

Crawley Borough Council

Minutes of the Full Council

Wednesday 24 February 2016 at 7.30 p.m.

Present:

Councillor	C A Cheshire (Mayor)
Councillor	R Sharma (Deputy Mayor)
Councillors	M L Ayling, Dr H S Bloom, 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:

Dr B Jones – Appointed Independent Person.
Mr P Nicolson – Appointed Independent Person.

Officers Present:

Lee Harris	Chief Executive.
Ann-Maria Brown	Head of Legal and Democratic Services.
Peter Browning	Deputy Chief Executive.
Roger Brownings	Democratic Services Officer.
Karen Hayes	Head of Finance, Revenues and Benefits.

90. Apologies for Absence

Councillor K Brockwell.
Mr A Quine - Honorary Freeman and Alderman.

91. Members' Disclosures of Interests

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

92. Communications

(i) Terrorist Attacks on Paris

The Mayor referred to the terrorist attacks on Paris last November and to the subsequent announcement she made at the Full Council's meeting on 16 December that, on behalf of this Council and the people of Crawley she had written to the Mayor of Paris to express our deepest condolences to the people of that City and conveying our solidarity in condemning those atrocities.

The Mayor was pleased to announce that since that meeting a letter of response had been received from the Mayor of Paris on behalf of all Parisians. The letter thanked the Council and this community for the heartfelt message conveyed, and the Mayor read the letter to the Council in full.

(ii) Mary Hamilton and Geoff Oxlade

The Mayor referred to two long serving local magistrates, Mary Hamilton and Geoff Oxlade. Both Mary and Geoff were shortly due retire as magistrates after 30 years and 27 years respectively, and the Mayor announced that on behalf of the Council she had written to both to express our sincere gratitude for their many years of dedicated service to this community.

(iii) Notice of Precept

The Head of Legal and Democratic Services confirmed that the Notice of Precept had been received from the Police and Crime Commissioner for Sussex and West Sussex County Council following the publication of both the agenda and the minute book for this meeting of the Full Council. Those precept details had since been circulated to all Members, and a further recommendation (Recommendation 2) would be moved in relation to the 2016/2017 Budget and Council Tax.

93. Public Question Time

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

Questioner's Name	Subject	Name of Councillor(s) Responding
Mr J Cooban	With reference to the Notice of Motion to be considered later at this meeting regarding the recent felling of trees at Tilgate Golf Course, Mr Cooban asked when could work start on a Borough wide tree strategy.	In response to this matter, Councillor Mullins agreed that it was vital that the Council ensured that good care was taken of the town's trees and that they be maintained to a high standard. In so doing he referred to the Council's policy of replacing any tree that needed to be felled with the planting of two new trees, and emphasised that a good number of trees throughout the Borough

Questioner's Name	Subject	Name of Councillor(s) Responding
		<p>were protected by a Tree Preservation Order. Councillor Mullins commented that any advice that Mr Cooban could pass-on as a result of his own work on trees would always be welcome.</p>
Ms M Kempshall	<p>Seeking clarification on rights and obligations in terms of the area of Tilgate Golf Course.</p>	<p>In response to the issues raised, Councillor Mullins indicated that the public do have a right to roam across footpaths on the Golf Course - but not across the greens, whilst also indicating that there was an obligation on the Council to ensure that footpaths in that area were maintained and were fit for purpose.</p>
Mr P Skerratt	<p>Concerns raised regarding the Golf Course Operator's implementation of the Woodland Management Plan, and their obligations under the associated lease.</p>	<p>Councillor Mullins emphasised that discussions had been held with the Golf Course Operator on the issues raised. Whilst work would continue to maintain the woodland area at the Golf Course, Councillor Mullins indicated that more would be done to ensure that the work would be implemented in a more sympathetic way to the natural environment, with that work being undertaken on a year on year basis. He highlighted a commitment to consult with residents in advance of undertaking major works in the future. Mr Skerratt identified a number of further concerns, whilst the Mayor thanked him for the issues he had raised, and reiterated that there would be far more scrutiny by the Council, with the aim of keeping the area well maintained.</p>

Questioner's Name	Subject	Name of Councillor(s) Responding
Mr S Quinn	Mr Quinn questioned the Council's commitment regarding the proper management of the Golf Course woodland area	Councillor Mullins assured Mr Quinn that the Council and its Officers took the good maintenance of the area concerned very seriously, and that concerns raised would be addressed.
A resident of Three Bridges whose name was not clear.	Assurances sought that in future trees are not felled at the Golf Course without first receiving the permission of the Council.	Councillor Mullins emphasised that the trees in question were removed for safety reasons, and felling was only granted following a site visit by the Forestry Commission.
Mr I Jerome	Mr Jerome referred to the unsightly mess left behind following the felling of trees in the Golf Course area, and asked when the site would be cleared.	<p>Councillor Mullins commented that because of the recent inclement weather, including heavy and persistent rain, the ground of the area concerned was unapproachable at the moment, but that the Golf Course Operator would commence the clearing of the site as soon as was practicable. There was a requirement to leave cuttings on the ground to help enhance the important habitat for wildlife in the area, and Councillor Mullins was confident that on completion of the work to be undertaken, the site would look much better as the year progressed.</p> <p>The Mayor invited all those in the Public Gallery to stay for the debate on the associated Notice of Motion to be considered later at this meeting.</p>

94. Minutes

The minutes of the meeting of the Full Council held on [16 December 2015](#) were approved as a correct record and signed by the Mayor.

95. 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)
25	Development Control Committee 4 January 2016 Minute 45 (Conservative Group)	CR/2015/0609/FUL 15-29 The Broadway, Northgate, Crawley.	
54	Cabinet 10 February 2016 Minute 65 (Labour and Conservative Group)		2016/2017 Budget and Council Tax (Recommendation 1)
54	Cabinet 10 February 2016 Minute 65 (Labour Group)		Notice of Precept (Recommendation 2)
55	Cabinet 10 February 2016 Minute 66 (Labour and conservative Group)		Treasury Management Strategy 2016/17 (Recommendation 3)

96. 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 – 4 January 2016.
- (b) Overview and Scrutiny Commission – 11 January 2016.
- (c) Licensing Committee – 12 January 2016.
- (d) Governance Committee – 18 January 2016
- (e) Development Control Committee – 1 February 2016.
- (f) Overview and Scrutiny Commission – 8 February 2016.
- (g) Cabinet – 10 February 2016.

Recommendations to Full Council not Reserved for Debate (Unreserved Items)

Whilst at this point (and as indicated in the agenda) it was to be moved that the recommendations to Council, which had not been reserved for debate be adopted, this was not now necessary as all the recommendations to Council had, on this occasion, been reserved for debate.

