillor K L Jaggard declared she had visited the site.

The Principal Planning Officer provided a verbal summation of the application and informed the Committee that the document number for the Bird Hazard Management Plan would be added to Condition 13.

The Committee then considered the application.

Permitted subject to the conditions and informatives as set out in report [PES/175](#) and the completion of a S106 agreement.

Item 5

CR/2015/0467/FUL

310 Ifield drive, Ifield, Crawley

Construction of vehicle crossover and hardstanding.

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

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application.

Refused for the reasons set out in report [PES/175](#).

Item 6

CR/2015/0509/NCC

Crawley Baptist Church, Crabtree Road, West Green, Crawley

Variation of condition 9 (number of parking spaces) pursuant to planning permission CR/2002/0031/FUL to allow part of the car park to be used as an outside playground for the pre-school and youth groups

Councillors K L Jaggard and G Thomas declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and informed the Committee that additional information had been received from the applicant confirming that no amplified music would be played outside and arrangements for the blood donation vehicles to continue to use the site and whole car park.

The Committee then considered the application. Whilst the safeguarding of children was raised as a concern it was noted that it was the responsibility of the nursery operators to ensure the safety of the children using the play area together with the church to ensure that adequate parking was available for all users of the building and car park.

Permit subject to the conditions set out in report [PES/175](#).

25. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 9.00pm.

I T IRVINE
Chair

Crawley Borough Council

Minutes of Audit Committee

24 September 2015 at 6.30pm

Present:

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

Also in Attendance:

Paul King, Director of Ernst and Young LLP.

Officers Present:

Chris Bower	Senior Auditor
Roger Brownings	Democratic Services Officer
Chris Corker	Corporate Fraud and Inspections Manager
Karen Hayes	Head of Finance, Revenues and Benefits

9. Apologies for Absence

Councillor C R Eade (Vice-Chair)

10. Gillian Edwards

The Chair conveyed the Committee's best wishes to Gillian Edwards (the Council's Audit and Risk Manager) who was currently unwell and could not attend this meeting. The Committee wished Gillian a speedy recovery.

11. Members' Disclosures of Interests

There were no disclosures of interest.

12. Minutes

The minutes of the meeting of the Committee held on **24 June 2015** were approved as a correct record and signed by the Chair.

13. Fraud Team Report

The Committee considered report **FIN/369** of the Corporate Fraud and Inspections Manager, which focused on activity for the period from 9 June 2015 to 1 September 2015 and included the 2015/2016 year to date figures. The Team continued to look into a wide range of fraud and loss against the Council.

- The Committee recognised that service performance continued to improve generally, including the application of various sanctions, of which there had been one further prosecution relating to housing benefit fraud. The Team had also been involved in a successful prosecution of a landlord following an investigation which established evidence that a house in multiple occupation (HMO) was overcrowded and in a very poor state of repair. Charges had been made following the landlord's non-compliance of Notices to remedy the situation.
- The total of all overpaid housing benefit identified by the Team for this reporting period was £357,865.
- The Committee was aware that housing benefit investigation work was to be transferred to the Department of Works and Pension's (DWP's) Single Fraud Investigation Service. It was confirmed that this work had now been completed during the reporting period and cases were successfully transferred on 1 August 2015.
- Whilst for August (the first month of the DWP's housing benefit investigations) that Department had made a limited number of requests for housing benefit information, it was expected that the number of requests would grow, and the Chair asked that this matter be monitored.
- In response to comments by Members, it was emphasised that whilst housing benefit investigation work had been transferred, housing benefit was just part of the fraud risk to the Council, and the Team's work would continue to be diversified to undertake and explore work in additional areas of potential fraud, and particularly those areas most beneficial to the Council in terms of finance. Some of the Team's resources were currently being bought-in by other Registered Social Landlords to assist those landlords in their own fraud investigation work.
- A further nine properties had been recovered as a result of work undertaken in the area of tenancy fraud. Five of those properties had been recovered as part of the recent Tenancy Fraud Amnesty, which the Committee had been advised of at its last meeting, and which closed on 1 September. As part of the Committee's considerations on this matter, it was recognised that in addition to the positive outcome in terms of property recovery, the Amnesty had provided good publicity in sending out a clear message regarding the Council's work against this type of fraud.
- With regard to the table in Section 4.9 of the report, the need for a clerical correction was raised whereby the heading of "2014/15" in the last column of that table should read "2015/16".
- 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.
- 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.
- The Team had started to examine properties, both new and empty, to help determine this year's claim to the Department for Communities and Local Government (DCLG) regarding New Homes Bonus. The Team had already identified 47 properties, which had previously been declared as long term empty, as being in use and occupied, with a bonus value estimated to be £410,000 paid by the DCLG over the next 6 years. It was hoped to achieve a similar successful result to last year, and outcomes would be reported at the next meeting.

In seeking and receiving clarification on further information presented, the Committee conveyed its thanks and appreciation to the Fraud Team generally for its continuing positive performance.

RESOLVED

That the report be noted.

14. Risk Management Strategy - Update

The Committee considered report **FIN/371** of the Head of Finance, Revenues and Benefits. The report reviewed the Management of Strategic Risks which were contained within the Council's Risk Management Strategy, and the Committee discussed the actions being undertaken to mitigate the risks.

Members were advised that the Council's Corporate Management Team had subsequently identified a further risk to those considered at the Committee's last meeting. This being the Government's imposed rent reduction on Crawley Homes properties, and which meant that the Council might not be able to deliver against all its plans for the Housing Revenue Account. With this in mind, Members and Officers were looking at mitigating actions to enable the Council to still meet its commitments on housing delivery.

RESOLVED

That the review of the Management of Strategic Risks as set out in Report FIN/371, be supported.

15. Internal Audit Progress Report as at 11 September 2015

The Committee considered report **FIN/370** 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 Committee discussed and noted all the Audit Plan reviews in progress, along with other work as detailed in the report. In response to issues raised by Members in relation to information security, it was indicated that outcomes arising from a review thereof would be included in the next Audit Progress Report to be presented at the Committee's December meeting. In the meantime, the Head of Finance, Revenues and Benefits, and in response to a request from the Chair, would look at the possibility of circulating to all Members an email linked to a paper headed the "Golden Rules". A hard copy of that paper, which focussed on good management of information security, had been circulated at the meeting.

In response to a Member's comments, the Head of Finance, Revenues and Benefits confirmed that because of demands on staff resources at this time due to sickness, there had been delays in submitting a follow-up audit on the Rent Deposit Scheme (now Crawley Deposit Service), but that whilst this was the case, and with a temporary staff resource in place, it was intended to report the work requested to the Committee's next meeting.

RESOLVED

That the Internal Audit Progress Report, and the progress made for the period up to 11 September 2015 be noted.

16. Ernst and Young – Audit Results Report for the year ended 31 March 2015

The Committee considered the Audit Results Report for the year ended 31 March 2015 which was included as **Enclosure E** to the Agenda. The report summarised Ernst and Young's findings from the 2014/15 audit, and the Committee welcomed Paul King of Ernst and Young LLP to the meeting. The Agenda also included as **Enclosure F** the Letter of Representation as referred to in Section 6.1 of the Results Report.

The Committee considered all the issues raised, and in so doing noted that it was proposed to issue an unqualified opinion on the financial statements (2014/15), and that it was also intended to issue an unqualified conclusion in relation to value for money. With Paul King 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. It was suggested that consideration should be given to installing the new timetable earlier than required to assist the transition process.

With regard to the Letter of Representation, the need for a clerical correction was raised whereby the confirmation signature on the Letter's last page was required to be undertaken by the "Chair" of the Committee, as opposed to the "Chairman".

