

Crawley Borough Council

Minutes of the Full Council

Wednesday 6 April 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, 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 P Nicolson – Appointed Independent Person.

Mr J G Smith MBE – Honorary Freeman and Alderman.

Officers Present:

Lee Harris
Ann-Maria Brown
Roger Brownings
Chris Harris

Chief Executive.
Head of Legal and Democratic Services.
Democratic Services Officer.
Head of Community Services.

109. Death of Former Councillor Roy Davis

The Council observed one minute's silence in memory of former Councillor and Chairman of the Crawley Urban District Council Roy Davis, who recently passed away.

110. Apologies for Absence

Dr B Jones – Appointed Independent Person.

Mr A Quine - Honorary Freeman and Alderman.

111. Members' Disclosures of Interests

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

112. Communications

Terrorist Attacks on Brussels and Lahore

With regard to the recent terrorist attacks on Brussels and Lahore, the Mayor announced that on behalf of this Council and the residents of Crawley she had sent a letter to the Mayor of Brussels, and was in the process of writing to the Mayor of Lahore, to express our deepest sympathy to the people of those Cities and to convey our solidarity in condemning the atrocities committed.

113. Public Question Time

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

| Questioner's Name | Subject | Name of Councillor(s) Responding |
|--------------------------------------|---|--|
| Ms C Griffiths | Ms Griffiths referred to the concerns raised at the last meeting of the Full Council regarding the unsightly mess left behind following the felling of trees in the Golf Course area in Tilgate Park. She indicated that many parts of that area, including footpaths, were still in a bad state and asked what was being done to progress and clear those areas. | In response to this matter, Councillor Mullins commented that discussions were ongoing with the Operator of the Golf Course with regard to the clearance of the areas concerned, with on-site discussions also being undertaken with residents and Officers. Councillor Mullins indicated that because of the recent inclement weather, including heavy and persistent rain, many areas of the site were still not easily approachable and the Operator would progress and complete site clearance as soon as was practicable. |
| A resident whose name was not clear. | Concerns regarding the rights of the Tilgate Golf Course Operator in relation to the footpaths in that area. | As part of his response to the issues raised, Councillor Mullins indicated that the land concerned was leased and so whilst footpaths could technically be closed, there was no indication that this would happen. The public do have access |

| Questioner's Name | Subject | Name of Councillor(s) Responding |
|----------------------|---|---|
| | | <p>across footpaths on the Golf Course - but not across the greens. Councillor Mullins confirmed that the footpaths that were still closed due to the need to clear debris etc, would be reopened as soon as possible once poor ground conditions arising from the recent inclement weather improved.</p> |
| <p>Mr C Petts</p> | <p>With reference to an item in that week's local press, Mr Petts raised concerns regarding a local woman who was to be made homeless following the recent death of her mother. The woman concerned did not meet residential eligibility measures outlined in housing legislation to succeed a tenancy.</p> | <p>Councillor Joyce offered to contact Mr Petts to discuss this particular case further, whilst Councillor Lamb acknowledged that such cases were very sad. He indicated that although the requirements might seem harsh, they did apply uniformly to everyone and would need to do so until we were in a position to replace the huge number of Council houses which had been lost under the Right to Buy requirements. Until such time, and in seeking to cope with the significant and ever growing demand for Council housing, the Council would have to decide - using the rules that applied, on how the housing that was available should be allocated. Councillor Marshall-Ascough hoped that in taking the housing succession measures forward, the Council would take every opportunity it could to introduce any flexibility which might offer some compassion in particular cases, such as that considered.</p> |
| <p>Mr P Norville</p> | <p>Issues arising from a Councillor's comments in a recent local press item.</p> | <p>The Mayor confirmed that this question could not be taken on the grounds that</p> |

| Questioner's Name | Subject | Name of Councillor(s) Responding |
|-------------------|---|--|
| | | it was out of order in the Purdah period. |
| Ms J Bradley | With reference to the recent felling of trees at Tilgate Golf Course, Ms Bradley raised concerns regarding what was considered a lack of publicity on the Council's proposed creation of the 'Friends of Tilgate Park' Group, and sought clarification on issues associated with this matter. | In response to the issues raised, Councillor Mullins apologised if it was felt that not enough was being done regarding publicity on the proposed new Group, and would look at this matter further. He reiterated the Council's commitment to establish the Group as soon as was possible and enable local residents to get involved in local issues through consultation, including that on the Golf Course and the undertakings of its Operator. |
| Mr S Quinn | The poor condition of paving slabs located to one side of the retail area known as the Pavilion Building (on the edge of the Queens Square). | Councillor P C Smith indicated that the condition of the slabs on both sides of that Pavilion would be addressed as part of the joint commitment by this Council and West Sussex County Council (the Highways Authority) to redevelop the Queens Square, which would be starting shortly. |

114. Minutes

The minutes of the meeting of the Full Council held on [24 February 2016](#) were approved as a correct record and signed by the Mayor.