97. Reserved Items

The matters identified in Minute No. 95 above were debated by the Full Council. These included:

(a) Matter raised under the report of the Development Control Committee – 4 January 2016

The matter raised was in relation to Planning Application CR/2015/0609/FUL - 15-29 The Broadway, Northgate, Crawley (Minute 45).

Several Members expressed concern about the principle of no car parking provision arising from this permitted application (for a residential-led scheme) and that this might set a precedent in terms of other similar applications in the future. In response, and in relation to the application itself, there was a more general view that the choice of alternative modes of transport and accessibility of local facilities in the location meant that this was an ideal site for a car free development, whilst with reference to the advice and assurances of Planning Officers, it was emphasised that each application was judged on its own merits, so no precedent had been set. Whilst raising a number of issues around this matter, Members compared the application to “City Centre Living” suggesting that only those who wanted to reside at the new development would choose to do so. The Chair of the Development Control Committee reminded the Council that the application met the requirements of the Local Plan and national guidance, and in making its decision to permit, the Committee had felt that this was the right application for this part of the Town and would greatly improve that area.

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

These were dealt with as set out in Minute Numbers 98, 99, and 100 below:-

**98. 2016/2017 Budget and Council Tax
(Cabinet – 10 February 2016)
(Recommendation 1)**

The Cabinet had considered report [FIN/380](#) of the Head of Finance, Revenues and Benefits, which had also been considered by the Overview and Scrutiny Commission at its meeting on 8 February 2016.

Members expressed their thanks and appreciation for the work carried out by Karen Hayes (Head of Finance, Revenues and Benefits), the Finance Division generally and the Budget Advisory Group (BAG).

The Full Council was reminded that regulations required all Councils at their annual budget meetings to adopt the practice of recorded votes - that is recording in the minutes of the meeting how each member present voted on any decision relating to the Annual Budget and Council Tax. This applied not only to substantive budget motions to agree the budget and setting council taxes, including precepts, but also on any amendments proposed.

The Full Council undertook a full and detailed debate and considered all the issues raised. In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the names of the Members voting for and against the Recommendation were recorded as set out below:-

For the Recommendation:-

Councillors M L Ayling, Dr H S Bloom, B J Burgess, R G Burgess, R D Burrett, C A Cheshire, D G Crow, C R Eade, F Guidera, I T Irvine, K L Jaggard, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, T Lunnon, L S Marshall-Ascough, K McCarthy, B McCrow, C A Moffatt, C J Mullins, D M Peck, B J Quinn, R Sharma, A C Skudder, 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 (36).

Against the Recommendation:-

None.

Abstentions:-

None.

The Recommendation was therefore CARRIED, and it was

RESOLVED

- (1) That the proposed 2016/17 General Fund Budget including savings and growth as set out in section 6 and Appendix 1 and Appendix 2 to report FIN/380, be approved.
- (2) That the proposed 2016/17 Housing Revenue Account Budget as set out in section 10 and Appendix 3 of the report, be approved.
- (3) That the 2015/16 to 2018/19 Capital Programme and funding as set out in paragraph 11.5 of the report, be approved.
- (4) That the Council's share of Council Tax for 2016/17 be increased by 0.77% from £187.83 to £189.27 for a band D property as set out in paragraphs 5.5.1 and 13.3 of the report.
- (5) That the Pay Policy Statement for 2016/2017 as outlined in paragraph 16.3 and Appendix 6 of the report, be approved.

**99. 2016/2017 Budget and Council Tax
(Cabinet – 10 February 2016)
(Recommendation 2)**

Councillor Lamb referred to the receipt of the [Notice of Precept](#) from the Police and Crime Commissioner for Sussex and West Sussex County Council, which had been circulated separately as Recommendation 2.

Following approval of the Council's budget in Recommendation 1, and in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the names of the Members voting for and against Recommendation 2 were recorded as set out below:-

For Recommendation:-

Councillors M L Ayling, Dr H S Bloom, B J Burgess, R G Burgess, R D Burrett, C A Cheshire, D G Crow, C R Eade, F Guidera, I T Irvine, K L Jaggard, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, T Lunnon, L S Marshall-Ascough, K McCarthy, B McCrow, C A Moffatt, C J Mullins, D M Peck, B J Quinn, R Sharma, A C Skudder, 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 (36).

Against Recommendation:-

None.

Abstentions:-

None.

The Recommendation was therefore CARRIED, and it was

RESOLVED

1. That it be noted that on 17 December 2015 the Chair of the Cabinet under delegated powers calculated the Council Tax Base 2016/17 for the whole Council area as **33,368.5** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
2. That the Council Tax requirement for the Council's own purposes for 2016/17 is calculated at £6,315,656
3. That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Act:

(a)	£127,120,979	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
(b)	£120,805,323	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c)	£6,315,656	being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
(d)	£189.27	being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
(e)	£0	being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
(f)	£189.27	being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

4. That it be noted that the County Council and the Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2016/17 for each part of its area and for each of the categories of dwellings.

COUNCIL TAX SCHEDULE 2016/17

	CRAWLEY BOROUGH COUNCIL	WEST SUSSEX COUNTY COUNCIL	POLICE AND CRIME COMMISSIONER FOR SUSSEX	TOTAL
BAND A	£126.18	£805.26	£99.27	£1,030.71
BAND B	£147.21	£939.47	£115.82	£1,202.50
BAND C	£168.24	£1,073.68	£132.36	£1,374.28
BAND D	£189.27	£1,207.89	£148.91	£1,546.07
BAND E	£231.33	£1,476.31	£182.00	£1,889.64

BAND F	£273.39	£1,744.73	£215.09	£2,233.21
BAND G	£315.45	£2,013.15	£248.18	£2,576.78
BAND H	£378.54	£2,415.78	£297.82	£3,092.14

6. That it be determined in accordance with Section 52ZB Local Government Finance Act 1992 that the Council's basic amount of Council Tax for 2016/17 is NOT excessive in accordance with principles approved by the Secretary of State under Section 52ZC of the Act.

**100. Treasury Management Strategy 2016/17
(Cabinet – 10 February 2016)
(Recommendation 3)**

The Cabinet had considered report [FIN/381](#) of the Head of Finance, Revenues and Benefits, which had also been considered by the Overview and Scrutiny Commission at its meeting on 8 February 2016.