RESOLVED

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

17. Approval of the 2014/2015 Statement of Accounts

The Committee considered report **FIN/372** of the Head of Finance, Revenues and Benefits. The purpose of the report was to seek Committee approval of the 2014/2015 Statement of Accounts, to comply with the statutory deadline of 30 September 2015.

The 2014/2015 Statement of Accounts was attached as Appendix 1 to the report and as stated in Ernst and Young's Audit Results Report (Minute No. 16 above refers) it was proposed to issue an unqualified opinion.

The following matters were referred to as a prompt for the preparation of next year's Statement: (i) Page 3, under the heading of Collection Fund - Delete "Sussex Police Authority" and replace with "Police and Crime Commissioner for Sussex", (ii) Page 3, under the heading of Summary of the Housing Revenue Account - Delete "next 26 years" and replace with "over a period of 26 years" and (iii) Page 15, first bullet point - Delete "Committee" and replace with "Commission"

The Committee conveyed its sincere thanks to Karen Hayes (the Head of Finance, Revenues and Benefits) and indeed all staff in the Finance Team for the excellent work the Team had undertaken.

RESOLVED

- (1) That the 2014/2015 Statement of Accounts be approved.
- (2) That the Chair of the Committee be authorised to sign the 2014/2015 Statement of Accounts on behalf of the Council.

18. Supplemental Agenda

At the Chair's request, an item in relation to a Homes and Communities Agency Compliance Audit, was to be considered as a supplemental agenda item, as the matter had arisen subsequent to the agenda being published.

19. Homes and Communities Agency (HCA) Compliance Audit

The Chair advised the Committee that he had received a letter from the Homes and Communities Agency requesting that an independent audit be undertaken of the Brunel / Breezehurst house building schemes to ensure that they complied with HCA requirements. This was common practice in cases involving Registered Social Landlords where the HCA contributed £1m towards the cost of a scheme.

The Chair further advised that Calfordseaden would be visiting the Council's offices on the 5th and 6th of October 2015, and would be issuing its report shortly after. Calfordseaden were auditors that had undertaken audits for similar schemes with local Housing Associations, and were auditors that the HCA were acquainted with. The Council's property team had pulled together all documentation required in advance of this audit.

20. Closure of Meeting

The meeting ended at 8.01 pm.

W A WARD
Chair

Crawley Borough Council

Minutes of Governance Committee 28 September 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

Also in Attendance:

Councillor G Thomas

Officers Present:

Kevin Carr Legal Services Manager
Heather Girling Democratic Services Officer
Mez Matthews Democratic Services Officer
Andrew Oakley Electoral Services Manager

10. 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	Overview and Scrutiny Commission Membership Options for the Chair and Vice Chair	Personal Interest as he was a West Sussex County Councillor
Councillor R D Burrett	Minute 13	West Sussex County Council Electoral Boundary Review	Personal Interest as he was a West Sussex County Councillor
Councillor D G Crow	Minute 13	West Sussex County Council Electoral Boundary Review	Personal Interest as he was a West Sussex County Councillor

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor M G Jones	Minute 13	West Sussex County Council Electoral Boundary Review	Personal Interest as he was a West Sussex County Councillor
Councillor P K Lamb	Minute 13	West Sussex County Council Electoral Boundary Review	Personal Interest as he was a West Sussex County Councillor

11. Minutes

The minutes of the meeting of the Committee held on [22 June 2015](#) were approved as a correct record and signed by the Chair.

12. Overview and Scrutiny Commission Membership Options for Chair and Vice Chair

The Committee considered report [LDS/109](#) of the Head of Legal and Democratic Services which updated the Committee on the membership options for Chair and Vice Chair of the Overview and Scrutiny Commission (OSC) as requested at its meeting held on [22 June 2015](#) (minute 5 refers). The Committee thanked the officer for the research she had undertaken in producing the report.

It was commented that, although the report identified whether the Chair / Vice Chair of the OSC at other local authorities were allocated to the controlling group or the opposition, there was no definitive pattern, and it was unlikely that any other council would be truly comparable with Crawley Borough Council as its political composition was so finely balanced.

It was suggested that a Scrutiny Panel should be established to consider the issue. However, the Committee was of the view that it would not be possible to establish the Panel until after the next Full Council AGM, when the appointment of the OSC Chair and Vice Chair membership would be agreed, and that a scrutiny review would not add value. It was argued by several Committee members that it was only fair for the opposition group to hold the position of Chair or Vice Chair, and that such a principle should stand regardless of the political balance of the Council or whether a particular group was in control or opposition.

RESOLVED

RECOMMENDATION 3

That Full Council be recommended:

to approve that from the Civic Year 2016, where there is more than one political group on the Council, either the position of Chair or Vice Chair of the Overview and Scrutiny Commission will go to a member nominated by an opposition group.

13. West Sussex County Council Electoral Boundary Review

The Committee considered report [LDS/108](#) of the Head of Legal and Democratic Services which informed the Committee of the review by the Local Government Boundary Commission for England of the division boundaries of West Sussex County Council (WSCC). The Committee was invited to consider the proposed schemes submitted to the Commission.

The Committee noted that it had become apparent at the WSCC's Governance Committee meeting that the figures included in its proposed scheme (page C3 of Appendix A to the report) were not accurate and so had been removed from the document submitted to the Boundary Commission. The Committee was assured that the electoral figures identified in the two tables within Appendix A (pages C7 and C8 of the report) were correct.

It was stated that the Boundary Commission's main priorities were to ensure electoral representation, that the Borough election boundaries were similar to the County electoral boundaries and that the electoral areas contained a community of interest.

The Committee was split in its support of the two proposals and it was argued that whilst one proposal would result in the under-representation of certain divisions, the other proposal would create an over-representation. It was also suggested that divisions should be geographically connected and not be divided by physical barriers such as a railway line. It was counter-argued that communities on both sides of a railway line had a community interest.

Concern was raised that Crawley had a strong neighbourhood identity and that neighbourhoods should not be split between two divisions or merged with other dissimilar neighbourhoods. It was argued that both proposals took account of anticipated housing developments and would ensure that electoral representation would balance out by the next County election.

It was proposed by Councillor Crow and seconded by Councillor McCarthy that the Committee support the scheme for WSCC divisions for Crawley as set out in Appendix A to the report.

At the request of Councillor Crow, and in accordance with Council Procedure Rule 24.5, the names of the Members voting for and against the proposal to support the scheme for WSCC divisions as set out in Appendix A to the report were recorded as set out below:

For the Proposal:

Councillors R D Burrett, D G Crow, C R Eade, R A Lanzer and K McCarthy (5).

Against the Proposal:

Councillors M L Ayling, M G Jones, P K Lamb, T Lunnon, A C Skudder and J Stanley (6).

Abstentions:

None.

The proposal was therefore LOST.

It was subsequently proposed by Councillor Lamb and seconded by Councillor Lunnon that the Committee support the scheme for WSCC divisions for Crawley as set out in Appendix B to the report.

At the request of Councillor D G Crow, and in accordance with Council Procedure Rule 24.5, the names of the Members voting for and against the proposal to support the scheme for WSCC divisions for Crawley as set out in Appendix B to the report were recorded as set out below:

For the Proposal:

Councillors M L Ayling, M G Jones, P K Lamb, T Lunnon, A C Skudder and J Stanley (6).

Against the Proposal:

Councillors R D Burrett, D G Crow, C R Eade, R A Lanzer and K McCarthy (5).

Abstentions:

None.

