

Crawley Borough Council

Agenda for the Full Council

To: The Mayor and Members of the Council

You are summoned to attend a meeting of the **Full Council** which will be held in the Council Chamber, Town Hall, Crawley, on **Wednesday 14 December 2016** at 7.30 p.m.

Nightline Telephone No. 07881 500 227



Head of Legal and Democratic Services

Please contact Chris Pedlow (Legal and Democratic Services Division) if you have any queries regarding this agenda.

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Duration of the Meeting

If the business of the meeting has not been completed within two and a half hours (normally 10.00 p.m.), then in accordance with Council Procedure Rule 2.2, the Mayor will require the meeting to consider if it wishes to continue for a period of up to 30 minutes. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue. (Following the meeting's initial extension, consideration will be given to extending the meeting by further periods of up to 30 minutes if required).

Business - Part A

1. Apologies for Absence

To receive any apologies for absence.

2. Members' Disclosures of Interest

In accordance with the Council's Code of Conduct, members of the Council are reminded that it is a requirement to declare interests where appropriate.

3. Communications

To receive and consider any announcements or communications.

4. Public Question Time

To answer public questions under Council Procedure Rule 10. The questions must be on matters which are relevant to the functions of the Council, and should not include statements.

One supplementary question from the questioner will be allowed.

Up to 30 minutes is allocated to Public Question Time.

5. Minutes

To approve as a correct record the minutes of the meeting of the Full Council held on 19 October 2016. (The minutes are on pages 1 to 15 in the Book of Minutes Report, which Members will have before them).

6. Items for debate (Reserved Items)

Prior to the introduction of the Minutes of the Cabinet, Overview and Scrutiny Commission and Committees (as contained in the Book of Minutes), Members will be given the opportunity to indicate on which items they wish to speak.

These Reserved Items will then be the only matters to be the subject of a debate.

7. Minutes of the Cabinet, Overview and Scrutiny Commission and Committees

(1) To receive the following minutes of the meetings of the Cabinet, Overview and Scrutiny Commission and Committees:-

- a) Licensing Committee – 2 November 2016.
Including Recommendation 1 – (Minute 7)
 - *Hackney Carriage and Private Hire Licensing Policy Revisions Post Consultation*
- b) Overview and Scrutiny Commission – 7 November 2016.

- c) Planning Committee – 8 November 2016.
- d) Governance Committee – 14 November 2016
Including Recommendation 2 – (Minute 11)
 - *Review of Democratic Structures Scrutiny Panel Final Report*
- e) Overview and Scrutiny Commission – 28 November 2016.
- f) Audit Committee – 29 November 2016.
Including Recommendation 3 – (Minute 25)
 - *Appointment of External Auditor*
- g) Cabinet – 30 November 2016.
Including:
 - *Recommendations 4*
 - *Treasury Management Mid-Year Review 2016/2017 – (Minute 32)*
 - *Recommendation 5*
 - *Review of the Council Tax Reduction Scheme – (Minute 33)*

The Full Council in considering the recommendation from the Cabinet on the Review of the Council Tax Reduction Scheme, is asked to note that the Cabinet had considered report [FIN/399](#) of the Head of Finance, Revenues and Benefits which resulted in its decision to recommended to the Full Council Options 2, 4 and 5c (as detailed within the Cabinet Minute 33 from its meeting held on 30 November 2016), be included within the Council's Council Tax Reduction Scheme 2017/2018 from 1 April 2017.

The Full Council is respectfully asked to read and consider the Cabinet's report on the Review of the Council Tax Reduction Scheme [FIN/399](#) including the report's appendices (attached as Appendix A to this Agenda) in making its decision.

- *Recommendation 6 – (Minute 34)*
 - *Review of Statement of Licensing Policy Gambling Act 2005*
- *Recommendation 7 – (Minute 37)*
 - *Supporting Business through Crawley Small Business Grant Scheme*

- (2) To adopt the recommendations to Full Council, which have not been reserved for debate.

8. Reserved Items

To deal with items reserved for debate including any recommendations which have been identified by Members under Agenda Item 6.

Councillors who have reserved items for debate, may speak on an item for no more than 5 minutes.

9. Notices of Motion

To consider, in accordance with Council Procedure Rule 13, the following Notice of Motion to be moved by Councillor Belben and seconded by Councillor B J Burgess –

'This Council believes in consumers being able to make informed choices for themselves on alcohol consumption. Alcohol content is always displayed on bottled and canned alcohol products but often calories are not.

Therefore, this Council calls upon the Secretary of State for Environment, Food and Rural Affairs to work with the alcoholic drinks industry to help make consumers truly drink-aware by displaying the number of calories on all bottled and canned alcoholic drinks.'

10. Members' Written Questions

To answer Members' written questions under Council Procedure Rule 11.4.

11. Announcements by Cabinet Members

An opportunity for Cabinet Members to report verbally (if necessary) on issues relating to their Portfolio not covered elsewhere on the agenda.

12. Questions to Cabinet Members

To answer questions to Cabinet Members under Council Procedure Rule 11.2

Up to 15 minutes is allocated for questions to Cabinet Members.

13. Questions to Committee Chairs

To answer questions to Committee Chairs under Council Procedure Rule 11.3

Up to 15 minutes is allocated for questions to Committee Chairs.

14. Supplemental Agenda

Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.

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Crawley Borough Council

Report to Overview and Scrutiny Commission 28 November 2016

Report to Cabinet 30 November 2016

Review of the Council Tax Reduction Scheme

Report of the Head of Finance, Revenues & Benefits, **FIN/399**

1. Purpose

- 1.1 Benefit claimants receive two types of 'benefit' – housing benefit which is help to pay their rent and Council Tax reduction, this is a reduction on the amount of council tax payable to the authority. The Council introduced a Local Council Tax Reduction Scheme in April 2013 (LCTRS). The Scheme is means tested and determines the amount by which a taxpayer's council tax will be reduced. Due to Government welfare reform changes it is appropriate for the Council to consider whether it wishes to revise the current scheme as the council is under a legal obligation to keep the scheme under review. This report considers some possible amendments to the current scheme, which, if agreed, would come into effect from 1 April 2017.
- 1.2 The report presents the Local Council Tax Reduction Scheme (LCTRS) options for 2017/2018 and asks Members to consider and agree which option(s) are to be applied taking into account the results of a Consultation on the options to the scheme as well as the findings of the second stage Equality Impact Assessment (EQIA).

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission:

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet.

- 2.2 To the Cabinet:

The Cabinet is requested to:

- i. Consider the options set out in Appendix 1 together with the results of the analysis of the consultation exercise undertaken in respect of the options and the findings of the second stage Equalities Impact Assessment (EQIA) shown in Appendix 2.
- ii. The Cabinet is asked to **RECOMMEND** to Council what options, if any, should be included in the Council's Council Tax Reduction Scheme 2017/2018 from 1 April 2017.

3. Reasons for the Recommendations

- 3.1 The Council needs to decide whether it wishes to make any changes to its Local Council Tax Reduction Scheme (LCTRS).

4. Background

- 4.1 The Government ended the national council tax benefit scheme in March 2013. It required billing authorities to introduce their own local council tax schemes from April 2013. This was set out in the Welfare Reform Act 2012 and the Local Government Finance Act 2012 and Regulations issued thereunder. It also cut the grant support for the scheme by 10%. This grant (Revenue Support Grant) has been reducing since and will be phased out by 2020/21.
- 4.2 The legislation included a default scheme that some authorities adopted. The Council decided to implement its own scheme, which was agreed by Council in December 2012; further minor amendments were made to the scheme in December 2013. As with other authorities introducing their own scheme, it had no freedom over the provision made for pensioners as this was prescribed in the legislation.
- 4.3 The Council must publish its LCTRS, for each financial year, the Council is required to consider whether to revise its Scheme or replace it with a different Scheme. Any revision or replacement must be made by 31st January. Before revising or replacing its Scheme, The Council must :
- (a) Consult any major precepting authority which has power to issue a precept to it
 - (b) Publish a draft scheme in such manner as it thinks fit and
 - (c) Carry out a consultation on any proposed changes.
- 4.4 The implementation of the LCTRS went smoother than officers had expected and there have been very few adverse comments from those affected and arrears are low. The original budget for the scheme at 1st April 2013 was £8.097m with 8,167 claimants.

The Table below shows the position in 2013.

Claimant type	% of total claims	Caseload (number of claimants)	% spend	Total spend £000's
Working Age	57%	4,674	61%	4,919
Pensioners	43%	3,493	39%	3,178
Total	100%	8,167	100%	8,097

The budget for the current year is £7,725,712, this is a reduction of over £344,000 since the scheme commenced. The scheme is currently costing less than the budget and there are 270 less claimants. The Table below shows the position as at November 2016.

Claimant type	% of total claims	Caseload (number of claimants)	% spend	Total spend £000's
Working Age	64%	5,073	63%	4,771
Pensioners	36%	2,824	37%	2,810
Total	100%	7,897	100%	7,581

The scheme is currently underspending by £144,543 (£7,725,712 less committed to date £7,581,169). This underspend will be reallocated as shown in the Table below.