In respect of non-Housing Revenue Account activities, the Council's policy was to remain debt free and invest according to the principles of security, liquidity and yield in that order. The Ethical Investment Policy was now a fourth consideration in the decision making process, and Members continued to express their views on the policy of not undertaking direct investment or borrowing activities with organisations whose core activities included armaments. The Leader of the Council indicated that he had no issue with the UK armed forces purchasing armaments from the defence industry, but felt that there were serious questions to be considered where investment might be made in firms that sold armaments abroad, particularly to regimes of a hostile nature and those with poor records of human rights. The Leader indicated that he was prepared to send a joint letter with the Opposition's Group Leader to the Secretary of State for the Department for Communities and Local Government requesting an end of weapons sales to regimes with questionable human rights records and that if the Government were willing to comply he was open to removing the restriction on investing in such firms.

Moved by Councillor Lamb, seconded by Councillor Joyce and

RESOLVED

- (1) That the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5 of report FIN/381, be approved.
- (2) That the Treasury Management Strategy contained within Section 6 of the report, be approved.
- (3) That the Investment Strategy contained within Section 7, and the detailed criteria included in Appendix 3 to the report, be approved.

101. Notice of Motion

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

The Motion was in relation to the recent felling of trees at Tilgate Golf Course and the concerns raised by residents and Councillors as a result thereof. Those concerns had also been considered earlier at this meeting under Public Question Time (Minute 93 refers).

Part "2." of the Motion read as follows:-

2. Ensuring that the damaged footpaths are returned to a usable condition as soon as is reasonably possible and the adjacent areas cleared, 10 metres either side; of any hazards, such as damaged overhanging branches and sharp broken stumps, as these pose a significant health and safety risk to users and their animals.

Amendment

It was moved by Councillor Mullins and seconded by Councillor Lloyd:-

- (i) That with regard to Part "2." of the Motion, delete the words ", 10 metres either side;"
- (ii) Add a Part "4." to read: "In addition, the Council commits to consulting with residents through neighbouring local forums and the soon-to-be-launched 'Friends of Tilgate Park' group in advance of undertaking future major works to the park."

Following a discussion on the above amendment, Councillor Crow (as the mover of the Motion) indicated his support for that amendment.

With this in mind the Full Council discussed in detail the Motion as amended and considered all the issues raised.

Upon being put to the Full Council, the Motion as amended was CARRIED, and it was

RESOLVED

That Tilgate Golf Course is a premier golf course and, as a popular leisure facility in Crawley, is a great asset for the town. Due to its woodland and heathland habitat, the golf course is also an important habitat for wildlife and is a popular area for walking on its footpaths and public rights of way.

On the 8th of February 2016, local councillors from Furnace Green and Tilgate visited the golf course for the first time in 2016 and were shocked at the sheer volume of tree felling. This has left behind an unsightly mess and has damaged footpaths and public rights of ways. This has taken place under the woodland management plan of the golf course operator.

Local councillors welcome that the operator has agreed to a site visit with a group of local residents who regularly walk on the paths through the golf course, to identify any areas of concern for the second phase of the work in the southern half of the golf course and any remedial work needed to reinstate access to existing damaged areas, but feel that as the landowner, Crawley Borough Council should have a greater

oversight of the work and its impact. Therefore, the Council instructs the Cabinet Member for Wellbeing to meet with the golf course operator with a view to;

1. Seeking sound assurances that the second phase of the woodland management plan is implemented in a much more sympathetic way to the natural environment than the first phase.
2. Ensuring that the damaged footpaths are returned to a usable condition as soon as is reasonably possible and the adjacent areas cleared of any hazards, such as damaged overhanging branches and sharp broken stumps, as these pose a significant health and safety risk to users and their animals.
3. Identifying and protecting healthy mature trees from being felled in locations that do not have a detrimental effect on the playing of golf or do not have any negative impact on the management of the woodland.
4. In addition, the Council commits to consulting with residents through neighbouring local forums and the soon-to-be-launched 'Friends of Tilgate Park' group in advance of undertaking future major works to the park.

The Council further requests that the Cabinet Member for Wellbeing maintains a dialogue with the golf course operator throughout the duration of the works and keeps members updated, as appropriate, with the implementation of the woodland management plan.

102. 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	Chair of the Cabinet.
Subject	2016 / 2017 Budget and associated issues.
Questioner	Councillor Eade.
Addressed to	Cabinet Member for Environmental Services and Sustainability.
Subject	Abandoned Vehicles.

103. Announcements by Cabinet Members

No announcements were made.

104. 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 Burrett	The Three Southern Counties Devolution Bid	In response to issues raised by Councillor Burrett, Councillor Lamb (as Leader of the Council) indicated that at this stage this Council had no formal position on the Devolution Bid. Councillor Lamb referred to an all Member briefing which would be held on Thursday 3 March to brief Members on the Devolution proposals. When appropriate a report would be prepared and published for this Council's decision making process.
Councillor Ward	Renewal of play equipment in the play areas of West Green	Councillor Mullins (as Cabinet Member for Wellbeing) acknowledged the compliments conveyed by Councillor Ward regarding the renewal of the play equipment at West Green Playing Fields and indicated that in terms of the replacement of the equipment in the smaller of the two play areas in West Green, that area was currently under consideration (including a possible relocation) as part of the refurbishment programme of play areas across the Town.
Councillor Quinn	Broadfield Barton Refurbishment	Councillor Jones (as Cabinet Member for Public Protection and Community Engagement) indicated that good progress was being made in progressing the refurbishments works concerned, and in detailing the progress of individual installations, Councillor Jones was hopeful that all work would be finalised in the next couple of months.
Councillor B J Burgess	Councillor Burgess suggested that problems were being encountered during the roll-out of IT equipment to Members.	Councillor Skudder (as Cabinet Member for Resources) indicated that a review was currently being undertaken of the roll-out, but at this stage he was not aware of any associated problems. Councillor Skudder did emphasise that it was important that Members who had received the equipment did ensure they used it, and that should any Member experience any difficulties, they should contact the first line of support, being Heather Girling (Democratic Services Officer) or the Help Desk, and that if any

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
		problems persisted, contact should be made with himself and he would look at the matter further.