115. 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) |
|----------------------|--|---|--|
| 23 | Development Control Committee 29 February 2016, Minute 59. (Conservative and Labour Group) | | Change of Committee Name (Recommendation 1) |
| 25 | Audit Committee 9 March 2016 Minute 31 (Labour Group) | Fraud Team Report | |

116. 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 – 29 February 2016.
 - (b) Audit Committee – 9 March 2016.
 - (c) Governance Committee – 14 March 2016.
 - (d) Development Control Committee – 22 March 2016.
 - (e) Cabinet – 23 March 2016.

- (2) That the recommendations contained in the reports on the following matters, which had not been reserved for debate, be adopted:-
 - (i) **Members' Allowances Scheme: Report of the Independent Remuneration Panel
(Governance Committee – 14 March 2016)
(Recommendation 2)**

The Committee had considered report [LDS/115](#) of the Head of Legal and Democratic Services.

RESOLVED

That the Members' Allowances Scheme for 2016/17 to 2019/20 as set out in Appendix 2 to report LDS/115 be approved – 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).

(ii) Report of the Constitution Review Working Group – Review of Council Procedure Rules (Governance Committee – 14 March 2016) (Recommendation 3)

The Committee had considered report [LDS/114](#) of the Head of Legal and Democratic Services. The Committee had 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. 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.

RESOLVED

- (1) That the amendments to the Council Procedure Rules (Part 4 of the Constitution) proposed in report LDS/114 be agreed, subject to the additional amendments identified above.
- (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.

(iii) Annual Review of the Constitution (Governance Committee – 14 March 2016) (Recommendation 4)

The Committee had considered report [LDS/113](#) of the Head of Legal and Democratic Services.

RESOLVED

- (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.
- (2) 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.

117. Reserved Items

The matters identified in Minute No. 115 above were debated by the Full Council. These included:

(a) Matter raised under the report of the Audit Committee – 9 March 2016

The matter raised was in relation to the Fraud Team Report (Minute 31). In this respect Members acknowledged the significant work being undertaken by the Fraud Team and the considerable amount of money the Team was saving the Council in identifying, investigating and taking action against cases of fraud. With this in mind, the Full Council wished to place on record its sincere thanks and appreciation for the work the Team was undertaking and the fantastic results being achieved.

(b) **The reserved item containing a recommendation to Full Council.**

This was dealt with as set out in Minute Number 118 below:-

**118. Change of Committee Name
(Development Control Committee – 29 February 2016)
(Recommendation 1)**

The Committee had considered the proposal that the Development Control Committee be renamed the Planning Committee.

Councillor Irvine, as Chair of the Committee, took this opportunity to remind the Council that the Committee had deliberated on a number of complex issues during this municipal year, and in this respect he thanked all Members of the Committee for the contribution they had made.

Upon being put to the Full Council, Recommendation 1 was CARRIED, and it was

RESOLVED

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.

119. 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 Bloom.

The Motion was in relation to the forthcoming referendum on the UK's membership of the European Union. Whilst a number of Members indicated their support for the Motion, it was considered that the motion was a statement on what was already happening. The Full Council discussed the Motion and considered the issues raised.

Closure Motion

This matter continued to be debated, and in accordance with Council Procedure Rule 15.12 (a) (ii), it was moved by Councillor Mullins and seconded:-

That the question be now put.

Upon being put to the Full Council, the Closure Motion was CARRIED.

With the Notice of Motion then being put to the Full Council, that Motion was CARRIED, and it was

RESOLVED

That Crawley Borough Council welcomes that the Conservative Government has delivered on its manifesto promise to hold an in/out referendum on the UK's membership of the European Union on the 23rd of June 2016.

Given that the referendum will be a once-in-a-generation opportunity for Crawley voters to have their say on the UK's membership of the EU, this Council resolves to:

1. Formally take a position of neutrality while respecting the rights of individual councillors to campaign for any position should they choose to do so.

2. Urge the Electoral Registration Officer to take all reasonable and lawful steps to ensure that all eligible voters are registered to vote in time for the referendum.

Furthermore, following the referendum and regardless of the outcome, the Council commits to working constructively with the Government and all stakeholders in relation to any potential implications for Crawley that the referendum result may have.