The proposal was therefore CARRIED, and it was

RESOLVED

That a letter be sent to the Local Government Boundary Commission for England from the Chair of the Committee stating that the Committee supported the proposed scheme detailed in Appendix B to report [LDS/108](#).

14. Amendments to the Constitution following the Introduction of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

The Committee considered joint report [LDS/107](#) of the Head of Legal and Democratic Services and the Head of People and Technology which followed on from the report considered at the Governance Committee on [22 June 2015](#) (minute 6 refers). The report currently before the Committee requested that the Committee recommend to Full Council changes to the Constitution to reflect the new legal requirements in relation to the disciplining/dismissal of the three Statutory Officers as set out in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

The Committee noted that there were a few typographical errors in the appendices to the report which would be corrected prior their consideration by Full Council.

The Committee thanked the Head of Legal and Democratic Services and the Head of People and Technology for their detailed report. The Committee was of the view that the proposed payment to any Independent Person of £50 per formal Independent Panel meeting attended was not sufficient compensation, given that any such meeting was likely to be in-depth and lengthy. The Committee therefore agreed that the payment should be increased to £100 for each formal meeting attended, to a maximum of £750 per annum.

RESOLVED

RECOMMENDATION 4

That the Full Council be recommended to approve:

1. The revised functions of the Appointments and Investigating Committee as set out in Appendix 1 to these minutes.
2. The revised Employment Procedure Rules as set out in Appendix 2 to these minutes.
3. The establishment of an Independent Panel including terms of references comprising of a minimum of two Independent Persons as set out in Appendix 3 to these minutes.
4. That in the event that this Panel is convened and is required to advise the Council on matters relating to the dismissal of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer, any Independent Person, so appointed to receive a payment of £100 each (subject to a maximum of £750 per annum) for any formal meetings of the Panel they attend.
5. The amendments to Article 4, Cabinet Functions and the Staff Appeals Board of the Constitution as set out in Appendix 4 to these minutes.

15. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.45pm.

J STANLEY
Chair

**RESPONSIBILITY FOR COUNCIL FUNCTIONS
APPOINTMENTS AND INVESTIGATING COMMITTEE**

As far as possible, the functions of the Appointments and Investigating Committee will be carried out by a politically balanced panel of between 3 and 7 members drawn from the membership of that Committee.

Appointments

Any panel making recommendations relating to the appointment of the Chief Executive (The Head of Paid Service) should consist of seven members (with a quorum of five), whilst a panel appointing the Deputy Chief Executive should consist of six members (with a quorum of four). Head of Service appointments should be made by a panel of five (with a quorum of three).

Disciplinary, Capability and Grievance Matters

Any panel making a decision on a disciplinary or capability procedure or under the grievance procedure relating to a Chief Officer shall comprise of 3 members who will be appointed by the Leader, one of whom shall be a Cabinet Member. Where an appeal is made by a non-statutory Chief Officer in respect of any disciplinary, capability or grievance procedure this will be heard by the Staff Appeals Board.

Any panel making a decision on a recommendation from an Independent Person under Section 28(7) of The Localism Act 2011 when considering a Code of Conduct Complaint shall comprise of 3 Members.

Membership:- Councillors: B J Burgess, R D Burrett, D G Crow, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, T Lunnon, B McCrow, C A Moffatt, C J Mullins, D M Peck, A C Skudder, B A Smith, P C Smith, J Stanley, K Sudan, G Thomas, K J Trussell and W A Ward

Functions of the Appointments and Investigating Committee

- (1) The appointment of the Head of Paid Service, subject
 - (a) to the provisions of Employment Procedure Rule 4(2) (requiring that the Cabinet be given the opportunity to raise an objection) and

Delegation of Functions

The following function is delegated to the Head of Paid Service or his/her nominee
To make appointments (except those appointments at Head of Service level or above).

Functions of the Appointments and Investigating Committee

- (b) to the approval of any such appointment by Full Council, before an offer of appointment is given.
- (2) The appointment of the Deputy Chief Executive and all Heads of Service, subject to the requirements of Employment Procedure Rule 4(2)(requiring that the Cabinet be given the opportunity to raise an objection).

Disciplinary and Capability Matters Relating to Statutory Chief Officers

- (1) The initial decision to instigate an investigation process.
- (2) Decision to determine whether there is a case to answer, decision to instigate a formal investigation and the appointment of an investigator.
- (3) Action in accordance with any disciplinary code or capability procedure approved by the Council in respect of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer, including dismissal on associated grounds, subject to the requirements of Employment Procedure Rule 7(2) (requiring that the Cabinet be given the opportunity to raise an objection).
- (4) Consideration of a report into any allegation of misconduct, or into capability or some other substantial reason, of the Head of Paid Service, Monitoring Officer and Chief Finance Officer and

Delegation of Functions

The following function is delegated to the Head of Paid Service or his/her nominee

Temporary appointment of relief employees where appropriate

The following function is delegated to the appropriate Head of Service and/or the Head of People and Technology

Approval of an employee's job title

Functions of the Appointments and Investigating Committee

to the approval of any dismissal by Full Council, before notice of dismissal is given.

- (5) To consider any advice, views or recommendations from the Independent Panel.
- (6) Action in accordance with any disciplinary code or capability procedure for the suspension from duty of The Chief Executive (Head of Paid Service), Monitoring Officer or Chief Finance Officer.

Disciplinary and Capability Matters Relating to Non Statutory Chief Officers.

- (7) Action in accordance with any disciplinary code or capability procedure approved by the Council in respect of the Deputy Chief Executive and all Heads of Service including dismissal on associated grounds, subject to the requirements of Employment Procedure Rules 7(2) (requiring that the Cabinet be given the opportunity to raise an objection).

Delegation of Functions

This function is delegated concurrently with the Leader of the Council.

The following function is delegated to the Chief Executive, Deputy Chief Executive and the Leader

The initial decision to instigate an investigation process.

The following function is delegated to the Chief Executive, Deputy Chief Executive and the Leader

Decision to determine whether there is a case to answer, decision to instigate a formal investigation and the appointment of an investigator. These delegations do not apply in respect of any actions against the Chief Executive (Head of Paid Service), Chief Finance Officer and the Council's Monitoring Officer.

The following function is delegated to the Chief Executive

Action of suspension in accordance with any disciplinary code or capability procedure approved by the Council in respect of Chief Officers excluding the Chief Finance Officer and the Monitoring Officer.

Functions of the Appointments and Investigating Committee

Delegation of Functions

The following function is delegated to the Chief Executive or an officer nominated by him/her

Action in accordance with any disciplinary code or capability procedure approved by the Council in respect of employees below the level of Head of Service including, as appropriate, the suspension, relegation and dismissal on associated grounds. The Chief Executive has currently nominated Heads of Service (or other senior nominated employees acting on their behalf) to undertake these functions on his/her behalf.

- (8) Action in accordance with any grievance procedure approved by the Council.

The following function is delegated to the Chief Executive and Deputy Chief Executive

Action in accordance with any grievance procedure (excluding appeals) approved by the Council involving Heads of Service but excluding the Chief Executive (Head of the Paid Service), the Chief Finance Officer and the Council's Monitoring Officer. Grievances raised against the Chief Executive will be dealt with by the Appointments and Investigating Committee.

- (9) The duty to appoint an Electoral Registration Officer*
- (10) The duty to appoint a Returning Officer for Borough Elections*
- (11) Duty to provide staff, etc to person nominated by the Monitoring Officer under Section 82A(4) of the Local Government Act 2000
- (12) Authorisation of overtime where unavoidable including, in exceptional circumstances, work over the overtime limit defined in the National Conditions of Service

The following function is delegated to the appropriate Head of Service

Functions of the Appointments and Investigating Committee

Delegation of Functions

Authorisation of overtime where unavoidable including, in exceptional circumstances, work over the overtime limit defined in the National Conditions of Service

- (13) Exercise of any discretion given by national and local conditions of service apart from those requiring negotiation and agreement by the Council (e.g. Part 3 of the NJC Conditions of Service).