105. Duration of the Meeting

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

106. Questions to Cabinet Members

(Continued)

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
Councillor B A Smith	Councillor Smith suggested that the Council Chamber became exceedingly cold at this time of year.	Councillor Skudder (as Cabinet Member for Resources) suggested that in the Summer the Chamber also became very warm, and he would look into this matter further.
Councillor Crow	Column afforded to Group Leaders in the local press.	Councillor Lamb (as Leader of the Council) indicated that it was a column for the Labour Group and that he was happy to offer to Group Members other than himself the opportunity to put their own views and comments in the paper on important issues within the Town.
Councillor Stanley	The family event to be held on Sunday 20 March to mark the official reopening of the Mill Pond.	Councillor Mullins (as Cabinet Member for Wellbeing) confirmed that he was looking forward to the event which would celebrate the work achieved in developing the new look of the beautiful Millpond area. He encouraged all in the Council Chamber to attend that event.
Councillor Guidera	Anti-Social Behaviour in Alleyway behind Babcock House.	Councillor Lamb (as Chair of Cabinet) indicated that the Council was limited as to the control it had of such behaviour and that he had repeatedly reported this matter to the Police. Councillor Lamb suggested that this, and the increasing challenge of tackling crime within the County generally had to be considered against cuts to frontline Police numbers, and as

Name of Councillor asking Question	Subject	Name of Cabinet Member(s) Responding
		a result of which the public were perhaps not receiving the protection that was deserved.

107. Questions to Committee Chairs

Name of Councillor asking Question	Subject	Name of Chair Responding
Councillor B J Burgess	Councillor Burgess indicated that Private Hire Vehicles were parking locally on Hackney Carriage Ranks and that this was in breach of regulations.	Councillor Quinn (as Chair of the Licensing Committee) confirmed that this shouldn't be happening, and that the matter was being closely monitored.
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 had asked the Chair of the Commission (at the Full Council's July meeting) if she would consider inviting a Conservative Group Member to the Commission's pre meetings. He reiterated this request and made further comments around this issue.	Councillor B A Smith (as Chair of the Overview and Scrutiny Commission) indicated that we didn't currently have pre meetings of the Commission, and hence no invitations had been sent out to any Member to attend such meetings.

108. Closure of Meeting

The meeting ended at 10.15 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 P C Smith	7(1)(a)	Development Control 4 January 2016 Minute 45	P.26	CR/2015/0695/FUL Boeing House, Crawley Business Quarter, Northgate	Personal Interest – CBC nominee on the Manor Royal Business Group
Councillor R D Burrett	7(1)(b)	Overview and Scrutiny Commission 11 January 2016 Minute 86	P 32	Transformation Update – Sheltered Housing	Personal Interest as a Member of West Sussex County Council.
Councillor R A Lanzer	7(1)(b)	Overview and Scrutiny Commission 11 January 2016 Minute 86	P 32	Transformation Update – Sheltered Housing	Personal Interest – Member of WSCC
Councillor B A Smith	7(1)(b)	Overview and Scrutiny Commission 11 January 2016 Minute 86	P 32	Transformation Update – Sheltered Housing	Personal Interest – Member of WSCC
Councillor R D Burrett	7(1)(b)	Overview and Scrutiny Commission 11 January 2016 Minute 87	P.33	Health and Adult Social Care Select Committee (HASC)	Personal Interest as a Member of West Sussex County Council.
Councillor R A Lanzer	7(1)(b)	Overview and Scrutiny Commission 11 January 2016 Minute 87	P.33	Health and Adult Social Care Select Committee (HASC)	Personal Interest – Member of WSCC
Councillor B A Smith	7(1)(b)	Overview and Scrutiny Commission 11 January 2016 Minute 87	P.33	Health and Adult Social Care Select Committee (HASC)	Personal Interest – Member of WSCC
Councillor R D Burrett	7(1)(d)	Governance Committee 18 January 2016 Minute 18	P.39	West Sussex County Council Electoral Boundary Review	Personal Interest as a Member of West Sussex County Council.
Councillor D G Crow	7(1)(d)	Governance Committee 18 January 2016 Minute 18	P.39	West Sussex County Council Electoral Boundary Review	Personal Interest – Member of WSCC
Councillor M G Jones	7(1)(d)	Governance Committee 18 January 2016 Minute 18	P.39	West Sussex County Council Electoral Boundary Review	Personal Interest – Member of WSCC
Councillor P K Lamb	7(1)(d)	Governance Committee 18 January 2016 Minute 18	P.39	West Sussex County Council Electoral Boundary Review	Personal Interest – Member of WSCC

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 A Lanzer	7(1)(d)	Governance Committee 18 January 2016 Minute 18	P.39	West Sussex County Council Electoral Boundary Review	Personal Interest – Member of WSCC
Councillor R D Burrett	7(1)(f) and 8	Overview and Scrutiny Commission 8 February 2016 Minute 95	P.49	2016/2017 Budget and Council Tax	Personal Interest as a Member of West Sussex County Council.
Councillor J Stanley	7(1)(f) and 8	Overview and Scrutiny Commission 8 February 2016 Minute 95	P.49	2016/2017 Budget and Council Tax	Personal Interest – Council house tenant.
Councillor R D Burrett	7(1)(f)	Overview and Scrutiny Commission 8 February 2016 Minute 98	P.50	Health and Adult Social Care Select Committee (HASC)	Personal Interest as a Member of West Sussex County Council.
Councillor R D Burrett	7(1)(f)	Overview and Scrutiny Commission 8 February 2016 Minute 99	P.51	Scrutiny Panels	Personal Interest as a Member of West Sussex County Council.
Councillor R D Burrett	7(1)(g) and 8	Cabinet 10 February 2016 Minute 65	P.54	2016/2017 Budget and Council Tax	Personal Interest as a Member of West Sussex County Council.
Councillor J Stanley	7(1)(g) and 8	Cabinet 10 February 2016 Minute 65	P.54	2016/2017 Budget and Council Tax	Personal Interest – Council house tenant.
All Officers attending this meeting of the Full Council.	7(1)(f), 7(1)(g) and 8	Overview and Scrutiny Commission 8 February 2016 Minute 95. Cabinet 10 February 2016 Minute 65.	P.49 and P.54	2016/2017 Budget and Council Tax	Personal Interest, as Officers of the Council in relation to the Pay Policy Statement.

Crawley Borough Council

Minutes of Development Control Committee 29 February 2016 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:

Kevin Carr	Legal Services Manager
Heather Girling	Democratic Services Officer
Michelle Harper	Principal Planning Officer
Jean McPherson	Group Manager: Development Management
Clem Smith	Head of Economic and Environmental Services

52. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillor B MeCrow had been lobbied regarding application CR/2015/0637/FUL.

53. Members' Disclosure of Interests

The following disclosures of interests were made by Members:

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor B MeCrow	Minute 55	CR/2015/0637/FUL Land Off Worth Way (South of Saxon Road), Pound Hill, Crawley	Personal and Prejudicial Interest – member of the Worth Conservation Area Advisory Committee. Councillor B MeCrow left the meeting before the presentation and took no part in the discussion or voting on the item

54. Minutes

The minutes of the meeting of the Committee held on [1 February 2016](#) were approved as a correct record and signed by the Chair.