	Band D Council Tax	Percentage Split	Share of Underspend
West Sussex County Council	1,207.89	78.13%	112,926
Sussex Police and Crime Commissioner	148.91	9.63%	13,922
Crawley Borough Council	189.27	12.24%	17,695
Total	1,546.07	100.00%	144,543

4.5 Welfare reform changes made by the Government will mean that if the Council do not consider making the same changes, the Scheme may pick up the costs of these reductions being made by central Government and the costs will be passed onto all Council Tax payers. However an objective is to have regard to the impact of such changes on vulnerable residents.

4.6 Members are reminded that review of the local Council Tax Reduction Scheme will only affect working age households. Generally those receiving Income Support, income based Job Seekers Allowance or income related Employment Support Allowance get 100% reduction in their Council Tax liability (known as passported).

Applicants are means tested, income is compared to their 'living allowance' (called applicable amount), this is the amount the Government say that someone needs to live on compared to their circumstances. However if they have savings of £9,000 or more they do not get any reduction.

If income equals their living allowance then, generally, they are entitled to 100% reduction of their council tax bill. If income is more than their living allowance, then the Council Tax Reduction is adjusted by 20p for every £1 above this living allowance.

In all cases if there is a non-dependent (an adult of working age) in the household and an exemption does not apply, then the amount of reductions is taken into account depending on their income too; this is because we expect them to contribute to household bills, including council tax.

Any reduction calculated as less than £5 per week is not granted, so the minimum payable is £5 per week if not receiving 100% reduction.

4.7 Following further discussion with the relevant Cabinet Members it was agreed to undertake consultation on these potential changes -

- Option 1 - Removing the Family Premium for all new working age applicants
- Option 2 - To remove a Work Related Activity Component in the calculation for new ESA (Employment Support Allowance) applicants
- Option 3 - To limit the number of dependent children for Council Tax Reduction to a maximum of two
- Option 4 - Where someone is already paid Universal Credit (carer's element) to look after someone with a disability, to remove entitlement to the Severe Disability premium
- Option 5 - Uprating
 - a. No increase (the cost of the scheme will reduce if there is no uprating) this could help towards the budget gap (which is saving around £100,000 in the current financial year).
 - b. Increase to the same level as the council tax increase. We could only do this looking backwards due to the deadlines of consultation. The total increase in Council Tax including the County and Police and Crime Commissioner in 2016/17 was 3.5%, this would cost around £100,000 and can be met from within the existing budget.
 - c. Increase the allowance by the same as the default scheme (costing £84,000 and can be met from within the existing budget) – i.e. by the September CPI going back to when the scheme started in April 2013, this would make the scheme easier to administer.
 - d. Increase by another amount

The survey also asked - 'Should the Council keep the current Council Tax Reduction scheme? (Should it continue to administer the scheme and have the same level of support as it does at the moment?)'

More detailed information is given about these options in **Appendix 1** with background information on the options in **Appendix 1(i)**.

Consultation

4.8 Prior to the implementation of any change to the LCTRS, authorities are required to consult with the public. There have been a number of legal challenges to LCTRS consultations, it should be noted that the Supreme Court in the decision of R (Moseley) v Haringey LBC defined what is meant by 'good consultation'. The guiding principles which have been established through case-law for fair consultation are:

- The consultation must be carried out at a stage when proposals are still at a formative stage;
- Sufficient information on the reasons for the decision must be provided to permit the consultees to carry out intelligent consideration of the issues and to respond;
- Adequate time must be given for consideration and responses to be made; and The results of the consultation must be properly taken into account in Finalising any decision

- Due regard needs to be paid to the need to follow the principles on consultation in particular the need to set out alternative choices with the Consultation.¹

The Consultation outlining the options has taken place and ran for 7 weeks starting on 3 August 2016 and ending on 28 September 2016. It included an on line survey via the Council's Home page on the web. It is a requirement of the Regulations that the views of the major preceding partners are sought; correspondence was sent to West Sussex County Council and the Sussex Police & Crime Commissioner advising them of the Consultation and linking the survey.

4.9 The [survey](#) was made available online and public could also request a paper copy. An online survey was deemed most effective in terms of distribution and cost, in this case reaching a wide range of people cost effectively and allowing for changes to the consultation documents quickly. In addition we used a range of advertising methods below –

- Regular social media updates (Facebook & Twitter) The Council has almost 6,000 followers on Twitter and over 2,500 followers on Facebook The message was re-tweeted a number of times throughout the consultation.
- Council website (news and consultation page) with a direct link from the front page
- Members Bulletin
- Email alerts to subscribers of consultation updates
- Press release with double page spread in Crawley News
- Crawley Homes newsletter – distributed to council residents via post.
- Posters given to members to put in public notice boards throughout the Borough

5 Description of Issue to be resolved

5.1 This report presents the Local Council Tax Reduction Scheme (LCTRS) options for 2017/18 and asks the Council to consider and agree which options are to be applied.

6 Information & Analysis Supporting Recommendation

6.1 Results of the Consultation

In total, we received 22 responses to the on-line survey, of which 36% were males and 64% females responded; 18% were pensioners. The working age population of Crawley in 2014 (ONS survey) was 72,079 of which 6,930 were claiming one or more DWP benefit. At that time there were 14,400 pensioners.

¹ Supreme Court Ruling in the case of R (On the application of Moseley) v London Borough of Haringey (2014).

Although the level of response is somewhat disappointing, the number of results allows for a reasonable degree of confidence that we have a representative view from residents of the Borough.

The breakdown of each option are given in **Appendix 1** together with background information.

The results for each option, together with stand-alone financial effect, equality impact assessment and a balanced view of comments is set out below and in more

detail in **Appendix 2**. The financial effect for each option is designated as 'stand-alone' because it is an estimate of the income generated or cost of the option in full if only that option were selected and applied to the working age caseload. It must only be viewed as a rough indication if multiple options were applied.

Some options such as 5 a - d are exclusive, whereas others can be combined.

The benefit or loss generated by the options is shared amongst the billing authority and major preceptors in the same way as council tax as shown in the table in paragraph 4.4. Effectively, any option causing a financial change to the scheme reduces or increases the Borough's Taxbase.

The full responses with all comments from the website survey can be found on the attached [link](#)

6.2 Members will note that;

- When asked 46% were in favour of changing the current scheme with 41% not in favour.
- Options 2, 3 and 4 below received the highest support. These are the options that would effectively mirror the changes or proposed changes to housing benefit by central Government.
- In option 5 the options to align CTRS to housing benefit showed the greatest support at 46%.
- The majority of respondents did not agree to the alternative ways of funding the scheme, such as increasing council tax or cutting services however 50% agreed that we should use reserves.

This information on responses is shown in the Table in **Appendix 2**.

6.3 A response from West Sussex County Council is given below -

'We accept that the local council tax support scheme is a matter for the billing/collecting authorities to decide. As the administrators of the scheme they are in a better position than the County would be to judge the pros and cons of any changes.

However, essentially the national funding support for council tax support schemes is tapering sharply in line with the overall major funding cuts we all face and we believe this point should be borne in mind when reviewing your options. Much of the cost of reduction schemes is borne by the County Council due to the impact it has on the tax base.

As the funding is cut, it shouldn't be automatically assumed the level of support within each localised scheme continues. It needs to be seen in the context of the diminishing central funding available and the potential cuts inflicted elsewhere, if the level of support for a local scheme is maintained unabated.'

There was no response from Sussex Police and Crime Commissioner.

Implications

Legal Implications

The relevant legislation is the Local Government Finance Act 1992 and Regulations made thereunder. The Regulations sets out the various prescribed

requirements that all Councils must include in their Scheme. There is a legal requirement that consultation takes place as outlined in paragraph 4.8 above.

Due regard needs to be taken of the responses to the Consultation on the Option(s) so that an informed decision is taken on the preferred Option(s).

Equality Implications

Before making a decision, section 149 of the Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- (i) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- (ii) advance equality of opportunity between persons who share a relevant protected characteristic and those do not share it. This involves having due regard, in particular, to the need to:
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic.
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons’ disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- (iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

6.4 An Equality Impact Assessment has been completed based on the results of the Consultation this can be found at **Appendix 2**.

Both the Cabinet and the Council must have due regard to the Public Sector Equality Duty and must take into account and consider the Equality Impact Assessment as set out in **Appendix 2** in order to discharge their statutory obligation ²

Some working age claimants will be affected by more than one of the options. It is not possible to model any cumulative impacts but the possibility that some claimants especially those with families that make new claims from April 2017 may be adversely affected by more than one option should be taken into account when deciding which options will be taken forward.

6.5 **Financial Implications**

The financial implications of the potential options are set out in **Appendix 3** in order to enable the Cabinet and Council to make an informed decision.

Appendices: -

Appendix 1 - Breakdown of Options with background information

Appendix 2 Second Stage Equality Impact Assessment Council Tax Reduction Scheme 2017/18

Appendix 3 Potential financial implications

8 Background Papers

[Local Council Tax Reduction Scheme – report FIN/286 Nov 2012](#)

[Review of the Council Tax Reduction Scheme Fin/318 Dec 2013](#)

Report author and contact officer: Karen Hayes, Head of Finance, Revenues & Benefits (tel.: 01293 438263)

² Logan R (On the application of) v London Borough of Havering (2015)

Breakdown of Options with background information

Option 1 - Family Premium changes

The results of the consultation were inconclusive with 50% for, 46% against and 4% didn't know.