120. 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 Guidera. |
| Addressed to | Cabinet Member for Public Protection a Community Engagement. |
| Subject | Crawley Question Time. |
| Questioner | Councillor Jaggard. |
| Addressed to | Cabinet Member for Environmental Services and Sustainability. |
| Subject | Fixed Penalty Notices for Littering. |
| Questioner | Councillor Crow |
| Addressed to | Cabinet Member for Housing. |
| Subject | Affordable Housing |

121. Announcements by Cabinet Members

| Cabinet Member | Subject |
|--|--|
| Councillor Lloyd (Cabinet Member for Environmental Services and Sustainability). | Councillor Lloyd was pleased to announce that:- (i) Since the Council started to participate in the Energy Switching Scheme in February 2015, 817 people had switched supplier with an average saving of £240 each, making a total saving for Crawley residents of nearly £200,000. (ii) Following the successful capital bid of £400,000 for a solar panel instalment programme on more of the Council's buildings, schemes to the value of £195,000 were due to be completed by 31 July 2016 comprising K2 Crawley, the Depot, Hawth, Ifield Drive Community Centre and Tilgate Nature Centre. A second phase was being worked on with an expected completion date of 30 November. Work was underway to identify a third phase of buildings among the Council's play sites, community centres and pavilions. |
| Councillor Mullins (Cabinet Member for Wellbeing) | Councillor Mullins referred to the events which had taken place on 20 March to mark the official reopening |

| Cabinet Member | Subject |
|-----------------------|--|
| | of the Ifield Mill Pond, and on 2 April to mark the opening of the Tilgate Nature Centre's Australasia Zone. Both events had been successful family occasions, and the Mayor took this opportunity to convey his thanks and appreciation to all the staff concerned for the work they had carried out on those events. |

122. 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 Stone | Issues put to Councillor Jones around the forthcoming Police and Crime Commissioner Elections. | The Mayor confirmed that this question could not be taken on the grounds that it was out of order in the Purdah period. |
| Councillor Lunnon | The regeneration of the Town Centre over the last two years. | In response to the question put by Councillor Lunnon, Councillor P C Smith (as Cabinet Member for Planning and Economic Development) explained what had been done to encourage the Town Centre regeneration, identifying the projects that had continued to come forward to develop that area. At this point the Mayor announced that on the advice of the Monitoring Officer it was right to ask questions regarding any work being undertaken within any particular Portfolio, but that in view of the current Purdah period, care should be taken on what was being said, particularly by those in a position of any candidacy. |
| Councillor Lanzer | Issue raised around development standards within the town. | Councillor P C Smith emphasised that only high quality development (as opposed to less desirable / shoddy development) was sought, which reflected the future vision for the town. |
| Councillor Thomas | Further reference made to development standards within the town. | Councillor Smith agreed with Councillor Thomas' example of a less than desired local development. |
| Councillor | The Queens Square | Councillor Mullins (as Cabinet |

| Name of Councillor asking Question | Subject | Name of Cabinet Member(s) Responding |
|---|---|---|
| B J Burgess | Bandstand. | Member for Wellbeing) explained that the Bandstand had recently been inspected, and that as a result of the inspection's findings some repairs would be required. The Bandstand was to be stored - but only for refurbishment purposes. Once that refurbishment had been completed the Bandstand would, as planned, be relocated to the Memorial Gardens. |
| Councillor Sudan | The global rise in the crime of human trafficking, and in particular that in terms of children. | Councillor Jones (as Cabinet Member for Public Protection a Community Engagement), indicated that whilst there was no evidence of this crime locally, we were doing all that we could to invest against such crime. In response to concerns conveyed by Councillor Sudan, Councillor Jones confirmed that our local taxi drivers were very supportive of the CSE (Child Sexual Exploitation) awareness training that they were being asked to attend, and the need to look out for any signs of the trafficking concerned. The Council's Licensing Service is seeking to ensure that all taxi drivers undertake the CSE course. |