55. Planning Applications List

The Committee considered report [PES/181](#) 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/181](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 001

CR/2015/0637/FUL

Land Off Worth Way (South Of Saxon Road), Pound Hill, Crawley.

Erection Of A Detached Two Storey Dwelling With Attached Garage
(Amended Description And Plans Received).

Councillor B McCrow withdrew from the meeting before the presentation and took no part in the discussion or voting on the item.

Councillors I T Irvine, K L Jaggard, B McCrow, P C Smith, M A Stone, J Tarrant and G Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and update. The Committee was informed that a further representation had been received from the ecological advisor which included reference to an additional condition which required the completion of a reptile survey in order to establish the presence or likely absence of reptiles. If reptiles were found to be present, the applicant would need to demonstrate that an appropriate scheme of avoidance, mitigation and compensation measures would be feasible to maintain local reptile populations. The Committee noted that this issue had previously been considered and dealt with and as a result a new condition would be added as part of the permission.

Mr Anthony Ball (Worth Conservation Area Advisory Committee) addressed the Committee, noted that whilst the application wished to retain the rural aspects it was requested that the Committee considered the application alongside that of Land East of Street Hill as stated in the Local Plan 2015-2030, as opposed to a 'piecemeal approach'.

The agent, Mr Tony Fullwood, spoke in support of the application.

The Committee then considered the application. The Committee acknowledged that the design and appearance of the proposal was sympathetic to the area. Additionally some Members felt that the tree cover along the boundaries would assist in screening the dwelling.

New Condition no. 14

No development shall commence until the following information has been submitted to, and approved by, the Local Planning Authority:

A reptile presence / likely absence survey and, if reptiles are present:

- (i) A population size class assessment for each species;
- (ii) Identification of an appropriately-sized receptor area adjacent to the development;
- (iii) An initial enhancement and ongoing five-year management plan for the receptor area; and

- (iv) A method statement for capture and relocation of reptiles to the receptor site and follow up monitoring protocol to ensure the scheme has been successful. The approved details shall be implemented in full unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with ENV2 of the Crawley Borough Local Plan 2015-2030 and paragraphs 109 and 118 of the NPPF.

Permit subject to the conditions and informatives set out in report [PES/181](#) and the new condition above.

Councillor B McCrow re-entered the meeting.

Item 003

CR/2015/0720/FUL

Homebase, Crawley Avenue, West Green, Crawley.

Demolition Of Existing Unit And Associated Garden Centre And The Construction Of Five Retail Units Totalling 9,391 Square Metres With Associated Service Yard, Hard Landscaping And Addition Of 21 Car Parking Spaces

Councillors K L Jaggard, C A Moffatt, P C Smith, M A Stone, J Tarrant declared they had visited the site.

The Group Manager provided a verbal summation of the application. The Committee was informed of an amendment to the report, together with a new condition proposed in relation to access for deliveries and collections.

Para 5.28 to read: There are no residential properties in close proximity to the proposed building, the nearest are the 3 storey flats in St. George's Court which are 40m to the north east. In terms of commercial properties, the closest neighbour is 20m to the east and there are no windows facing the application site.

The agent, Mr Craig Blatchford then spoke in support of the application.

The Committee considered the application and there was general support that the proposal offered a wider range of retail opportunities. Concerns were expressed regarding the potential for increased traffic whilst entering and exiting the site, with particular regard to the gating of the site leading to greater congestion and general safety of the site access and exit

In answer to queries raised by the Committee, the following responses were provided:

- Provision of the re-routed footpath at the rear of the existing building had been sought, along with new lighting.
- Provision of cycle parking has been made within the site (end of unit 1A), although the number of cycle bays were to be determined.
- A Transport Assessment was submitted in support of the application. Whilst it was felt that the overall impact on the highway network in terms of traffic volume, delays and queuing would be negligible, it was noted that the traffic movements within the site would need to be considered separately by the applicant.

New Condition no 18

There shall be no deliveries or collections to these premises outside the following hours:-
07:00 – 23:00, Monday – Sunday

REASON: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy ENV11 of the Crawley Borough Local Plan 2015-2030.

Permit subject to the conditions and informatives set out in report [PES/181](#), and the new condition above.

Item 004

CR/2016/0056/RG3

Playground, West Green Park, Ifield Avenue, West Green, Crawley.

Erection of 5.2m High Climbing Net & 4.3m High Zip Wire.

Councillor C A Moffatt, M A Stone and J Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and the Committee then considered the application.

Permit subject to the conditions set out in report [PES/181](#).

Item 002

CR/2015/0694/FUL

7 - 13 The Broadway & 1 - 3 Queens Square, Northgate, Crawley, RH10 1DX.

Conversion Of & Alteration To 1st & 2nd Floors From Ancillary Retail (A1) & Office (B1) To Residential (C3) To Provide 18 Flats (12 X 1 Bed & 6 X 2 Bed Units) & Erection Of Additional Floor To Provide 7 Flats (2 X 1 Bed & 5 X 2 Bed Units) To Give A Total Of 25 Units; & Retention & Refurbishment Of Existing Ground Floor Retail (A1) Units.

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

The Group Manager, Development Management provided a verbal summation of the application. The Committee was advised that a new condition was proposed in relation to the provision of refuse stores and that following the publication of the agenda amended drawings had been received with revised cycle parking/storage details. The new drawings were 14168 100 Rev F, 14168 101 Rev E, 14168 102 Rev E and 14168 103 Rev E. As a result condition 7 had been amended:

Amended Condition no.7

Prior to first occupation of the residential units, 34 secure cycle spaces for residential occupiers shall be provided in accordance with approved drawing number 14168 100 Rev F. The spaces shall thereafter be retained for cycle parking unless written permission is given for any variation.

REASON: To ensure adequate cycle parking is provide for future residents in accordance with sustainable travel objectives and Policy IN4 of the Crawley Borough Local Plan 2015-2030 and SPD1.

The Committee was further informed that a comprehensive viability assessment had been undertaken on the scheme's viability for affordable housing and the development had not been considered viable. The Committee then considered the application.

Members supported the proposals on the basis that it was an improved design and would make a positive contribution to the environment and regeneration of The Broadway and Queens Square. There were concerns raised by several Members in relation to the pollution and noise nuisance due to its location adjacent to the bus stops, although it was accepted that alternative additional ventilation would be required.