The following function is delegated to the appropriate Head of Service

Exercise of any discretion given by national and local conditions of service apart from those requiring negotiation and agreement by the Council (e.g. Part 3 of the NJC Conditions of Service).

- (14) Implementation of decisions of recognised joint negotiating bodies regarding salaries, wages and conditions of service.

The following function is delegated to the Head of People and Technology

Implementation of decisions of recognised joint negotiating bodies regarding salaries, wages and conditions of service.

- (15) Granting of approved staff benefits to individual posts including essential car users' schemes and reimbursement of professional subscriptions.

The following function is delegated to the Head of People and Technology in consultation with the relevant Head of Service

Granting of approved staff benefits to individual posts including essential car users' schemes and reimbursement of professional subscriptions.

- (16) Granting of relocation assistance in accordance with the Council's scheme

The following function is delegated to the appropriate Head of Service

Granting of relocation assistance in accordance with the Council's scheme

- (17) Granting of concessionary leave on compassionate grounds

The following function is delegated to the appropriate Head of Service (or the Head of People and Technology)

Granting of concessionary leave on compassionate grounds.

Functions of the Appointments and Investigating Committee

- (18) Granting of additional or accelerated increments to staff to reflect special merit or to adjust anomalies in a work area.
- (19) Issue of certificates confirming for the purposes of S3(3) of the Local Government Act 1989 that the “sensitive duties criteria” does not apply
- (20) Implementation of job evaluation reviews
- (21) The prior agreement of proposed changes in responsibilities to existing posts which are likely to result in an increase in salary, before the post is reassessed through the job evaluation process.
- (22) The application of nationally negotiated pay awards to locally agreed pay structures
- (23) To approve any exceptions that may occur under paragraph 4.4 of Report ODI/10 relating to the Recruitment Incentive Scheme and the associated Retention Incentive Scheme.

Delegation of Functions

The following function is delegated to the Head of People and Technology in consultation with the appropriate Head of Service
Granting of additional or accelerated increments to staff to reflect special merit or to adjust anomalies in a work area.

The following function is delegated to the Head of People and Technology
Issue of certificates confirming for the purposes of S3(3) of the Local Government Act 1989 that the “sensitive duties criteria” does not apply

The following function is delegated to the Head of People and Technology
Implementation of job evaluation reviews

The following function is delegated to the Chief Executive / Deputy Chief Executive
The prior agreement of proposed changes in responsibilities to existing posts which are likely to result in an increase in salary, before the post is reassessed through the job evaluation process.

The following function is delegated to the Head of People and Technology
The application of nationally negotiated pay awards to locally agreed pay structures

The following function is delegated to the Head of People and Technology following consultation with the Cabinet Member for Resources

Functions of the Appointments and Investigating Committee

- (24) Minor changes to Human Resources policies and procedures which are in line with the Council's overall policies and the budget, subject to the publication of such decisions in the Members' Information Bulletin
- (25) To make a decision on a recommendation from an Independent Person when acting pursuant to Section 28(7) of The Localism Act 2011, when considering a Code of Conduct Complaint.

* These matters may be considered by the Appointments and Investigating Committee but shall be referred to the Council for determination

See also Council functions

Delegation of Functions

To approve any exceptions that may occur under paragraph 4.4 of Report ODI/10 relating to the Recruitment Incentive Scheme and the associated Retention Incentive Scheme.

The following function is delegated to the Head of People and Technology following consultation with the Cabinet Member for Resources

Minor changes to Human Resources policies and procedures which are in line with the Council's overall policies and the budget, subject to the publication of such decisions in the Members' Information Bulletin

The following function is delegated to the Head of Legal and Democratic Services in consultation with Party Group Leaders
The appointment of Members to serve on the Panel

EMPLOYMENT PROCEDURE RULES

APPENDIX 2

1. Recruitment and Appointment

(a) Declarations

- (i) Any candidate who is a relative of a Councillor or senior manager should declare this on the application form. A candidate who fails to disclose such a relationship shall be disqualified for the appointment and, if appointed, shall be liable to dismissal without notice.
- (ii) No candidate so related to a Councillor or senior manager will be appointed without the authority of the Chief Executive, Deputy Chief Executive or relevant Head of Service or an employee nominated by him/her.

(b) Seeking support for appointment

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. This will be mentioned on the application form.
- (ii) No Councillor shall solicit for any person any appointment under the Council.

Please note:- Members should not provide references in support of applications for employment by the authority unless they are doing so in their capacity as the applicant's current line manager.

2. Recruitment of Chief Executive (Head of Paid Service) Deputy Chief Executive or Heads of Service

- (1) Where the Council proposes to appoint a Chief Executive (Head of Paid Service), Deputy Chief Executive or Head of Service, the Council will draw up a candidate specification setting out:-
 - (i) The duties of the employee concerned; and
 - (ii) any knowledge, skills and qualifications to be sought in the candidate to be appointed

Where it is not proposed to make such an appointment exclusively from among the Council's existing employees it will:-

- (a) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it, and
- (b) make a copy of the statement mentioned in paragraph (1) available to the public.

These steps will be taken by the Chief Executive (Head of Paid Service or the Deputy Chief Executive on behalf of the Appointments and Investigating Committee.

- (2) Where a post has been advertised as provided in paragraph (1)(a) above, the Appointments and Investigating Committee will interview a shortlist of suitably

qualified applicants for the post. The selection of the short list may be undertaken by senior managers on behalf of the Appointments and Investigating Committee.

- (3) Where no qualified person has applied, senior managers will make further arrangements for advertisement in accordance with paragraph (1)(a) above.

3. Appointment of Chief Executive (Head of Paid Service)

The Full Council will approve the appointment of the Chief Executive (Head of Paid Service) following the recommendation of the panel of the Appointments and Investigating Committee of the Council such a panel to include at least one member of the Cabinet.

The Full Council may only make or approve the appointment of the Chief Executive (Head of Paid Service) where no well-founded objection has been made by any member of the Cabinet and in compliance with current employment legislation.

Note 4(2) below also applies to the appointment of a Chief Executive.

4. Appointment of the Deputy Chief Executive and Heads of Service

- (1) A panel from the Appointments and Investigating Committee, which includes at least one member of the Cabinet will appoint the Deputy Chief Executive and Heads of Service and any offer will be in compliance with current employment legislation.
- (2) An offer of appointment as a Chief Executive, Deputy Chief Executive or a Head of Service must not be made until:-
 - (i) The Head of People and Technology has been notified of the name of the person to whom the offer is to be made and of any other particulars which are considered to be relevant to the appointment;
 - (ii) The Head of People and Technology has then notified every member of the Cabinet and has indicated the period within which any objection to the making of the offer is to be made to him/her by the Leader on behalf of the Cabinet; and
 - (iii) Either
 - (a) The Leader has, within the period specified, notified the Appointments and Investigating Committee that neither he/she nor any other member of the Cabinet has any objection to the making of the offer; or
 - (b) The Head of People and Technology has informed the Appointments and Investigating Committee that no objection was received by him/her within that period from the Leader; or
 - (c) The Appointments and Investigating Committee is satisfied that any objection received from the Leader within that period is not material or is not well founded.