The living allowance (applicable amount) includes a 'family premium' if you apply for Council Tax Support and you have one or more dependent children.

Under our current scheme, the family premium is £17.40 a week.

From 1st May 2016 Central Government removed the family premium allowance from **new** claims for **housing benefit**. The consultation asked if **new** claims for Council Tax Reduction should be brought in line with the housing benefit scheme.

This change would **not** affect those on Universal Credit, Income Support, Income Related Employment and Support Allowance or Income Based Jobseeker's Allowance. So the main people affected would be those in work and claiming Council Tax Reduction.

The benefit of this is:

- It brings the CTRS in line with Housing Benefit changes implemented by Central Government (although the HB change came into effect on 1 May 2016) - any change to the CTRS would be from 1st April 2017
- It avoids additional costs to the Council Tax Reduction Scheme, for any **new** claims from 1st April 2017, however the scheme currently does allow for this premium.
- It does not affect existing claimants

The drawbacks are

- New working age residents may see a reduction in the amount of support they receive
- Some households with children will pay more Council Tax (only new claimants)

As an example of what this change would mean, let us take a family with three children, they move into a property in Crawley in May 2017, they make a claim for Council Tax Reduction.

They have total earned income and tax credits of £409.80. They are in a band C property.

Under the current scheme they are awarded a Council Tax reduction of £9.24 a week. Under the proposal that will be reduced by £3.48 per week.

As a consequence, they will be required to pay an additional £181 a year in Council Tax.

The following table summarises some key information regarding the option:

Costs	This will affect new claims only, the estimated number of new claims with a family are around 170. The saving to the scheme would be £30,763 – of which the saving to Crawley would be £3,765.
No. Affected	Approximately 170 households will be required to pay an average of £181 a year more council tax.
Consultation	<p>Sample of comments</p> <p>If applying this should apply to existing and new claims or is unfair and children may suffer</p> <p>Should align the government policy. Also it's impacted appears limited due to all the exceptions stated above, those on income support for example.</p> <p>I do not think that discriminating against families with children is a good idea. Children are costly so any help that these families can get will always be a good thing</p> <p>Unemployed people should be made to contribute to their council tax</p>

Option 2 - Employment Support Allowance claimants in the Work-Related Activity Group

The results of the consultation showed that 68% were in favour of this option.

From April 2017, all **new** applications of Employment and Support Allowance (ESA) who fall within the Work Related Activity Group will no longer receive the component in either their ESA or within the calculation of Housing Benefit.

A person who falls within the Work Related Activity Group, and currently receives this component, is someone who has limited capability to work due to limited physical. And/or mental conditions, and that limitation is not reasonable to require them to undertake work.

It is proposed that the Council's Council Tax Reduction Scheme is amended to reflect the changes.

The benefits for the Council of this are:

- The treatment of ESA will be brought into line with Housing Benefit
- It avoids additional costs to the Council Tax Reduction Scheme
- Persons currently receiving ESA will not experience any reduction in Council Tax Reduction

There are no drawbacks

This proposed change will bring the scheme in line with Housing Benefit and will not result in anyone receiving less CTR

If we do not action this change it could result in additional costs for the authority as customers retaining the work related component in CTR but having less income from ESA could be entitled to more CTR if they had other forms of income

Costs	0
No. Affected	None - Treatment of Employment & Support Allowance would be brought into line with Housing Benefit, <u>it avoids additional costs to the CTRS</u> (avoids duplication).
Consultation	Sample of comments If no drawbacks why an option and not just implemented? If it doesn't change the benefits the person receives why does it need to change?

As Members are aware, some of the options consulted upon were intended to align Council Tax Reduction with the administration of Housing Benefit. At the present time, this change has yet to be made within the Housing Benefit scheme but regulations are expected before the 1st April 2017.

Option 3 - Removal of applicable amounts for third and subsequent children born after April 2017

Within the current scheme, claimants who have children are awarded a dependant's additional allowance of £64.99 **per child** within their applicable amounts. There is no limit to the number of dependant's additions that can be awarded.

From April 2017 Central Government will be limiting dependant's additions in Universal Credit, Housing Benefit and Tax credits to a maximum of two. This will only affect households who have a third or subsequent child on or after 1 April 2017.

There will be exceptions where: there are multiple births after 1 April 2017 (and the household is not already at their maximum of two dependants within the calculation); adopted children.

The benefits for the Council of this are:

- Council Tax Reduction will be brought in line with Housing Benefit, Universal Credit and Tax Credits
- It is simple and administratively easy

The drawbacks of doing this are:

- Claimants who have a third or subsequent child after 1 April 2017 (and are not excepted from the rules) may receive less Council Tax Reduction than a claimant who has more children born before 1 April 2017.

Take the same family of three from above, say that they have a new claim. Under the current scheme they are awarded a reduction of £9.24 a week. Under the proposal would be no reduction. As a consequence, they will be required to pay £480.40 more Council Tax per annum; this is because they do not qualify for an allowance for the third child.

The following table summarises some key information regarding the option:

Costs	This will affect new claims only. The saving from implementing this change in the current scheme is in the region of £32,300 a year.
No. Affected	50 households, who will be required to pay an average of £647 a year more council tax
Consultation	<p>Sample of comments</p> <p>Again align to government policy, this is not retrospective so the rules can be clear. People need to take accountability for the finances and council needs to send that message. The exceptions appear reasonable.</p> <p>People shouldn't use having children as an excuse to not pay taxes. If they choose to have a large family they should pay the same as anyone without children or with a small family. Also I feel the unemployed (JSA or ESA not disabled) should have to make some form of contribution as a way to get them back to work to want to earn more money. The whole time being unemployed guarantees full benefits the lazy people of Crawley will continue to take advantage.</p> <p>People should have NO council tax reduction based on how many children they have.</p> <p>This is less disagreeable than the other options, only in the sense that having children is a lifestyle option especially in a world that is overpopulated.</p> <p>Anything that discriminates against families with children must be bad as if the family is on benefits they already have a strain on their budgets</p>

The results suggest that the majority of respondents agree to implementing this option (82%). As Members are aware, some of the options consulted upon were intended to align Council Tax Reduction with the administration of Housing Benefit. At the present time, this change has yet to be made within the Housing Benefit scheme.

Option 4 - Where someone is already paid Universal Credit (carers element) to look after someone with a disability, to remove entitlement to the Severe Disability premium

Currently when another person is paid Carers Allowance to look after a Council Tax Reduction claimant, the Severe Disability Premium is not included when working out their needs (Applicable Amounts). **The reason for this is that it avoids paying for the same care twice.** This proposed change will align the scheme with Housing Benefits by treating persons who receive the Universal Credit (Carers Element) in the same way as anyone receiving Carers Allowance

The benefits for the Council of this are:

- Council Tax Reduction will be brought in line with Housing Benefit, Universal Credit and Tax Credits
- It is simple and administratively easy
- It is fairer as we will be treating those receiving Universal Credit Carers Element in the same way as those receiving Carers Allowance.

Costs	0
No. Affected	None - Treatment would be brought into line with Housing Benefit, <u>it avoids additional costs to the CTRS.</u>
Consultation	<p>Sample of comments</p> <p>If no drawbacks why an option and not just implemented. These things should just be done rather than crowding these consultations. Assume the council needs to make some hard choices focus on what people need to decide with impacts.</p> <p>Families with a disabled person have stressful lives as it is. Removing money from them will only add to concerns as to whether they can afford to live. Discriminating against the disabled is wrong.</p>

The results suggest that the majority of respondents agree to implementing this option (77%).

Option 5 - Uprating

Around half of working age recipients of a reduction are 'passported' – i.e. they automatically receive 100% reduction as a result of receiving one of a number of state benefits. The rest are means tested.

The assessment for those that are means tested is based on a comparison of their income and a living allowance (referred to as applicable amounts under the old national scheme). The living allowance varies according to the make up of the household.

The scheme includes the option to uprate the living allowance each year. It neither makes uprating mandatory nor does it determine the amount of the uprating. The default scheme, set by the Government, does get uprated annually. So does the living allowance for pensioners, as the Government determines all the rules for pensioners.

Therefore, the freedom only affects non-passported working age recipients.

If income equals their living allowance then, generally, they are entitled to 100% reduction of their council tax bill. If income is more, then the Council Tax Reduction is adjusted by 20p for every £1 above (this is known as the Taper).

No uprating has been made to the living allowance for working age recipients since the scheme started. This was based on the logic that as the Council Tax had not increased then the living allowance did not need to either.

The increase in the current year in Council Tax was too late to consult on to make any changes to the living allowances as consultation has to be take place and be approved by Full Council and published by 31st January.