Clarity was sought on the overlooking impact of the proposed flats on the south facing 'Queens Square facade facing the upper floors of the Pavilion building and the use of 'obscure glazing film'. It was confirmed that oriel windows were proposed for the corner flats which would prevent any overlooking and loss of privacy (the applicants have provided supporting information to demonstrate this point). The glazing to the windows was covered by condition.

The absence of the car parking provision was noted but it was recognised that the choice of alternative modes of transport and accessibility of local facilities meant this was a sustainable site for car free development.

Members of the Committee referred to the affordable housing provision and sought clarification on the appraisal that had been undertaken by the applicant and the District Valuer. The Committee was reminded that due to the commercial sensitive nature of the viability report, discussions would need to be taken in Part B business (Exempt item).

56. Exclusion of public

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business consideration of the viability appraisal report submitted as part of planning application CR/2015/0694/FUL 7 - 13 The Broadway & 1 - 3 Queens Square, Northgate, Crawley on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

57. Planning Applications List

Item 002

CR/2015/0694/FUL

7 - 13 The Broadway & 1 - 3 Queens Square, Northgate, Crawley, RH10 1DX.
(Exempt Paragraph 3)

The Group Manager, Development Management provided an explanation as to the calculations within the viability report. It had been clearly demonstrated that the development would not be able to deliver a policy complaint scheme, either in terms of providing affordable housing, or indeed any other contributions, normally sought in accordance with the Council's SPD on Planning Obligations and Section 106 Agreements.

58. Re-Admission of the Public

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

The Committee enquired whether the period in condition 1 during which the development shall begin could be reduced from 3 years in order for the development to commence sooner.

The Committee agreed that current condition 1 be amended as follows:

Amended Condition no.1

The development hereby permitted shall be begun before the expiration of 2 years from the date of this permission.

REASON: To comply with Section 91 of the Town & Country Planning Act 1990, and in order for an early review of the viability of the scheme.

New Condition no 12

Before the residential units hereby permitted are occupied the refuse stores shall be provided as part of the development in accordance with drawing ref. 14168 100 Rev F and shall thereafter be retained for this purpose and exclusively for the use of the residential units.

REASON: To safeguard the amenities of the area in accordance with Policy CH3 of the Crawley Local Plan 2015-2030.

Permit subject to the conditions and informatives set out in report [PES/181](#), with the amended condition and new condition above.

59. Change of Committee Name

The Committee considered the proposal that the Development Control Committee be renamed the Planning Committee. The Terms of Reference of the Committee would remain unchanged. The majority of Crawley's neighbouring authorities, including West Sussex County Council, entitle it the Planning Committee, and it is believed to be a term more easily understood by the public. It is good practice to regularly review the Council's democratic structures to promote openness and transparency.

Some Members were concerned that 'Planning' only contributes to one aspect of the work undertaken by 'Development Control' and this should be acknowledged. However it was noted that the term 'Planning Committee' was more easily recognised, transparent and understood by the public, thus avoiding confusion.

RESOLVED

RECOMMENDATION 1

That the Full Council agrees that the name of the Development Control Committee be changed to the Planning Committee, and that the change take effect from the new municipal year.

60. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 9.23pm.

I T IRVINE
Chair

Crawley Borough Council

Minutes of Audit Committee

9 March 2016 at 6.30pm

Present:

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

Also in Attendance:

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

Officers Present:

Roger Brownings	Democratic Services Officer
Chris Corker	Corporate Fraud and Inspections Manager
Gillian Edwards	Audit and Risk Manager
Paul Windust	Corporate Accounting Manager

28. Apology for Absence

Karen Hayes (Head of Finance, Revenues and Benefits)

29. Members' Disclosures of Interests

There were no disclosures of interest.

30. Minutes

Subject to the clerical corrections below, the minutes of the meeting of the Committee held on **1 December 2015** were approved as a correct record and signed by the Chair:-

Clerical Corrections

With regard to Minute 25 (Internal Audit Progress Report as at 13th November 2015 Incorporating Risk Management Update as at 17th November 2015), third paragraph:

- (i) delete in all cases the word "Scheme" or "Scheme's" and replace with the word Service or Service's.

- (ii) delete at the very start of the third sentence, the words “it was” and replace with the word Officers.

The corrections above related to the Crawley Deposit Service - which was formerly known as the Rent Deposit Service, and a Member referred to clarification sought at the Committee’s last meeting on financial and operational details relating to that Service. That clarification had since been emailed to Members by the Head of Finance Revenues and Benefits, in the form of a Paper. The Member concerned asked that with the information now provided, could assurances be given to the Committee that concerns previously raised regarding the Service had now been dealt with and resolved accordingly. In response, Officers advised that as the author of the Paper concerned was not in attendance at this meeting, it was felt best that this matter be first brought to her attention, to enable her the opportunity to provide the assurances sought, and that these assurances would be communicated to Members in the near future. This was agreed.

31. Fraud Team Report

The Committee considered report **FIN/384** of the Corporate Fraud and Inspections Manager, which focused on activity for the period from 10 November 2015 to 17 February 2016. The Team had looked further into a wide range of fraud and loss against the Council.

As indicated in the report, the Team had continued to perform successfully. In seeking and receiving clarification on information received, the Committee indicated its thanks an appreciation to the Fraud Team generally for its ongoing positive performance.

RESOLVED

That the report be noted.

32. Audit Committee Progress Report

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

The purpose of the Progress Report was to provide the Committee with an overview of the plans and progress to date for the 2015 / 2016 audit. The Report was a key mechanism in ensuring that the audit was aligned with the Committee’s service expectations.

The Report also included other matters of interest, in respect of which the Committee discussed the two main issues raised, being the acceleration of the financial close arrangements and the local appointment of auditors with effect from 2018 / 2019.

RESOLVED

That the Audit Committee Progress Report be noted.

33. Outline Audit Plan Year Ending 31 March 2016

The Committee considered the Outline Audit Plan for the year ending 31 March 2016 from Ernst and Young LLP. The report was attached as **Enclosure D** to the agenda.

The Audit Plan detailed how, at this initial stage of its audit planning, Ernst and Young intended to carry out its responsibilities as auditor, and the intended audit approach to risks identified that were relevant to the audit of the Council's accounting statements and the Council's arrangements to secure value for money. The Plan also helped ensure that the audit was aligned with the Committee's service expectations. Paul King and Malcom Haines further clarified issues discussed, whilst in response to a Member's enquiry, the Committee was advised that the Report on the Certification of Grant Claims and Returns, would be presented to this Committee's next meeting.

RESOLVED

That the Outline Audit Plan for the year ending 31 March 2016 be noted.