5. Other Appointments

Employees below Head of Service. Appointment of employees below Head of Service is the responsibility of the Chief Executive, Deputy Chief Executive or relevant Head of Service or his/her nominee and may not be made by Councillors.

6. Disciplinary Action

- (a) Suspension. **The Chief Executive (Head of the Paid Service), the Monitoring Officer (Head of Legal and Democratic Services) and the Chief Finance Officer (Head of Finance, Revenues and Benefits)** may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and should terminate no later than the expiry of two months; beginning on the day on which the suspension takes effect. In exceptional circumstances this may be extended. In respect of those persons this action should be taken by the Leader of the Council or the Appointments and Investigating Committee
- (b) **For a non-statutory Chief Officer (Deputy Chief Executive or Head of Service)** then this action will be taken by the Chief Executive (Head of Paid Service) under delegated powers.
- (c) Disciplinary investigation. **For the Chief Executive (Head of the Paid Service), the Monitoring Officer (Head of Legal and Democratic Services) and the Chief Finance Officer (Head of Finance, Revenues and Benefits)** the investigation will be undertaken by a panel of the Appointments and Investigating Committee as set out in Function 4 of the Appointments and Investigating Committee. The panel may appoint a suitably independent person to undertake this on their behalf.
- (d) **For a non-statutory Chief Officer (Deputy Chief Executive or Head of Service)** this will be undertaken by the Chief Executive or Deputy Chief Executive as appropriate.
- (e) Disciplinary Hearing. Where the preliminary investigation determines that there is a potential case to answer the matter will be referred to a panel of the Appointments and Investigating Committee as set out in Function 4 of the Appointments and Investigating Committee.

In the case of statutory Chief Officers then this will be a new panel of the Appointments and Investigating Committee. The panel will decide whether the case is proven and if so consider the level of sanction in line with the disciplinary procedure for Chief Officers.

- (f) Councillors will not be involved in the disciplinary action against any employee below Head of Service except where such involvement is necessary for any investigation or inquiry into alleged misconduct. The Council's disciplinary, capability and related procedures as adopted from time to time may allow a right of appeal to members in respect of a decision to dismiss.

7. Dismissal

- (1) Councillors will not be involved in the dismissal of any employee below Head of Service except where such involvement is necessary for any investigation or inquiry into alleged misconduct. The Council's disciplinary, capability and related

procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals.

(2) Notice of dismissal of a non-statutory Chief Officer (Deputy Chief Executive or a Head of Service) must not be made until:-

- (i) The Head of People and Technology has been notified of the name of the person who the Committee wishes to dismiss and of any other particulars which are considered to be relevant to the dismissal; and
- (ii) The Head of People and Technology has then notified every member of the Cabinet and has indicated the period within which any objection to the dismissal is to be made to him/her by the Leader on behalf of the Cabinet; and
- (iii) Either
 - (a) The Leader has within the period specified, notified the Committee that neither he/she nor any other member of the Cabinet has any objection to the dismissal; or
 - (b) The Head of People and Technology has notified the Committee that no objection was received by him/her within that period from the Leader; or
 - (c) The Committee is satisfied that any objection received from the Leader within that period is not material or is not well founded.

8. Dismissal of a Statutory Chief Officer (Head of Paid Service, the Monitoring Officer and the Chief Finance Officer)

In the case of a recommendation for dismissal of the Chief Executive (Head of Paid Service), the Monitoring Officer (Head of Legal and Democratic Services) or the Chief Finance Officer (Head of Finance, Revenues and Benefits), a panel of at least two independent persons will be appointed to advise the Council on matters relating to the dismissal of the relevant officers. The Council must take into account any advice, views or recommendations of the Independent Panel before taking a vote on whether or not to approve such a dismissal.

- 9.** In the event that the panel of the Appointments and Investigating Committee's recommendation was that dismissal was appropriate, then the matter would go forward to a full meeting of Council where a decision to approve the dismissal would be taken. The decision would be made having taken into account the conclusions of the Appointments and Investigating Committee, any advice, views or recommendations of the Independent Panel and any representations from the officer concerned.

10. Right of Appeal

In the case of Chief Executive (Head of Paid Service), the Monitoring Officer (Head of Legal and Democratic Services) and the Chief Finance Officer (Head of Finance, Revenues and Benefits) then the hearing at full Council will act as an appeal against the decision to dismiss. In the case of the Deputy Chief Executive and other Heads of Service then any appeal will be heard by the Staff Appeals Board.

APPENDIX 3

**RESPONSIBILITY FOR COUNCIL FUNCTIONS
THE INDEPENDENT PANEL**

At least 20 days before the Council considers whether or not to approve a proposed dismissal of a Statutory Chief Officer of the Council namely The Head of Paid Service, The Monitoring Officer and The Chief Finance Officer, the Independent Panel will be appointed and comprise of at least two Independent Persons in accordance with paragraph 5 of Schedule 3 to The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

Such a Panel will be arranged by The Head of Legal and Democratic Services or in the case of any action against that Officer, by the Deputy Monitoring Officer.

Functions of the Independent Panel

Delegation of Functions (concurrently with the Independent Panel)

- (1) To offer advice, views or recommendations on the dismissal of the Statutory Officers of the Council namely the Head of Paid Service (Chief Executive), The Monitoring Officer (The Head of Legal and Democratic Services) and The Chief Finance Officer (Head of Finance, Revenues and Benefits), in accordance with the Local Authorities (Standing Orders) (England) (Amendments) Regulations 2015

Extract from Article 4: The Full Council

4.2. Functions of the Full Council

Only the Council will exercise the following functions:-

- (a) adopting and changing the Constitution;
- (b) approving or adopting the policy framework, the budget and any application to the Secretary of State in respect of any Housing Land Transfer;
- (c) in connection with the discharge of the function of formulating a plan or strategy for the control of the Council's borrowing, capital expenditure or investments, the giving of instructions requiring the Cabinet to reconsider any draft plan or strategy submitted by the Cabinet for the Council's consideration, the amendment of any draft plan or strategy submitted by the Cabinet for the Council's consideration; and the adoption (with or without modification) of the plan or strategy;
- (d) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision taker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (e) appointing the Leader
- (f) agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them;
- (g) appointing representatives to outside bodies unless the appointment is a Cabinet function and has been delegated by the Council;
- (h) adopting an allowances scheme under Article 2.7;
- (i) changing the name of the area, conferring the title of honorary alderman or freedom of the Borough;
- (j) approving the appointment or dismissal of the Head of Paid Service and **approving the dismissal of the Monitoring Officer and Chief Finance Officer;**
- (k) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (l) all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet;
- (m) all matters which, by law, must be reserved to Council;

- (n) agreeing to establish a joint Committee to be, for the purposes of Part 2 of the Planning and Compulsory Purchase Act 2004, a local planning authority;
- (o) agreeing to confer additional functions on a joint Committee;
- (p) power to request the dissolution of a joint Committee;
- (q) power to resolve not to issue any casino premises licenses within the Borough under Section 166 of the Gambling Act 2005;
- (r) approval of an allowance for the Mayor and Deputy Mayor other than where the allowance is updated for inflation in accordance with the Budget Strategy;
- (s) considering relevant petitions submitted under the Crawley Borough Council Petitions Scheme.

4.3. **Council Meetings**

There are three types of Council meeting:-

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings

and they will be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution

4.4. **Responsibility for Functions**

The Council will maintain the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Cabinet.