Potentially there are four choices:

- a. No increase (the cost of the scheme will reduce if there is no uprating) this could help towards the budget gap (this is saving around £119,000 in the current financial year).
- b. Increase to the same level as the council tax increase. We could only do this looking backwards due to the deadlines of consultation. The total increase in Council Tax including the County and Police and Crime Commissioner in 2016/17 was 3.5%, this would cost around £100,000 and can be met from within the existing budget.
- c. Increase the allowance by the same as the default scheme (costing £84,000 and can be met from within the existing budget) – i.e. by the September CPI going back to when the scheme started in April 2013, this would make the scheme easier to administer.
- d. Increase by another amount

The results of the consultation suggest that the majority of respondents agree with Option C (46%).

This would make it easier for claimants to understand their claim if Housing Benefits and CTRS were aligned.

Costs	£83,900 a year (however the scheme is currently underspending and could absorb this cost)
No. Affected	5,073 households, who will be required to pay an average of £16.54 a year less council tax
Consultation	<p>Sample of comments</p> <p>If applying this should apply to existing and new claims or is unfair and children may suffer</p> <p>Should align the government policy. Also it's impacted appears limited due to all the exceptions stated above, those on income support for example.</p> <p>I do not think that discriminating against families with children is a good idea. Children are costly so any help that these families can get will always be a good thing</p> <p>Unemployed people should be made to contribute to their council tax</p>

**Second Stage Equality Impact Assessment
Council Tax Reduction Scheme 2017/18**

The Council Tax Reduction Scheme for 2017/18

It has now been decided by the Council that a review should be undertaken of the current Council Tax Reduction scheme and a public consultation has been undertaken to gather views as to whether the current scheme should be changed. A summary of the results of the consultation are provided together with this Equality Impact Assessment. The Council is minded to make changes to the working age scheme to meet the following:

The more accurate targeting of support to those working age applicants who most need it;

The need to change the scheme, not only to align with proposed changes to Housing Benefit, but also to align the scheme with the approach taken by the Department for Work and Pensions in the creation, introduction and roll out of Universal Credit; and

To address potential shortfalls in funding due to the continued reduction in Central Government grants.

It should be noted that the changes, if made, would only apply to the working age scheme although the consultation was open to all Council Taxpayers.

The main proposals of the scheme are as follows. Any changes if adopted will be effective from 1 April 2017:

- Should the Council maintain the current scheme for working age applicants?
- 1. Should the scheme be amended to align with Housing Benefit, namely that the Family Premium will not be granted for all new claims and for any 'new' families?
- 2. Should the scheme be amended in line with Housing Benefit and Employment and Support Allowance whereby the Work Related Activity Component will not be granted when calculating Council Tax Reduction for all new claims to Employment and Support Allowance on or after 1 April 2017?
- 3. Should the scheme be amended in line with Housing Benefit to restrict the number of dependants additions granted in the calculation to a maximum of two? This change will have specific exceptions and will only affect those applicants who have a third or subsequent child on or after 1 April 2017.
- 4. Where someone is already paid Universal Credit (carers element) to look after someone with a disability, to remove entitlement to the Severe Disability premium
- 5. Uprating living allowances
 - e. No increase (the cost of the scheme will reduce if there is no uprating) this could help towards the budget gap (which is saving around £100,000 in the current financial year).
 - f. Increase to the same level as the council tax increase. We could only do this looking backwards due to the deadlines of consultation. The total increase in Council Tax including the County and Police and Crime Commissioner in 2016/17 was 3.5%, this would cost around £100,000 and can be met from within the existing budget.
 - g. Increase the allowance by the same as the default scheme (costing £84,000 and can be met from within the existing budget) – i.e. by the September CPI going back to when the scheme started in April 2013, this would make the scheme easier to administer.
 - h. Increase by another amount

As an alternative to changing the Council Tax Reduction scheme, the Council consulted on whether it should:

- a. Increase the Council Tax; or
- b. Find the additional income by cutting other services; or
- c. Increase the income received by the Council

Scope of the Equality Impact Assessment

The following identifies the potential impact on claimants and particularly groups of claimants. It should be noted that Pensioners will continue to be protected under the rules prescribed by Central Government. These broadly replicate the council tax benefit scheme, which existed prior to 1 April 2013. Central Government has not been prescriptive in how it does this but points to the Council's existing responsibilities including the Child Poverty Act 2010, the Disabled Person Act 1986 and the Housing Act 1996 as well as the public sector equality duty in section 149 of the Equality Act 2010.

Disability

Working age people with disabilities continue to make up a high proportion of the caseload at 22%. Working age people with disabilities receive more per week, than working age people without disabilities, on average due to the design of the scheme that ignores certain disability benefits and awards higher applicable amounts.

Carers

There is a slightly lower proportion of claimants with a carer in the household at 10%. Working age claimants with a carer in the household receive more per week, on average, than working age claimants without a carer in the household. The main reason for this is both the treatment of disability and care within the existing scheme.

Age

Age groups of person receiving reduction broadly reflect the overall population. Those aged 55-64 currently receive the highest weekly amount, on average. Those aged 18-34 currently receive the lowest weekly amount, on average.

Sex

Females continue to make up a high proportion of the caseload at 63%.

Race

This information is not collected from claimants as it is not relevant to the calculation of council tax reduction.

Other protected characteristics

We do not collect information about the following characteristics from claimants as it is not relevant to the calculation of council tax reductions:

- Religion or belief
- Sexual orientation
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity

Full Analysis of the effects of the proposed changes

The following tables provide details of the expected effects of the changes (where available) on the working age claimants within the Council's area. The following however should be noted:

The population in Crawley in 2014 according to ONS population estimates were that there were 86,479 over 16 of which 72,079 were of working age.

Current scheme 2016/17 including pensioners

All Claims	All Claimants	Disability	No Disability	Carer	Non Carer	Female	Male	Unkown	18-24	25-34	35-44	45-54	55-64	65+
Number of Claimants	7897	1145	6752	649	7248	4937	2643	317	295	1140	1472	1203	963	2824
Proportion of Claimants		14%	86%	8%	92%	63%	33%	4%	4%	14%	19%	15%	12%	36%
Average Benefit Paid (Weekly)		21.02	17.81	22.02	17.94	18.32	18.26	17.70	17.41	17.38	18.47	18.96	19.72	17.83
Difference Between Groups		£3.22		£4.08		£0.06			2.31					

Current scheme 2016/17 **Working Age**

Working age	All Claimants	Disability	No Disability	Carer	Non Carer	Female	Male	Unkown	18-24	25-34	35-44	45-54	55-64
Number of Claimants	5073	1140	3933	506	4567	3197	1609	267	295	1140	1472	1203	963
Proportion of Claimants		22%	78%	10%	90%	63%	32%	5%	6%	22%	29%	24%	19%
Average Benefit Paid (Weekly)		21.01	18.12	22.11	18.12	18.68	18.34	17.63	17.41	17.38	18.47	18.96	19.72
Difference Between Groups		£2.89		£3.99		£0.34			2.31				

Option 5 would affect all of the above claimants

Proposed changes (2017/18)

Removing the Family Premium – Option 1

Would apply to **new** claimants only (predicted on current data) – estimated at 170

Working age	All Claimants	Disability	No Disability	Carer	Non Carer	Female	Male	Unkown	18-24	25-34	35-44	45-54	55-64
Number of Claimants	2994	347	2647	358	2636	2182	625	187	215	960	1139	573	107
Proportion of Claimants	59%	12%	88%	12%	88%	73%	21%	6%	7%	32%	38%	19%	4%
Average Benefit Paid (Weekly)		22.98	18.10	22.14	18.10	18.48	19.13	18.02	17.65	17.55	18.74	19.97	20.75
Difference Between Groups		£4.88		£4.03		£0.65			3.09				

Removing the family premium impacts upon:

- 59% of CTR working age claimants
- Females more than males (73%)
- Age group 25 – 44 (70%)

Removal of applicable amounts for third and subsequent children born after April 2017 – Option 3

Working age	All Claimants	Disability	No Disability	Carer	Non Carer	Female	Male	Unkown	18-24	25-34	35-44	45-54	55-64
Number of Claimants	50	6	44	6	44	37	11	2	3.5	1.92	16.72	1.14	1.76
Proportion of Claimants	1%	12%	88%	12%	88%	73%	21%	6%	7%	32%	38%	19%	4%
Average Benefit Paid (Weekly)	12.4	14.07	12.32	12.65	12.38	12.27	12.74	12.74	0.00	11.10	11.70	14.72	18.24
Difference Between Groups		£1.75		£0.27		-£0.47			7.14				

This change impacts upon:

- 1% of the working age CTR caseload
- Age group 35 to 44 (38%)

There is no data for Options 2 and 4

Analysis of Consultation Responses

The following section details the responses to the consultation on the scheme. A total of 22 responses were received during the period 3 August 2016 and 28 September 2016.

Should the Council keep the current Council Tax Reduction scheme? (Should it continue to administer the scheme and have the same level of support as it does at the moment?)