34. Internal Audit Annual Plan 2016 / 2017

The Committee considered report **FIN/383** of the Audit and Risk Manager on the Internal Audit Annual Plan for 2016 / 2017. The Plan, which was attached as Appendix A to the report, included for each proposed audit area an outline scope of work planned.

A Member referred to the Council's large expenditure on homelessness incurred by the General Fund Budget, and his wish to ensure that value for money was being achieved and that we received the best possible outcome for people who were homeless. In response to that Member's request, Officers agreed that this matter would be considered for inclusion in the Audit Plan. With regard to Freedom of Information Requests, it was considered by Officers that this area of work should remain the responsibility of the Internal Audit Team, primarily to ensure that the Council did not breach the requirements of both the Data Protection Act and the Freedom Of Information Act, bearing in mind the Team's related skills and experience, as well as its breadth of knowledge of the Authority generally. In terms of delays referred to by a Member regarding the current development of the Crawley Museum, the Committee was advised that the Museum project was the subject of a planned internal audit and that outcomes of that audit, including issues associated with any delays, would be reported to the Committee's next meeting. With regard to the second page of the Plan, and in particular the audit work identified as "Non-specific advice and liaison⁸⁹", the need for a clerical correction was raised whereby "89" should be removed.

RESOLVED

That subject to the issues raised above, the 2016 / 2017 Internal Audit Annual Plan be noted.

35. Internal Audit Progress Report as at 12 February 2016 Incorporating Risk Management Update as at 9 February 2016

The Committee considered report **FIN/382** 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 2015 / 2016 Internal Audit Plans, and to report on the progress made in implementing the previous recommendations. The report also included an update on the Council's Strategic Risks.

The Committee discussed and noted all the Audit Plan reviews in progress, along with other work as detailed in the report. In response to Members' comments regarding

the Audit of Procurement including Transparency, and whilst providing clarification on various issues raised, Officers advised the Committee that steps were being taken to encourage more Officers to attend briefing and training sessions on proper procurement procedures and processes. It was expected that all key Officers should attend those sessions, and Members were informed that a follow-up audit would be undertaken to confirm that this matter was progressing and that agreed actions for the Procurement Audit generally had been implemented. A report on the outcomes of the follow-up audit would be presented to the Committee's next meeting.

With regard to the update provided on Risk Management, and in particular Disaster Recovery and Business Continuity, a recent report to Cabinet on the Relocation of the Council's Data Centre recommended a more resilient hosting of data by providing a resilient, energy efficient, cost effective and available hosting environment for the IT systems to support our services. Talks had commenced with Surrey County Council to agree a partnership contract for them to host the data centre, and the Committee was advised that whilst migration planning was underway for the relocation to take place, the date for that relocation had recently been revised from March to September 2016 to reflect more realistic timescales.

RESOLVED

That the Internal Audit Progress Report as at 12 February 2016, Incorporating the Risk Management Update as at 9 February 2016, be noted.

36. Closure of Meeting

The meeting ended at 7.50 pm.

W A WARD
Chair

Crawley Borough Council

Minutes of Governance Committee

14 March 2016 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:

Alan Kennedy	Chair of the Members' Allowances Independent Remuneration Panel
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Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Steve Lappage	Democratic Services Manager

Apologies for Absence:

Jeremy Taylor	Member of the Members' Allowances Independent Remuneration Panel
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22. Members' Disclosure of Interests

No disclosures of interests were made by Members.

23. Minutes

The [minutes](#) of the meeting of the Committee held on 18 January 2016 were approved as a correct record and signed by the Chair.

24. Members' Allowances Scheme: Report of the Independent Remuneration Panel

The Committee considered report [LDS/115](#) of the Head of Legal and Democratic Services on the findings of the Members' Allowances Independent Remuneration Panel and which requested the Committee to decide what recommendations it wished to make to Full Council on the Members' Allowances Scheme for 2016/17 to 2019/20.

It was explained that this was the first full review since 2011/12 and a completely new Panel had been established. The Committee welcomed Alan Kennedy, Chair of the Panel, who had been invited to attend the meeting to respond to questions from the Committee on the Panel's findings.

It was noted that the following clerical corrections and changes were required:

- 1) That the new scheme would cover the period 2016/17 to 2019/20 and not to 2020/21 (or until 31 March 2021) (as stated in paragraphs 2 (2) (page B1) and paragraph 4.2 (page B2)).
- 2) The current Special Responsibility Allowance (SRA) for the Vice-Chair of the Licensing Committee was £1,189 and not £2,428 (as stated on page B12 - 4.1(1) (d)).
- 3) That Section 10 to paragraph 4.1 (page B13) ("No changes should be made to the withholding of any allowance to a member during a period of suspension, or partial suspension, imposed due to a breach of the Code of Conduct.") should have been deleted because it no longer applied following changes to the Code of Conduct (Standards) regime.

The report generated a lot of discussion with the more supportive comments outlined below:

- 1) Members were broadly supportive of the findings and recommendations with particular support expressed for:
 - the removal of SRAs for the 3 Vice-Chairs (Development Control Committee, Licensing Committee and Overview & Scrutiny Commission) ;
 - reductions in the SRAs for the Chair of the Licensing Committee and Chair of the Budget Advisory Group;
 - that posts with SRAs should have clear descriptions of the roles and expectations of each post holder;
 - the Panel's offer to consider any additional evidence provided and review the scheme accordingly
- 2) It was recognised that the Panel had conducted a much more thorough review and been more challenging than many of the previous reviews.
- 3) Some Members suggested that the Committee should not challenge the findings of the Panel because it is independent and they agreed with the principles and approach adopted and the recommendations were reasonable and acceptable.

Discussions which were more challenging of the Panel's findings were:

- 1) That the proposed increase to the SRA for the Chair of the Development Control (DC) was disproportionate and could not justify the small differential (£281) with Cabinet Members or the reversal of the differential with the Chair of the Overview & Scrutiny Commission (OSC) who was generally acknowledged to be the leading non-executive Member because of their role in holding the Cabinet to account.
- 2) Some Members also questioned:
 - The SRA for the Leader of a large Opposition Group which they considered was much more onerous than for the Chair of DC Committee
 - The need for or levels of SRAs for Chairs of Scrutiny Panels
 - The proposal to remove the SRA for the Vice-Chair of the OSC
 - Whether another index be used instead of the Chief Officers' pay awards
 - That the overnight allowance (hotel accommodation) was too low especially in London

- The need to retain tea and evening meal expenses and mileage expenses
- The Government's decision to exclude Members from the Local Government Pension Scheme which they felt could act as a disincentive.

A Member emphasised that the Panel had not been requested to take into account differentials between various SRAs and, therefore, suggested that this be included in any future brief for the Panel.