Extract from the Responsibility for Cabinet Functions

RESPONSIBILITY FOR CABINET FUNCTIONS

Membership:	Councillor P K Lamb	(Leader of the Council)
	Councillor S J Joyce	(Deputy Leader of the Council)
Councillors	S J Joyce	(Cabinet Member for Housing)
	C C Lloyd	(Cabinet Member for Environmental Services and Sustainability)
	C J Mullins	(Cabinet Member for Wellbeing)
	M G Jones	(Cabinet Member for Public Protection and Community Engagement)
	P C Smith	(Cabinet Member for Planning and Economic Development)
	A C Skudder	(Cabinet Member for Resources)

All the powers and duties of the Council are allocated to the Leader **EXCEPT:-**

- (i) approval or adoption of the Policy Framework, which means the plans and strategies set out in the Policy Framework Procedure Rules within this Constitution.
- (ii) approval of the budget including the Council's financial strategy, annual budget and rules for variations to the approved spending plans - approval to include the allocation of financial resources (revenue and capital) to services or projects, proposed contingency funds, setting the Council tax and determining overall limits in relation to borrowing requirements in connection with the discharge of the function of formulating a plan or strategy for the control of the Council's borrowing, capital expenditure or investments, the giving of instructions requiring the Cabinet to reconsider any draft plan or strategy submitted by the Cabinet for the Council's consideration, the amendment of any draft plan or strategy submitted by the Cabinet for the Council's consideration; and the adoption (with or without modification) of the plan or strategy.

(The Cabinet will be responsible for putting draft proposals to the Council on the above issues.)

- (iii) approval or adoption of any applications (whether in draft form or not) to the Secretary of State for approval of the inclusion of a disposal in a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or for consent to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985

- (iv) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of the Constitution (when adopted), making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the Cabinet is minded to make it in a manner which would be contrary (a) to the policy framework or (b) contrary to/ or not wholly in accordance with the budget (including any part of the budget as varied from time to time within the limits set in the Procurement Code/Financial Procedure Rules or otherwise) or (c) contrary to/not wholly in accordance with the virement limits determined by the Council whether by means of the Procurement Code/Council Procedure Rules/Financial Procedure Rules or otherwise.

In such cases the Cabinet shall not determine the matter itself but shall refer it to Council for determination

- (v) appointing the Leader (Note: the appointment of Members of the Cabinet is the responsibility of the Leader)
- (vi) agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them
- (vii) appointing representatives to outside bodies unless the appointment is a Cabinet function and has been delegated by the Leader
- (viii) adopting a Members Allowances Scheme
- (ix) changing the name of the area, conferring the title of honorary alderman or freedom of the Borough
- (x) approving the appointment or dismissal of the Head of Paid Service, **and approving the dismissal of the Monitoring Officer and the Chief Finance Officer**

Functions of the Staff Appeals Board

RESPONSIBILITY FOR COUNCIL FUNCTIONS STAFF APPEALS BOARD

The powers and duties of the Council relating to the functions set out below are delegated to the Staff Appeals Board

Membership:- The Board will consist of the following Members from whom three Members (of whom at least one shall be an opposition Member) will be called upon to determine an appeal. The quorum of the Board will, therefore, be three. The Board will be supported by a Senior Human Resources Representative in an advisory role only.

Membership:- Councillors: M L Ayling, Dr H S Bloom, R G Burgess, R D Burrett, C A Cheshire, D G Crow, I T Irvine, S J Joyce, M G Jones, P K Lamb, C C Lloyd, R A Lanzer, 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

Functions of the Staff Appeals Board

(1) To consider appeals against dismissal, grading and grievances by employees of the Council

Delegation of Functions (concurrently with the Staff Appeals Board)

The following function is delegated to the Chief Executive/Deputy Chief Executive/appropriate Head of Service
Appeals against disciplinary warnings

The following function is delegated to the Chief Executive/Deputy Chief Executive/relevant Head of Service
Appeals against grievances
(Appeals will only go forward to the Staff Appeals Board in limited circumstances as outlined in the Council's Grievance Procedure)

The following function is delegated in accordance with the current local agreement on job evaluation
Appeals against gradings

Functions of the Staff Appeals Board

Delegation of Functions (concurrently with the Staff Appeals Board)

The following function is delegated to the Chief Executive, in consultation with the Leader of the Council and the Cabinet Member for Resources

Authority to agree a Settlement Agreement in circumstances where an employee or former employee of the Council has made a claim or has a potential claim against the Council. In addition, where the Settlement Agreement includes an amount of financial compensation, the Chief Executive, in consultation with the Leader of the Council and the Cabinet Member for Resources, has delegated authority to agree the amount following consultation with the Head of Legal and Democratic Services (where the Chief Executive is the subject of the agreement then the Section 151 Officer will replace them in the authorisation process).

- (2) To hear appeals by non-statutory Chief Officers in respect of any disciplinary, capability or grievance procedure.

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission Monday 5 October 2015 at 7.00pm

Present:

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

Also in Attendance:

Councillors M G Jones, S J Joyce, B McCrow, C J Mullins

Mr J G Smith MBE, Honorary Freeman and Alderman

Apology for Absence:

Councillor R G Burgess

Officers Present:

Rob Channon Interim Head of Community Services (Operations)
Karen Dodds Head of Crawley Homes
Heather Girling Democratic Services Officer
Chris Harris Head of Community Services
Lee Harris Chief Executive
Karen Rham Parks and Streetscene Manager

45. 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	51	Fairness Commission Scrutiny Panel Final Report	Personal Interest – Wife is a Trustee of Crawley Community Voluntary Service
Councillor C A Cheshire	51	Fairness Commission Scrutiny Panel Final Report	Personal Interest - Patient Representative of Crawley Clinical Commissioning Group
Councillor C A Cheshire	51	Fairness Commission Scrutiny Panel Final Report	Personal Interest – Trustee of Crawley Community Transport
Councillor C A Cheshire	51	Fairness Commission Scrutiny Panel Final Report	Personal Interest – Trustee of Crawley Community Voluntary Service

Councillor R A Lanzer	51	Fairness Commission Scrutiny Panel Final Report	Personal Interest – Member of Central & South Sussex Citizens' Advice Bureau
Councillor K Sudan	51	Fairness Commission Scrutiny Panel Final Report	Personal interest - CBC Representative for Relate
Councillor L Vitler	51	Fairness Commission Scrutiny Panel Final Report	Personal interest – work in Mental Health Wellbeing Services.
Councillor L Vitler	51	Fairness Commission Scrutiny Panel Final Report	Personal interest – attends Young Crawley Children & Families CCVS Forum

46. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [7 September 2015](#) were approved as a correct record and signed by the Chair. The Chair welcomed officers to the Commission's meeting and once again conveyed thanks to all staff who worked in the Parks and Streetscene teams and the service as a whole. Councillor Irvine raised an issue on item 33 (Community Policing – Policing in Sussex) and wished to minute that following the withdrawal of the poster campaign run by Sussex Police to counter sexual violence, it was acknowledged by the Police and Crime Commissioner that it was key for Sussex Police to consult with partners when producing campaigns. Partnership working was of paramount importance (for example door supervisor training) and will be key in the future of policing.

47. Public Question Time

No questions from the public were asked.

48. Review of the Amendments to the Under Occupation Incentive Policy

The Commission considered report [CH/166](#) of the Head of Crawley Homes. The report reviewed the effectiveness of the amendments made to the Policy in January 2015.

During the discussion with the Cabinet Member for Housing and the Head of Crawley Homes, the following points were expressed:

- Appreciation that the amended policy was providing assistance financially to support Council tenants affected by the removal of the spare room subsidy and encouraged those under occupying their home to downsize into a smaller property.
- Acknowledgement that Council tenants who wished to downsize will be assessed on the Housing Register as Band A+ or A, and must meet various criteria.
- It was suggested that perhaps there may be scope to quantify the scheme's success and to also increase the number of homes released. However it was noted that there was low demand for larger properties which were being released and still high demand for two bedroom properties.
- Recognition that the development programme was focusing on the identified need in terms of accommodation requirements.