Yes 41%, No 46% Don't know 3%

Option 1 – Removing the Family Premium for all new working age applicants		Yes	50%	No	46%	Don't Know	4%
Option 2 – To remove a Work Related Activity Component in the calculation for new ESA applicants		Yes	68%	No	14%	Don't Know	18%
Option 3 – To limit the number of dependent children for Council Tax Reduction to a maximum of two		Yes	82%	No	18%	Don't Know	0%
Option 4	Where someone is already paid Universal Credit (carers element) to look after someone with a disability, to remove entitlement to Severe Disability Premium	Yes	77%	No	14%	Don't Know	9%
Option 5	Uprating						
	a - No increase						41%
	b - Increase to same level as Council Tax increase						9%
	c - Increase the allowance to the same as the default scheme						46%
	d - Increase by another amount						5%
As an <u>alternative</u> should the level of Council Tax be increased to support the CTRS?		Yes	18%	No	77%	Don't Know	5%
As an <u>alternative</u> should savings be found by cutting other Council Services?		Yes	27%	No	55%	Don't Know	18%
As an <u>alternative</u> should the Council use its reserves (savings)?		Yes	50%	No	36%	Don't Know	14%

Respondents Demographics

Gender –

Male – 8 (36%)

Female – 14 (64%)

Age –

Under 18 - 0

18 -24 - 1 (5%)

25 – 34 - 3 (14%)

35 – 44 - 9 (41%)

45 – 54 - 1 (5%)

55 – 64 - 4 (18%)

65 and over 4 (18%)

Conclusions

Pension age claimants, who also have protected characteristics, will not be affected as they are protected from any changes by Central Government.

Some working age claimants will be affected by more than one of the options. It is not possible to model any cumulative impacts but the possibility that some claimants may be adversely affected by more than one option should be taken into account when deciding which options will be taken forward.

Some options will affect existing claimants and some will affect new claimants from 2017.

When deciding which options to take forward, the potential severity of impacts on claimants with protected characteristics needs to be weighed up against any potential financial savings to the Council. Options resulting in higher savings to the Council are likely to impact on more claimants or result in some claimants paying higher amount towards their Council Tax bill.

In complying with our obligations under the Public Sector Equality Duty, we must have ‘due regard’ to the following:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
- In deciding which options to take forward, we must ensure that the Council Tax Reduction Scheme does not unlawfully discriminate against any protected characteristics. This can be achieved by using the findings of this equality impact assessment to inform the decision about which options are taken forward.
- Advance equality of opportunity between people from different groups.
- In deciding which options to take forward, we must consider how we can minimise disadvantage experienced by people with protected characteristics, take steps to meet the needs of people with protected characteristics and encourage people who share a relevant protected characteristic to participate in public life. The public sector equality duty does not prevent us from taking a decision about our Council Tax Reduction Scheme. Should we decide to take forward any options that may put people with protected characteristics at a disadvantage, we should consider taking action to mitigate those impacts. The Equality Act allows us to treat some people more favourably than others in meeting their needs. This would allow us to protect some income received by people with disabilities and carers, provide exemptions for some claimants with protected characteristics or take the needs of people with protected characteristics into account within an exceptional hardship scheme.
- Foster good relations between people from different groups.
- In deciding which options to take forward, we may wish to consider whether our decision could impact on wider community relations between people with protected characteristics.

Comments have also been made by respondents as follows:

- The council needs to save money somewhere
- The changes should be implemented based on government policy.
- Everyone should pay a share of council tax.
- Anything that discriminates against families with children must be bad as if the family is on benefits they already have a strain on their budgets
- Although I have read the document, I am not entirely sure what the options mean. My main concern is that those that are most disadvantaged in society not get penalised because of reductions in benefits imposed by the UK government. As a town, we should do as much as possible to ameliorate the impact of central government reductions even if this means an increase in council tax for the rest of us, something that I did not see as an option.
- We are on benefits due to my health. My husband is my carer and we are living on a very tight budget £60 per week to cover food and petrol for us and our animals. If we had to pay out anything extra we wouldn't be able to feed ourselves
- If applying this should apply to existing and new claims or is unfair and children may suffer
- Should align the government policy. Also it's impacted appears limited due to all the exceptions stated above, those on income support for example.
- Your survey is rubbish and hard to read. Why is everything written in unnecessary capital letters? Either way, households with children should be paying more in council tax. They use more resources.
- I do not think that discriminating against families with children is a good idea. Children are costly so any help that these families can get will always be a good thing
- Unemployed people should be made to contribute to their council tax
- Again align to government policy, this is not retrospective so the rules can be clear. People need to take accountability for the finances and council needs to send that message. The exceptions appear reasonable.
- People shouldn't use having children as an excuse to not pay taxes. If they choose to have a large family they should pay the same as anyone without children or with a small family. Also I feel the unemployed (JSA or ESA not disabled) should have to make some form of contribution as a way to get them back to work to want to earn more money. The whole time being unemployed guarantees full benefits the lazy people of Crawley will continue to take advantage.
- People should have NO council tax reduction based on how many children they have.
- This is less disagreeable than the other options, only in the sense that having children is a lifestyle option especially in a world that is overpopulated.
- Families with a disabled person have stressful lives as it is. Removing money from them will only add to concerns as to whether they can afford to live. Discriminating against the disabled is wrong

Potential Options - Financial Implications

Option Description	Estimated number of claims affected	Estimated weekly gain / -loss in Council Tax Reduction	Estimated additional cost avoided the Council	Estimated additional cost avoided to West Sussex CC and Sussex Police	Total
Option 1 Family Premium Changes (new claims only)	170	-£3.48	£3,765	£26,998	£30,763
Option 2 Employment Support Allowance claimants in the Work-Related Activity Group (new claims only)	N/A	£0	N/A	N/A	N/A
Option 3 Removal of applicable amounts for third and subsequent children born after April 2017 (new claims only) This could impact on tax credits and not have such an impact of the claimant	50	-£12.40	£3,957	£28,370	£32,327
Option 4 Where someone is already paid Universal Credit (carers element) to look after someone with a disability, to remove entitlement to the Severe Disability premium. (This would avoid paying for the same care twice)	N/A	£0	N/A	N/A	N/A
Option 5 Uprating **					
a No change	0		0	0	
b Increase by 3.5%	5,073	£19.54	£12,134	£86,997	£99,131
c Increase to agree with the default scheme	5,073	£16.53	£10,266	£73,610	£83,876
d another amount	N/A		N/A	N/A	N/A

* these figures are based on estimates from new cases declared in the current financial year

** there is sufficient budget to cover this cost due to the increase in Council Tax and not applicable amounts

Minutes of meetings held between 19 October 2016 & 30 November 2016

Part A and Part B items

The Council is reminded that, as is the usual practice, all of the enclosed minutes will be debated in Part A (open session) unless any Councillor considers it likely that information that is exempt from disclosure is likely to be disclosed during the debate. In these circumstances, they may move the deferral of the item(s) until the end of the meeting after the press and public have been excluded to avoid confidential or exempt information being disclosed.

During the debate in open session, Councillors are asked to be mindful of the fact that information such as that relating to legal advice received, individuals' financial affairs or information that might be commercially sensitive is exempt from disclosure and should not be disclosed.

All Councillors will be advised, as soon as possible, if for any reason the Mayor is convinced, prior to the meeting of the full Council that any debate should be held in closed session.



Crawley Borough Council

Minutes of the Full Council

Wednesday 19 October 2016 at 7.30 p.m.

Present: Councillor R Sharma (Mayor)
Councillor B J Quinn, (Deputy Mayor)

Councillors M L Ayling, T G Belben, Dr H S Bloom, B J Burgess, R G Burgess, R D Burrett, C A Cheshire, D Crow, C R Eade, R S Fiveash, F Guidera, I T Irvine, K L Jaggard, M G Jones, S J Joyce, P K Lamb, R A Lanzer, T Lunnon, K McCarthy, B McCrow, C J Mullins, D M Peck, M W Pickett, C Portal Castro, T Rana, A C Skudder, B A Smith, P C Smith, J Stanley, M A Stone, K Sudan, J Tarrant, G Thomas, K J Trussell and L Vitler.

Also in Attendance: Mr P Nicolson – Appointed Independent Person.

Officers Present: Ann-Maria Brown Head of Legal and Democratic Services.
Peter Browning Deputy Chief Executive
Lee Harris Chief Executive
Chris Pedlow Democratic Services Manager.

38. Apologies for Absence

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

39. Members' Disclosures of Interests

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

40. Communications

The Mayor, on behalf of the Full Council welcomed the new Democratic Services Manager Chris Pedlow back to working for Crawley Borough Council and wished him luck in his new role.

41. Public Question Time

Questioner's Name Subject	Name of Councillor(s) Responding
Mr A Khan, (Bewbush) Why had the Council's licensing team revoked his hackney carriage licence ?	In response to this matter, the Mayor informed Mr Khan that the Full Council would not be discussing an individual case at this meeting Mr Khan was not happy with the reply and

Questioner's Name Subject	Name of Councillor(s) Responding
	<p>strongly made this known to the meeting, including making accusations over the propriety of a number of senior officers.</p> <p>As a result of this disruption, and at the request of the Mayor, Mr Khan was removed from the meeting.</p>
<p>Mr S Quinn, (Tilgate)</p> <p>Safety of the public leaving Three Bridges station, especially trying to go to the bus stops?</p>	<p>Cllr P Smith – (Cabinet Member for Planning and Economic Development)</p> <p>We share your concerns and there were plans, which have been out for public consultation to improve the forecourt and the access for all forms of transport to Three Bridges station. As a Council we are working with our partners, such as WSCC on these improvements.</p>

42. Minutes

The minutes of the meeting of the Full Council held on 20 July 2016 were approved as a correct record and signed by the Mayor.