123. Questions to Committee Chairs

| Name of Councillor asking Question | Subject | Name of Chair Responding |
|---|---|---|
| Councillor McCarthy | Recent local press item on the proposed changes to allowances in the Members' Allowances Scheme. | In response to comments made by Councillor McCarthy, Councillor Stanley (as Chair of the Governance Committee) indicated that as he was not available at the time, it was the Leader of the Council who had commented in the press on the proposed changes concerned. |
| Councillor B A Smith | The possibility of dementia training for all private hire and hackney carriage drivers and operators. | Councillor Quinn (as Chair of the Licensing Committee) indicated that once the current Child |

| Name of Councillor asking Question | Subject | Name of Chair Responding |
|------------------------------------|---|---|
| | | Sexual Exploitation awareness training had been completed, consideration could be given to introducing the dementia training requested. |
| Councillor Lanzer | The limited public response to the recent online survey on the Council's Review of Democratic Structures. | In response to this matter, Councillor B A Smith (as Chair of the Overview and Scrutiny Commission) commented that we had to find a way to engage with the people of this town as part of the future development of this Council's governance. Councillor Smith emphasised that the Review Panel concerned would continue its work and in time come forward with recommendations, and that whilst she was pleased that the review had been instigated, she was not so pleased with the number of Members who had attended the recent and associated Workshop. |
| Councillor Burrett | The amount of notice given to Members regarding the Workshop held on the Review of Democratic Structures. | Councillor B A Smith commented that notice given to Members of the Workshop was longer than the week indicated by Councillor Burrett, referring to the fact that the date allocated for the Workshop had already been set aside for this type of event / Seminar. |

At this point of the Meeting Councillor B J Burgess conveyed her best wishes to the Mayor with regard to her forthcoming tandem skydive to raise funds for the Mayor's two charities – Springboard and the CCVS.

124. Closure of Meeting

The meeting ended at 8.44 p.m.

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 L S Marshall-Ascough | 5 | | | Public Question Time – a question relating to housing succession rights involving a local case. | Personal Interest – a friend of the person concerned. |
| Councillor R D Burrett | 8(1)(a) | Development Control 29 February 2016 Minute 55 | P19 | CR/2015/0637/FUL Land Off Worth Way (South of Saxon Road), Pound Hill, Crawley | Personal Interest – attends meetings of Worth Conservation Area Advisory Committee as the local County Councillor for the area. |
| Councillor R A Lanzer | 8(1)(a) | Development Control Committee of 29 February 2016 Minute 55 | P19 | CR/2015/0637/FUL Land Off Worth Way (South of Saxon Road), Pound Hill, Crawley | Personal Interest – attends meetings of Worth Conservation Area Advisory Committee as the local Borough Councillor for the area. |
| Councillor B MeCrow | 8(1)(a) | Development Control 29 February 2016 Minute 55 | P19 | 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 P Smith | 8(1)(d) | Development Control 22 March 2016 Minute 64 | P2 of Supp. Minute Book | CR/2016/0042/NCC Texaco Garage, The Cooperative Food, Balcombe Road, Pound Hill, Crawley, RH10 4SX | Personal interest – member of the Co-operative Party |
| Councillor G Thomas | 8(1)(d) | Development Control 22 March 2016 Minute 64 | P2 of Supp. Minute Book | CR/2016/0042/NCC Texaco Garage, The Cooperative Food, Balcombe Road, Pound Hill, Crawley, RH10 4SX | Personal interest – member of the Co-operative Party |
| Councillor B MeCrow | 8(1)(d) | Development Control 22 March 2016 Minute 64 | P4 of Supp. Minute Book | CR/2016/0118/FUL 15 Chatfields, Gossops Green, Crawley | Personal interest – acquainted with an objector to the application. |
| Councillor R D Burrett | 8(1)(e) | Cabinet 23 March 2016 Minute 75 | P7 of Supp. Minute Book | Draft Crawley Place Plan | Personal Interest as a Member of West Sussex County Council. |
| Councillor M G Jones | 8(1)(e) | Cabinet 23 March 2016 Minute 75 | P7 of Supp. Minute Book | Draft Crawley Place Plan | Personal Interest – Member of West Sussex County Council |

| 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 | 8(1)(e) | Cabinet 23 March 2016 Minute 75 | P7 of Supp. Minute Book | Draft Crawley Place Plan | Personal Interest – Member of West Sussex County Council |
| Councillor R A Lanzer | 8(1)(e) | Cabinet 23 March 2016 Minute 75 | P7 of Supp. Minute Book | Draft Crawley Place Plan | Personal Interest – Member of West Sussex County Council |
| Councillor P C Smith | 8(1)(e) | Cabinet 23 March 2016 Minute 75 | P7 of Supp. Minute Book | Draft Crawley Place Plan | Personal Interest – Board Member for Manor Royal Business Group |
| Councillor L S Marshall- Ascough | 10 | | | Notice of Motion | Personal Interest – Head of Field Campaign for Grassroots Out. |
| Councillor K Sudan | 13 | | | Questions to Cabinet Members – a question relating to child exploitation. | Personal Interest – a member of the Stop the Traffik movement. |