- Whilst concern was expressed for the vulnerable or those requiring additional support it was acknowledged that the Tenancy Support Officer was able to assist or refer to external support agencies.

RESOLVED

That the Commission welcomed the update and noted the review of the Policy.

49. Five Year Business Plan for Tilgate Park and Nature Centre

The Commission considered report [HCS/02](#) with the Cabinet Member for Wellbeing and the Head of Community Services. The report explored proposals to further improve the attractions and facilities at Tilgate Park and the Nature Centre, whilst maintaining the existing infrastructure and raising income to reach a self-financing position by 2020/21.

During the discussion with the Cabinet Member for Wellbeing, the Head of Community Services and the Parks and Streetscene Manager the following points were made:

- Appreciation that there will continue to be a mixture of 'fun and wilderness'.
- Concern was expressed by some Members that the environment at Tilgate Park was not conducive for exotic animals. The importance of animal conservation was highlighted over their exhibition and income generation. However, it was noted that animals in captivity tend to live longer and the animals at the nature centre are well cared for. The Council has access to a wider zoological family for breeding which in some cases is complex (as it is in the wild). It was confirmed that the wider selection of animals will assist in improving education which is paramount, together with maintaining interesting attractions.
- Acknowledgement that the research undertaken for the Five Year Business Plan had resulted from independent customer feedback from previous visits along with income projections based on the effect from the opening of the 'European Zone'.
- Support by most Members for the general improvements in attractions, facilities and gardens, providing a sensible and measured approach in order to assist in the park and nature centre becoming self-financing. The management of the facility will be of paramount importance, needing to ensure that visitors receive a good experience, at the park and nature centre.
- Acknowledgement for the request for a 'remembrance garden' however it was felt this should be created sensitively, taking into account all views and needed to be well managed.
- Support for work to improve income opportunities through other areas such as secondary spend including the shop, café and partnership working.
- Support for the ongoing marketing and promotion campaigns to increase awareness of the park's attractions (for example improved signage and redesigned maps). There was particular endorsement for differential charging and the re-establishment of the 'Passport to Leisure' or 'Leisure Plus' scheme that previously existed (or similar), providing subsidised leisure use to Crawley residents.

RESOLVED

That the contents of the report be noted and the Cabinet Member and Head of Community Services consider the comments. The Cabinet Member was thanked for his enthusiastic presentation.

50. Allotments and Delivery of Service Provision Update Report

The Commission considered report [HCS/01](#) of the Head of Community Services, which provided an update on the current Allotments Systems Thinking Review, together with the service improvements undertaken.

During the discussion with the Cabinet Member for Wellbeing and the Interim Head of Community Services (Operations), Members' main comments included:

- Support for the consultation that had taken place with allotment holders. The continuing communications were welcomed and will allow further improvements to be made along with an enhanced customer service.
- Appreciation that offering a range of plot sizes provided allotment holders the opportunity to select a plot size that met their needs and the charges were on a sqm basis.
- Acknowledgement that a new tenancy agreement was in place, however it was hoped that allotment holders that do not abide by the agreement would be contacted swiftly.
- Acknowledgement that there was an inconsistency and under provision of allotment plots across different areas of the town. There was support for the allocation of allotments in new neighbourhood developments wherever possible, however the necessary land needed to be available.

RESOLVED

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

51. Fairness Commission Scrutiny Panel Final Report

The Commission considered report [OSC/242](#) of the Chair of the Fairness Commission Scrutiny Panel, Councillor K Sudan. The report provided information, actions and recommendations following the Scrutiny Panel Review.

During the discussion with the Chair of the Panel, the following points were expressed:

- The Panel Chair thanked the officer for the work she had undertaken throughout the scrutiny review.
- There was recognition that given the amount of work currently being undertaken in Crawley it was felt that the establishment of a full Fairness Commission model resided better with '1st tier' authorities. It was felt that Crawley has a very good voluntary sector.
- There was support that any proposed structure would not replicate the Local Strategic Partnership (Crawley Together) as the town had evolved and this may not prove advantageous.
- It was understood that a hybrid option was the recommended approach, as this added value but at little cost. It would be effective at drawing information together from voluntary organisations together with data such as the Local Picture and Community Profile information.
- There was concern that the proposed structure lacked robustness and needed to be refined. It was confirmed that the Panel anticipated various selected Members attending each of the CCVS Forums and being responsible for an area before reporting back to the 'Community Needs Panel' on priorities. This Panel would

look at fact (data) together with commentary, along with Lead Officers from Community Development who it was envisioned may be responsible for the Panel (officers had been involved in the Scrutiny Panel discussions). It was envisaged meetings would take place when required, after the CCVS Forum meetings.

- It was felt that the criteria for membership in the proposed structure needed to be refined. It was added that there would be value in Members attending the CCVS Forums and attendance from both political groups would be welcomed as this would add value.
- The Commission accepted the recommendations in principle but thought further work may be required by the Scrutiny Panel to refine the structure.

RESOLVED

That the Commission welcomed the report and agreed to support the recommendations to the Cabinet but thought the Scrutiny Panel could further refine the structure.

The Chief Executive left the meeting after this item.

52. Portfolio Discussion with the Cabinet Member for Wellbeing

The Commission noted the update given by Councillor Mullins on his portfolio and questioned him on a variety of other issues relating to his [portfolio](#).

The following topics were discussed:

- It was important that aspects of the portfolio included both physical and mental wellbeing.
- There was support to increase the leisure facilities within the town, particularly at K2 Crawley.
- The Wellbeing Service (which is run in partnership with West Sussex County Council and the local NHS) regularly provides advice on healthy eating, together with ways for improving general health and wellbeing.
- There was recognition that noise could potentially be attributed to poor health.
- The current anti-smoking campaign 'Stoptober' was welcomed by Members but it was felt that increased publicity may increase registration.
- There was support for a Members' seminar on Wellbeing.

RESOLVED

That the Overview and Scrutiny Commission thanked Councillor Mullins for attending and for the informative discussion that had ensued.

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

Councillor W A Ward provided an update on the HASC meeting held on 1 October 2015. The major items discussed were as follows:

- The number of care homes in Crawley had significantly reduced. The support provision was discussed for those remaining in terms of training, budget and maintaining standards.

- It was acknowledged that the existing care homes may be outside of the borough, putting increasing pressure on the remaining carer, particularly if they do not have access to a vehicle.
- There was recognition that the Dementia Framework was an initiative set up by WSCC and the Task and Finish Group had recently concluded its review to scrutinise the Dementia Framework 2014-2019.

54. Scrutiny Panels

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

Review of Democratic Structures

Councillor B A Smith informed the Commission that the first meeting of the Scrutiny Panel was scheduled to take place on 13 October 2015.

55. Forward Plan – November 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 Commission's meetings.

RESOLVED

That the reports already referred from the Forward Plan included:

December 2015

Crawley Borough Local Plan: Crawley 2030

Crawley Borough Local Plan: Local Development Scheme 2015–2018

Treasury Management Mid-Year Review 2015-2016

Skills Development Plan

Town Centre Regeneration Programme

56. Closure of Meeting

The meeting ended at 9.45pm.