43. 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, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
54	<p>Cabinet 5 October 2016 Minute 21</p> <p>(Conservative Group)</p>		<p>Affordable Housing Delivery Programme: Redevelopment of 257/259 Ifield Road, West Green, Crawley & Budget Approval for development of Woolborough Road (Northgate Surgery) Northgate, Crawley.</p> <p>(Recommendation 3)</p>
55	<p>Cabinet 5 October 2016 Minutes 22 and 23, respectively</p>	<p>West Sussex Joint Scrutiny Task and Finish Group Housing Provision for Care Leavers, and;</p>	

Minute Book Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
	(Conservative Group)	Crawley Leisure Card Scrutiny Panel final Report	

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

Moved by Councillor Quinn (as the Deputy Mayor), subject to the following clerical corrections,

Audit Committee 26 July 2016

That with regard to Minute No. 5, and the text in the second bullet point, delete the words “risk adverse” and replace with the words “risk averse”.

Audit Committee 28 September 2016

That with regard to the fourth paragraph of Minute No. 17, insert the text (shown in bold) as follows:-

The Committee discussed the update provided on Risk Management. Members received clarification on issues arising, **including matters on the financing and development of the Three Bridges Railway Station project**, whilst in response to comments from a Member, it was confirmed by the Head of Finance, Revenue's and Benefits that with regard to the matter of recruitment and retention, details on starters and leavers - which had not been included in recent publications of the Council's Information Bulletin, would be reintroduced to that document shortly.

RESOLVED

(1) That the following reports be received:-

- (a) Audit Committee – 26 July 2016.
- (b) Planning Committee – 1 August 2016.
- (c) Planning Committee – 30 August 2016
- (d) Overview and Scrutiny Commission – 5 September 2016.
- (e) Governance Committee – 20 September 2016.
- (f) Audit Committee – 28 September 2016.
- (g) Overview and Scrutiny Commission – 3 October 2016.
- (h) Cabinet – 5 October 2016.

(2) That the recommendations contained in the reports on the following matter, which had not been reserved for debate, be adopted:-

**Changes to the Constitution.
(Governance Committee – 20 September 2016)
(Recommendation 1)**

The Committee had considered report [LDS/121](#) of the Head of Legal and Democratic Services

RESOLVED

That the Full Council approves the amendments to the Constitution as set out in Appendix A to the Governance Committee [minutes](#) on 20 September 2016.

West Sussex County Council Electoral Boundary Review – Polling District Amendments (Governance Committee – 20 September 2016) (Recommendation 2)

The Committee considered report [LDS/120](#) of the Head of Legal and Democratic Services which

RESOLVED

That the Full Council approves the creation of polling districts LFD, LKC, LLC, LI and LMC with the boundaries and polling stations as set out in Section 5 of Governance Committee report [LDS/120](#) subject to the minor clerical corrections as previous identified.

45. Reserved Items

These included the reserved items containing a recommendation to Full Council which were dealt with as set out in Minute Numbers 46 and 47 below:-

46. Affordable Housing Delivery Programme: Redevelopment of 257/259 Ifield Road, West Green, Crawley & Budget Approval for development of Woolborough Road (Northgate Surgery) Northgate, Crawley (Cabinet – 5 October 2016 - (Recommendation 3)

The Cabinet had considered the report [CH/168](#) of the Head of Crawley Homes, which had also been considered by the Overview and Scrutiny Commission at its meeting on 3 October 2016. Councillor Lamb moved the report and its recommendations, which was seconded by Councillor Joyce.

Councillors Crow and Burrett also spoke on the subject.

RESOLVED

That the Full Council

- 1) approves a budget of £1.27m from the Housing Revenue Account and Right to Buy one-for-one receipts for 257/259 Ifield Road West Green, Crawley for the construction of 6 No 2 Bed Houses, as outlined in Option 3 in paragraph 6.4 of the report.
- 2) agrees an increase in the allocated budget from the Housing Revenue Account and Right to Buy one-for-one receipts for the Woolborough Road, Northgate scheme from £1.4m to £1.8m

- 3) authorises officers to enter into the procurement of a contractor in accordance with the Council's Procurement Code to assist with the feasibility and delivery of 257/259 Ifield Road, West Green, Crawley and the Woolborough Road site and delegates authority to the Head of Crawley Homes to approve the appointment of a contractor in consultation with the Head of Strategic Housing and Planning Services, Head of Finance, Revenues and Benefits, and the Cabinet Member for Housing.

**47. West Sussex Joint Scrutiny Task and Finish Group Housing Provision for Care Leavers, and;
Crawley Leisure Card Scrutiny Panel final Report
(Cabinet – 5 October 2016)**

Councillor R Burgess, on behalf of the Conservative Party, stated that the reason why he had requested that both items be debated as one issue, was the concern he wished to address relating to how both items were introduced at Cabinet, rather than the decisions themselves. Both reports had been introduced by Cabinet Members even though they were Scrutiny Panel reports. This had not been the case in the past, irrespective of which party had been in power. The Chair of the individual Scrutiny Panel would have presented their Panel's report to the Cabinet.

In response the Leader commented that once a report had been considered by the Commission, it was 'handed over' to the Cabinet to make a decision on, at this point it became a Cabinet report. Cabinet reports were presented by the appropriate Portfolio Holder to the Cabinet, and that this was the approach used for those reports. Each of the Panel Chairs were invited to address Cabinet on their reports. That was the approach Cabinet used and would be continuing to use in going forward.

Councillors Joyce, Crow, B A Smith, Burrett and Lanzer also spoke on the subject.

48. Notice of Motion – 9 a)

The Council considered the Notice of Motion 9 a) as set out in the agenda. The Motion was moved by Councillor Crow and seconded by Councillor McCarthy and was in relation to the recently announced rail strikes affecting Southern Rail trains.

During a lengthy debate on the Motion, Councillors Jones, Lanzer, P C Smith, Cheshire, Mullins, Irvine, Belbin, B Burgess Pickett and Thomas all spoke on the subject.

A recorded vote was requested.

Voting in Favour: Councillors: Belben, Dr Bloom, B J Burgess, R G Burgess, Burrett, Crow, Eade, Guidera, Jaggard, Lanzer, McCarthy, McCrow, Peck, Stone, Tarrant, Trussell and Vitler. (17)

Voting Against: Councillors: Ayling, Cheshire, Fiveash, Irvine, Jones, Joyce, Lamb, Lunnon, Mullins, Pickett, Portal Castro, Quinn, Rana, Skudder, B A Smith, P C Smith, Stanley, Sudan, and Thomas. (19)

Abstaining from Voting: Councillor Sharma (1)

The Mayor declared the Motion to have fallen – votes in favour 17, and votes against 19 with 1 abstention.

RESOLVED

The Notion of Motion 9 a) was rejected by the Full Council.

49. Notice of Motion – 9 b)

The Council considered the Notice of Motion 9 b) as set out in the agenda. The Motion was moved by Councillor Cheshire and seconded by Councillor Sudan and was in relation to the transitional arrangement to the State Pension age for all women born on or after 6 April 1951. Councillors Crow and Dr Bloom also spoke on the subject.

A recorded vote was requested.

Voting in Favour: Councillors Ayling, Belben, Dr Bloom, B J Burgess, R G Burgess, Cheshire, Crow, Eade, Fiveash, Guidera, Irvine, Jaggard, Jones, Joyce, Lamb, Lunnon, McCrow, Mullins, Peck, Pickett, Portal Castro, Quinn, Rana, Skudder, B A Smith, P C Smith, Stanley, Stone, Sudan, Tarrant, Thomas and Vitler. (32)

Voting Against: None (0)

Abstaining from Voting: Councillors Burrett, Lanzer, McCarthy, Sharma and Trussell (5)

The Mayor declared the Notion of Motion 9 b) was carried – votes in favour 35, and votes against 0 with 5 abstentions.

RESOLVED

This Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6 April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little/no personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.

Many women are living in hardship. Retirement plans have been shattered, with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace, so struggle to find employment.

Women born in this decade are suffering financially. These women have worked hard, raised families, and paid their tax and National Insurance, with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same age.

The issue is that the rise in the women's state pension age has been too rapid, and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The Council is particularly concerned about the effect on women in Crawley, and calls upon the Government to reconsider transitional arrangements for women born on or

after 6 April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.