In responding to the various questions, the Chair of the Panel

- 1) Emphasised the considerations and evidence taken into account including the relative workloads, time commitments (e.g. meetings; pre-meetings; site visits; reading and other preparation), responsibilities, benchmarking information (e.g. South East Employers (SEE) surveys; Peer Groups), Member surveys and interviews with Members.
- 2) Highlighted that many of Crawley BC's allowances were in the top quartile and some in the top decile of the SEE and, therefore, the Panel had sought to identify what was unique about the Council and its Members roles and responsibilities. The subsequent peer group survey had shown that more allowances were in the second quartile which the Panel considered was easier to justify in view of the nature of the town and the complex issues and demands faced by Members.
- 3) Mentioned the Panel had considered changing other SRAs but concluded that an overwhelming case for change had not been made.
- 4) Repeated the Panel's offer to review any further evidence submitted.
- 5) Explained that the Panel had questioned the payment of mileage and subsistence allowances but concluded that these were standard practices for such public sector positions and the Panel thought it fair and proper to retain these.

The Chair of the Panel also highlighted their suggestions that:

- a) The mayoral allowances remain the same and the Panel will reconsider these after completion of the review of the mayoralty and civic arrangements;
- b) The Council be more proactive in increasing prospective candidates/ Councillors awareness about their likely workloads and the Members' Allowances Scheme.

It was proposed by Councillor D G Crow and seconded by Councillor R A Lanzer that the Panel be asked to consider the following revised recommendations:

- 1) The SRA for the Chair of the Licensing Committee be reduced to £4,000;
- 2) The SRA for the Chair of the DC Committee be retained at £6,068;
- 3) The SRA for the Leader be increased by £500;
- 4) The SRAs for each Cabinet Member be increased by £250.

With the vote being 5 for the proposal and 5 against the proposal, with one abstention, the Chair used his casting vote, which was against the proposal. The proposal was therefore lost.

It was subsequently proposed by Councillor R D Burrett and seconded by Councillor R A Lanzer that the SRA for the Chair of the Development Control Committee remain at £6,068 and the Panel be asked for its views on this revised recommendation and that these be reported to the Members of the Governance Committee and Full Council.

With the vote being 7 for the proposal and 2 against the proposal, with one abstention, the proposal was, therefore, CARRIED.

The Committee confirmed all the other recommendations be agreed.

RESOLVED

That the Members' of the Panel be thanked for the thorough and efficient way in which they carried out the review.

RECOMMENDATION 2

That the Full Council be recommended to approve the Members' Allowances Scheme for 2016/17 to 2019/20 as set out in Appendix 2 to report [LDS/115](#) – subject to the retention of the Special Responsibility Allowance for the Chair of the Development Control Committee at £6,068 (rather than increasing it to £7,000 as had initially been recommended by the Panel).

Note from the Head of Legal and Democratic Services

All 4 Members of the Panel subsequently expressed support for the revised proposal to retain the Special Responsibility Allowance for the Chair of the Development Control Committee at £6,068 particularly on the understanding that they could always revisit the matter and any further evidence in the future if they were asked to or if they so wished.

25. Report of the Constitution Review Working Group – Review of Council Procedure Rules

At its meeting on 18 January 2016 the Governance Committee agreed to establish a Constitution Review Working Group to consider ways in which to simplify and improve the Council Procedure Rules (Part 4 of the Constitution). The Working Group has since met on two occasions, with all members of the Council invited to suggest ways of improving those Rules. The Committee considered report [LDS/114](#) of the Head of Legal and Democratic Services which proposed the Working Group's amendments to those Rules.

Whilst some Members expressed concerns that it still left too much discretion and power in the hands of the Mayor, there was general agreement that these were considerably improved, clearer and more workable rules which followed good practice and established a level playing field. Furthermore, the deliberations of the Working Group had helped to increase their understanding of the rules, their purpose and practice. It was evident that many rules had not been properly followed or enforced. Consequently, the Working Group recommended amendments to clarify the rules to avoid breaches and assist enforcement.

Following some concerns expressed, Members of the Working Group clarified the rationale for the proposed changes on the calling of extraordinary meetings (requiring nine rather than five Members – Section 3.1(iii)), right to require motion in writing (16.2), right of reply (16.9), closure motions (16.12).

It was noted that there were rules for rejecting written questions but not for oral ones and, therefore, agreed that such rules be included for both oral and written questions.

It was proposed by Councillor M G Jones and seconded by Councillor T Lunnon that five (as currently) rather than nine Members be required to sign a request to call for an extraordinary meeting. Two Members supported the proposal and seven voted against with one abstention and, therefore, this proposal was lost.

A few minor clerical changes were also required including to pages 157 and 179 (nominations to outside bodies) and pages 164-165 on ruling questions out of order.

The Chair thanked the Chair and Members of the Council Procedure Rules Working Group for their thorough review.

RESOLVED

RECOMMEDATION 3

- 1) That the Full Council be recommended to agree the amendments to the Council Procedure Rules (Part 4 of the Constitution) proposed in report [LDS/114](#) subject to the minor amendments identified.
- 2) That the Head of Legal & Democratic Services be authorised to make minor clerical amendments to the Council Procedure Rules in consultation with the Chair and Vice-Chair of the Governance Committee.

26. Annual Review of the Constitution

The Committee considered report [LDS/113](#) of the Head of Legal and Democratic Services which considered whether any changes were required in 2015/16 to the provisions for Call-In and Urgency and amendments to the Constitution.

One Member considered that paragraph 13 (page D3) was too prescriptive and suggested that Members should have an automatic right to see all documents unless there was good reason not to and not have to prove it under the “need to know principle”. In response, the Head of Legal and Democratic Services explained that the paragraph stated the common law position and was established in case law – it was up to Members to demonstrate their “need to know” to enable the Member to properly perform their duties as a Member of the Council.

RESOLVED

RECOMMENDATION 4

That the Full Council be recommended:

1. That the amendments to the Constitution proposed in Appendix 1 to report [LDS/113](#) be agreed subject to minor clerical amendments to be made by the Head of Legal and Democratic Services.

- | |
|--|
| <p>2. To agree that since the provisions relating to Call-In and Urgency have not been used during the past twelve months, no changes to the provisions are necessary at this stage.</p> |
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27. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 9.18pm.

J STANLEY
Chair

Crawley Borough Council

Minutes of Development Control Committee 22 March 2016 at 7.30pm

These minutes are to follow.

Crawley Borough Council

Minutes of Cabinet Wednesday 23 March 2016 at 7.30pm

These minutes are to follow.