B A SMITH
Chair

Crawley Borough Council

Minutes of Cabinet

Wednesday 7 October 2015 at 7.30pm

Present:

Councillor	P K Lamb	(Chair of Cabinet and Leader of the Council)
	S J Joyce	(Deputy Leader of the Council and Cabinet Member for Housing)
	M G Jones	(Cabinet Member for Public Protection and Community Engagement)
	C C Lloyd	(Cabinet Member for Environmental Services and Sustainability)
	C J Mullins	(Cabinet Member for Wellbeing)
	A C Skudder	(Cabinet Member for Resources)
	P Smith	(Cabinet Member for Planning and Economic Development)

Also in Attendance:

Councillors R D Burrett, D G Crow and K Sudan

Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Peter Browning	Deputy Chief Executive
Lee Harris	Chief Executive
Steve Lappage	Democratic Services Manager
Diana Maughan	Head of Strategic Housing and Planning Services
Nigel Sheehan	Head of Partnership Services

Apologies for Absence:

There were no apologies for absence.

35. Members' Disclosure of Interests

There were no disclosures of interest.

36. Minutes

The minutes of the meeting of the Cabinet held on [9 September 2015](#) were approved as a correct record and signed by the Chair.

37. Public Question Time

There were no questions from the public.

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

The Head of Legal and Democratic Services reported that no representations had been received in respect of agenda item *12 Crawley Museum: Appointment of Contractor*.

39. Matters Referred to the Cabinet

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

40. Affordable Housing Enabling: Langley Green Primary school site (Housing Portfolio)

The Cabinet considered report [SHAPS/51](#) of the Head of Strategic Housing and Planning Services which requested Cabinet to recommend to Full Council to approve £1.5m funding from the Right-to-Buy 1-4-1 Budget (a reserve) to enable Raven Housing Trust to deliver the 30 residential housing units at Langley Green Primary School all for Affordable Rent, with rents discounted to 65% of open market rent values.

The report explained:

- a) How, working in partnership with the Council, Raven had agreed to remodel the scheme to ensure compliance with the RTB 1-4-1 Funding regulations.
- b) That a contribution of £1.5m would keep RTB 1-4-1 Funding to within 30% of total scheme costs, enabling the Council to achieve nominations for 30 Affordable Rent units with rents discounted to 65% of open market rent levels rather than nominations for 12 Affordable Rent units at 80% rent levels.
- c) As part of the RTB 1-4-1 Funding regulations, the Council was required to commit and spend these receipts within 36-months of having being received, and this scheme presented an opportunity to help ensure that no penalties would be incurred for not meeting this requirement.
- d) If the £1.5m of RTB funds was not allocated to the Langley Green Primary School scheme, there would be no latitude for slippage of other schemes within the Council's own-build programme and would place potential risk of an underspend by June 2016 if any slippage were to occur, which would incur the associated financial penalties.

RESOLVED

RECOMMENDATION 5

That Full Council be RECOMMENDED:

- a) To approve the allocation of £1.5m from the RTB 1-4-1 Budget for the provision of 30 Discounted Affordable Rent units presently under construction at the Langley Green Primary School site.
- b) To grant delegated authority to the Head of Strategic Housing and Planning Services, the Head of Legal and Democratic Services and the Head of Finance Revenues and Benefits, in consultation with the Portfolio Member for Housing, to conclude a Funding Agreement with Raven to deliver this scheme as proposed.

Reasons for Decision

1. The Council works with Housing Association partners to enable affordable housing delivery within the Borough as part of a comprehensive development strategy, and in this instance the Council is presented with the enabling opportunity to achieve significant affordable housing gains with increased Nomination Rights over what would otherwise have been achieved.
2. These gains are being achieved both in terms of securing additional housing units for Affordable Rent Tenure, as well as achieving discounted rentals on all of the units offering an improved level of affordability mid-range between Social Rent levels and typical Affordable Rent levels (that are usually set at 80% of market rent).
3. The mix of unit types meets Crawley's housing needs, offering 10 flats and 20 houses, in the form of 6 one-bed flats, 4 two-bed flats, with 8 two-bed houses and 12 three-bed houses, providing a scheme predominantly suited for family accommodation that is in close proximity to all necessary amenities.
4. In addition, the scheme is presently on-site and therefore also offers the Council quick gains and assured delivery without any associated risks.

41. Fairness Commission Scrutiny Panel Final Report (Public Protection and Community Engagement and Planning and Economic Development Portfolios)

The Cabinet considered report [OSC/242](#) of the Chair of the Fairness Commission Scrutiny Panel on the work and findings arising from its scrutiny review.

The Chair of the Panel outlined the conclusions and recommendations from the scrutiny review and the main comments expressed at the meeting of the Overview and Scrutiny Commission on 5 October 2015. These included:

- a) That the establishment of a full Fairness Commission model was considered to reside better with '1st tier' authorities.

- b) That any new structure should not be too onerous or resource intensive nor replicate the Local Strategic Partnership (Crawley Together) as the town had evolved and this may not prove advantageous.
- c) Recognition that a lot of positive work was undertaken in Crawley particularly through the voluntary sector.
- d) The Panel's preference for a hybrid option which would add value at little cost and be more effective at drawing information together from voluntary organisations and communicating it in a more structured way amongst Members and other stakeholders.
- e) That the Commission had agreed to support the recommendations to Cabinet, whilst noting some concerns expressed that the structure of the proposed Community Needs Panel lacked robustness and needed to be refined.

The Cabinet Member for Public Protection and Community Engagement welcomed the report and expressed support, in principle, for the recommendations but raised several queries, including the areas outlined below, which needed to be confirmed before the Cabinet could be in a position to reach a decision to proceed:

- (a) The establishment and operation of the proposed Community Needs Panel including:
 - the number and composition of Members of the Panel
 - the number of meetings;
 - which service department would resource it;
 - how the involvement, when appropriate, of other service areas, officers, Cabinet Members and organisations would be facilitated;
 - the structure and reporting arrangements within the Council.
- (b) How the Members should be allocated to the respective Crawley Community and Voluntary Services' (CCVS) Panels and how the interaction between those members sitting on the Community Needs Panel and CCVS forums would be facilitated.
- (c) Further clarity on the purpose, objectives, actions, priorities, outcomes, monitoring & review arrangements and responsibility for delivering and communicating these to Members, officers and other stakeholders.

Although the Cabinet Member acknowledged that some of the queries could be covered at this Cabinet meeting, it was preferred that clarification on all of the matters he had raised, including those above, be incorporated in a written response from the Fairness Commission Scrutiny Panel to the next meeting of the Cabinet.

RESOLVED

- 1) The report be welcomed in principle.
- 2) The Fairness Commission Scrutiny Panel be requested to further consider all of the matters raised and provide clarification in a written response to the next meeting of the Cabinet to enable the Cabinet to be fully appraised of how the proposed Community Needs Panel was intended to work in practice in order to deliver the best outcomes and, therefore, be in a position to reach a decision to proceed.

42. Exempt Information – Exclusion of the Public (subject to agenda item 5)

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the public

be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraphs specified against the items.

43. Crawley Museum: Appointment of Contractor (Wellbeing Portfolio)

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

The Cabinet considered report HPS/02 of the Head of Partnership Services which sought approval for the most advantageous tender for the construction of Crawley Museum at The Tree at the junction of the High Street and The Boulevard.

RESOLVED

That the appointment of Stoneham Construction Ltd for the construction of Crawley Museum (at "The Tree") for the sum of £1,157,738 be approved.

Reason for Decision

Under the Council's Procurement Code, appointments to works contracts over a value of £500,000 are approved by Cabinet. Following a two stage design and build competitive tender process, Stoneham Construction Ltd were recommended as the contractor for the construction of the Museum. The value of this contract is £1,157,738.

44. Closure of Meeting

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

P K LAMB
Chair