50. Members' Written Questions

Members' written questions, together with the answers, were tabled as follows:-

Questioner	Councillor Irvine.
Addressed to	Cabinet Member for Housing.
Subject	Sale of Council Houses.
Questioner	Councillor R Burgess.
Addressed to	Leader of the Council.
Subject	The Armed Forces Working Group and the requirement for an annual report.
Questioner	Councillor Guidera
Addressed to	Cabinet Member for Wellbeing
Subject	Feasibility of an ice rink at Tilgate Park
Questioner	Councillor Crow
Addressed to	Cabinet Member for Environmental Services and Sustainability
Subject	The Council's response to the upcoming ban on microbeads in cosmetic and cleaning products
Questioner	Councillor Crow
Addressed to	Cabinet Member for Environmental Services and Sustainability
Subject	The Council's approach to flytipping

51. Announcements by Cabinet Members

Cabinet Member	Subject
Councillor Lamb (Leader of the Council)	Scrutiny Members presenting at Cabinet. The Leader commented having given further consideration to the debate raised earlier and having consulted the Constitution, he was willing to change his approach, and going forward he would be inviting Scrutiny Panel Chairs to introduce their reports to Cabinet.
Councillor Thomas (Cabinet Member for Environmental Services and Sustainability).	Provided an update on the Annual Junior Citizen event which had recently been held at The Hawth, with over 1,200 year 6 students from 21 schools attending the event. The Council was informed that the event had been running for 26 years and the Cabinet Member thanked all the partner organisations, especially the volunteer organisations, such as Crawley's Neighbourhood Watch and Crawley Magistrates, for their support of the event.

52. Questions to Cabinet Members

Name of Councillor asking Question Subject	Name of Cabinet Member(s) Responding
<p>Councillor Crow to the Cabinet Member for Environmental Services and Sustainability</p> <p>How does he rate the Council's apparent crackdown on flytipping and abandon shopping trollies, in-light of the figures contained within his reply to the flytipping written question?</p>	<p>Councillor Thomas - <i>(Cabinet Member for Environmental Services and Sustainability)</i>.</p> <p>Whilst the information does state that there has not been a prosecution for flytipping, it doesn't mean we are not tackling the issue. An example being recently behind Peterhouse parade. A large pile of flytipping was reported to me and I passed this over to the anti-social behaviour team to investigate. The outcome was an individual who lived outside of the borough was tracked down and came up from Brighton to clear up the mess.</p> <p>On the shopping trollies, our new patch working project within Amenities which was scheduled to be rolled out next year, following the successful trial in Bewbush, will also help in tackling both issues.</p>
<p>Councillor Guidera:</p> <p>On 16 August I received an invite to a public consultation event over the redevelopment of 83-7 Three Bridges Road, to be held on the following day 17 August at Three Bridges Cricket Club.</p> <p>On the day of the public consultation there were significant road closures, making attendance very difficult.</p> <p>Does he agree that this was not a satisfactory scenario for an important public consultation, i.e. short notice and the road to the venue being closed?</p>	<p>Councillor Joyce - <i>(Cabinet Member for Housing)</i></p> <p>Yes, I agree that the notice period was poor and should have been longer. Also having those road closures was not ideal either. I'll ensure this situation doesn't happen again, certainly on the consultation aspect.</p>
<p>Cllr R Burgess.</p> <p>What has or what will the Council be doing at this time to pass across our sympathies regarding the 50 year anniversary of the Aberfan nursery disaster?</p>	<p>Cllr Lamb – <i>(Leader of the Council)</i></p> <p>Thank you for bringing this tragic event to our attention. I'll be to writing with the Mayor to the local community to pass on our condolences at this poignant time.</p>

<p>Councillor B A Smith.</p> <p>At the last council meeting I asked you about the boulevard toilets and that they need an update.</p>	<p>Councillor Thomas – <i>(Cabinet Member for Environmental Services and Sustainability)</i>.</p> <p>The toilets within the Town Centre have been an area of concern for a number of years. Between July–September 2016 a survey about the use of public conveniences had taken place and the 213 responses were currently being considered by officers.</p> <p>The toilet upgrading program would likely take place as part of the wider Town Centre Regeneration.</p>
<p>Cllr Eade</p> <p>Is the Cabinet Member aware of the rise in the use of mini-motos and quad bikes being used on Crawley land, including across the Tilgate golf course and if he is, what are the Council going to do about it?</p>	<p>Councillor Jones – <i>(Cabinet Member for Public Protection and Community Engagement)</i></p> <p>Thank you for raising the issue. Quad bikes and mini-motors are a perennial problem that appears from time to time across the Borough.</p> <p>I've raised the issue at the Sussex Crime Panel and directly with Chief Inspector Dave Padwick in the past. However, I've not recently heard about any reports, so please pass that information on to me.</p>
<p>Councillor Stone</p> <p>What steps are being taken to make the Town Centre as welcoming for the Christmas season, in light of the Queen's square regeneration?</p>	<p>Councillor P Smith – <i>(the Cabinet Member for Planning and Economic Development)</i></p> <p>We have committed to ensure all retail units are open throughout the Christmas period and are keeping them informed over developments as they occur.</p>
<p>Councillor B Smith</p> <p>A follow up question on the boulevard toilets. I recently observed that within them there were broken tiles on the floor. Whilst I am pleased over the potential plans for refurbishments, could he ensure that any necessary repairs are carried out?</p>	<p>Councillor Thomas – <i>(Cabinet Member for Environmental Services and Sustainability)</i>.</p> <p>I'll pass that information on to the officers.</p>

<p>Councillor Stone</p> <p>Referring back to my question I wasn't solely talking about Christmas in Queens Square. What about across the town? Will there be a Christmas tree and lights across the town, what about the High Street?</p>	<p>Councillor P Smith – (the Cabinet Member for Planning and Economic Development)</p> <p>Our Council's events team are working with the Town Centre Partnership, County Mall and other business organisations on this matter, but I am not in a position at this time to make any announcements, but things are being worked on.</p>
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53. Questions to Committee Chairs

No questions were asked.

54. Closure of Meeting

The meeting ended at 9.45pm.

R Sharma
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 B J Burgess	7 (1)(c)	Planning Committee 30 August 2016 Minute 25	P29	CR/2016/0524/FUL 95-97 Three Bridges Road, Three Bridges, Crawley.	Personal Interest as she lived near to the application site.
Councillor F Guidera	7(1)(c)	Planning Committee 30 August 2016 Minute 25	P30	CR/2016/0557/RG3 25 Ifield Drive, Ifield, Crawley.	Personal and Prejudicial Interest.
Councillor Dr H S Bloom	7(1)(d)	Overview and Scrutiny Commission 5 September 2016 Minute 26	P34	Cabinet Member Discussion with the Cabinet Member for Public Protection and Community Engagement.	Personal Interest – Wife is a Trustee of Crawley Community Voluntary Service.
Councillor R D Burrett	7(1)(d)	Overview and Scrutiny Commission 5 September 2016 Minute 27	P35	Health and Adult Social Care Select Committee (HASC)	Personal Interest as a Member of West Sussex County Council.
Councillor R D Burrett	7(1)(e)	Governance Committee 20 September 2016 Minute 6	P39	West Sussex County Council Electoral Boundary Review – Polling District Amendments	Personal Interest as a Member of West Sussex County Council.
Councillor D G Crow	7(1)(e)	Governance Committee 20 September 2016 Minute 6	P39	West Sussex County Council Electoral Boundary Review – Polling District Amendments	Personal Interest as he was a West Sussex County Councillor

Councillor M G Jones	7(1)(e)	Governance Committee 20 September 2016 Minute 6	P39	West Sussex County Council Electoral Boundary Review – Polling District Amendments	Personal Interest as he was a West Sussex County Councillor
Councillor P K Lamb	7(1)(e)	Governance Committee 20 September 2016 Minute 6	P39	West Sussex County Council Electoral Boundary Review – Polling District Amendments	Personal Interest as he was a West Sussex County Councillor
Councillor R A Lanzer	7(1)(e)	Governance Committee 20 September 2016 Minute 6	P39	West Sussex County Council Electoral Boundary Review – Polling District Amendments	Personal Interest as he was a West Sussex County Councillor
Councillor R D Burrett	7(1)(g) and 8	Overview and Scrutiny Commission 3 October 2016 Minute 38	P47	West Sussex Joint Scrutiny Task and Finish Group Housing Provision for Care Leavers	Personal Interest as a Member of West Sussex County Council.
Councillor P K Lamb	7(1)(g) and 8	Overview and Scrutiny Commission 3 October 2016 Minute 38	P47	West Sussex Joint Scrutiny Task and Finish Group Housing Provision for Care Leavers	Personal Interest as he was a West Sussex County Councillor
Councillor R D Burrett	7(1)(g)	Overview and Scrutiny Commission 3 October 2016 Minute 40	P48	Health and Adult Social Care Select Committee (HASC)	Personal Interest as a Member of West Sussex County Council.
Councillor R D Burrett	7(1)(h) and 8	Cabinet 5 October 2016 Minute 22	P55	West Sussex Joint Scrutiny Task and Finish Group Housing Provision for Care Leavers	Personal Interest as a Member of West Sussex County Council.
Councillor R A Lanzer	9 a)			Notice of Motion (Southern Rail)	Personal Interest. As the Vice Chairman of the Sussex Community Rail Partnership.
Councillor T Belbin	9 b)			Notion of Motion (Transitional arrangement to the State Pension age for all women)	Personal and Non Prejudicial Interest. Due to having been born in the 1950's
Councillor K Sudan	9 b)			Notion of Motion (Transitional arrangement to the State Pension age for all women)	Personal and Non Prejudicial Interest. Due to having been born in the 1950's

Crawley Borough Council

Minutes of Licensing Committee 2 November 2016 at 7.30pm

Present:

Councillor M Pickett (Chair)

Councillor M L Ayling (Vice-Chair)

Councillors T G Belben, B J Burgess, R S Fiveash, K L Jaggard, M G Jones, K McCarthy, B McCrow, C J Mullins, D M Peck, B J Quinn, R Sharma and J Stanley.

Officers Present:

Tony Baldock	Environmental Health Manager
Roger Brownings	Democratic Services Officer
Bill Nailen	Licensing Officer
Clem Smith	Head of Economic and Environmental Services.
Astrid Williams	Senior Lawyer

Apology for Absence:

Councillor K J Trussell

5. Members' Disclosure of Interests

No disclosures of interests were made by Members.

6. Minutes

The minutes of the meeting of the Committee held on [13 June 2016](#) were approved as a correct record and signed by the Chair.

7. Hackney Carriage and Private Hire Licensing Policy Revisions Post Consultation

The Committee considered report [PES/225](#) of the Head of Economic and Environmental Services, the purpose of which was to consider the consultation responses in relation to the proposed addition of a Penalty Points Scheme (Scheme) and a Driver Code of Conduct (Code) to the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy (Policy). The Committee had agreed to the undertaking of the consultation at its meeting on 13 June 2016.

The report was introduced by the Environmental Health Manager who confirmed that before the consultation process commenced, minor amendments had been made to the draft Scheme and Code to incorporate clarifications sought by Members at the meeting on 13 June 2016. He also noted that it had been realised after the conclusion of the consultation process that one of the consultation questions relating to the draft Scheme incorrectly referred to a period of 2 years (in relation to the accumulation of penalty points) rather than 12 months (which was the actual proposal in the draft Scheme).

In welcoming the proposals generally, Members sought and received clarification on a number of issues raised, including matters already covered by existing legislation, whilst in response to a Member's suggestion that offences / breaches within the Points Scheme could be categorised as, say, driver specific and vehicle specific, the Environmental Health Manager suggested that this could be considered further. A question was also asked by a Member about whether the proposed 12 month period for points accumulation in the draft Points Scheme (para 1.2) was to be a rolling 12 months or a calendar year. In response, the Environmental Health Manager advised that it would be a rolling 12 months. It was felt that the proposed addition of the Scheme and Code would be reasonable, proportionate and an appropriate method of providing the Council with a range of enforcement options, as well as a mechanism to set and maintain a high standard of professionalism by the respective trade proprietors, operators, drivers and vehicles licensed by the Council.

The Committee was advised that the Equality Impact Assessment that was carried out in respect of the introduction of the original Policy in 2014 was currently in the process of being updated, with the intention that the finalised Assessment would be available as additional material for consideration by the Full Council.

RESOLVED

RECOMMENDATION 1

That having considered the responses received to the consultation process, it is recommended that Full Council amend the Hackney Carriage and Private Hire Vehicle Licensing Policy as follows:-

- (i) To add both a Penalty Points Scheme and a Driver Code of Conduct as set out in Appendix A to report [PES/225](#); and
- (ii) To delegate jointly to the Chair of Licensing and the Environmental Health Manager (or the Head of Economic and Environmental Services) the authority to make minor revisions to the Hackney Carriage and Private Hire Vehicle Licensing Policy.

8. Closure of Meeting

The meeting ended at 8.02 pm.

M PICKETT
Chair

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission

Monday 7 November 2016 at 7.00pm

Present:

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

Also in Attendance:

Councillors S J Joyce, C J Mullins, A C Skudder and G Thomas

Apologies for Absence:

Councillors Dr H S Bloom and B A Smith

Officers Present:

Tony Baldock	Environmental Health Manager
Heather Girling	Democratic Services Officer
Chris Harris	Head of Community Services
Lee Harris	Chief Executive
Sam Pegram	Environmental Health Administrative Assistant
Iain Pocknell	Principal Environmental Health Practitioner
Karen Rham	Parks and Streetscene Manager
Nigel Sheehan	Head of Partnership Services

44. Members' Disclosure of Interests and Whipping Declarations

No disclosures of interests or whipping declarations were made.

45. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [3 October 2016](#) were approved as a correct record and signed by the Acting Chair.

46. Public Question Time

No questions from the public were asked.

47. Transformation Update – Streetscene Redesign

The Commission received an update from the Head of Community Services and the Parks and Streetscene Manager on the Streetscene System Thinking Review.

The main conclusions from the 'check phase' were:

- An acknowledgement that the review covered a huge amount of services, including the Cleansing Team, Grass Cutting and Shrub/Hedge Maintenance.
- Considerable "waste" had been discovered in having specialist teams focusing on narrow areas of responsibility.
- There were differences in "thinking" and "behaviour" between the various teams.
- The new purpose was "Help me to live in a safe, clean and well maintained town".

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

- Experimentation had taken place with different types of equipment and tools.
- In order to trial different ways of working the town had been divided into 5 'patches' (areas) and primarily focused on the West Patch (Bewbush, Broadfield, Gossops Green) for the trial in order to ascertain the "best way of working" before "rolling in" town wide.
- On site staff had worked closely with residents and as a result motivation had increased, although it may potentially also raise public expectations.
- The team regularly reviewed ways of working in order to share knowledge and improve learning. There was recognition that Systems Thinking had changed the team's thinking, behaviour and as a result improved performance.

During the discussion, the following points were expressed:

- Tilgate Park was significant to be an individual patch and was identified through its 5 year business plan.
- It was anticipated that Patch Leaders would liaise with management establishments/contractors regarding private areas such as private housing and schools.
- The allocation of resources between patches was determined based on current staffing levels and facilities. It was acknowledged that this was flexible in its arrangement.
- There was support for the future preservation of shrub beds throughout the town.
- Clarity was sought and obtained on the responsibility of street sign cleansing, whilst recognising the need for joined up working with WSCC.
- The need to continually experiment throughout the changing of the seasons was of paramount importance.

RESOLVED

That the Acting Chair thanked the officers for their contribution and attendance at the Commission.

48. Transformation Update – Environmental Health Check

The Commission received an update from the Environmental Health Manager and members from the Systems Thinking Team on the Environmental Health System Thinking Review.

The main conclusions from the 'check phase' were:

Environmental Health:

- Gatwick Airport makes the council unique as an inland port health authority.
- The majority of the team's work was reactive (77%) compared to proactive (23%).

- Correspondence was being issued to customers that were not easy to understand.
- There were multiple “hand offs” meaning that work was passed between several departments which caused delays and duplication.
- There was confusion over the different roles between Environmental Health and the Nuisance and Anti-Social Behaviour Teams.

Licensing:

- Licensing applications can result in ‘waste’ with duplicate information required to be re-entered.
- Delays had occurred during the licensing application consultation period required from the police together with the need for identification to be provided. In addition some applications are categorised as invalid.

Pest Control:

- There were multiple “hand offs” between team members, resulted in delays for customers.
- There was a lack of access to technology for some officers, causing a duplication of work.
- There was a need to prioritise customers’ needs and appointments, particularly in receipt of cancellations.

Port Health

- Delays had occurred as a result of ICT downtime.
- Health certification was issued in paper format as opposed to electronic.
- Laboratory analysis turnaround times were variable.

During the discussion, the following points were expressed:

- Recognition that as an outcome of the restructure in 2012, savings have been generated and the service has been able to redesign its operation, resulting in improved performance.
- Acknowledgement that it was important that all officers dealing with the team’s enquiries had the skills and training to carry out necessary tasks.
- Appreciation that the service was both varied and complex, covering many diverse areas.

RESOLVED

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

49. Cabinet Member Discussion with the Cabinet Member for Environmental Services and Sustainability

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

The following topics were discussed:

- The development of the new cemetery was progressing and it was anticipated that phase one would be completed in summer 2017. Councillor Thomas wished to thank all the officers and Members for their involvement in this important project.
- Waste management was highlighted, with particular reference to communal bins at flats within the town. It was felt that the type and capacity of the bins could be addressed, along with the need to focus on practical ways to increase recycling rates, together with reducing the actual packaging generally.

- Green waste was increasing with a current waiting list for the green bins. However it was noted that practical steps needed to be investigated to increase the percentage of recyclable material, particularly as other areas have different recycling rates.
- With reference to abandoned trolleys, a meeting had taken place with Trolleywise and a further meeting was being sought with the newly formed Patch Managers to develop future working, whilst it also relied on residents taking the initiative to report abandoned trolleys and to inform of the current 'hotspots'. The council's website and Trolleywise systems assisted in this process.
- It was recognised that fly-tipping occurred in every neighbourhood, however there were 'hotspots' within the town. There were suggestions for 'collection days' where residents bring unwanted items to temporary skip sites which could be trialled in a particular neighbourhood. There was also an idea of 'goods street-swap'/'freecycle', where streets set up areas and swap items between themselves on a particular day.
- Councillor Thomas was pleased to inform Commission members that the consultation on the Boulevard public conveniences had received over 200 responses and that the refurbishment would now take place as part of the town centre regeneration resources permitting.
- It was recognised that action to mitigate climate change and promote sustainability should feature in many different activities. For instance, the communication to relevant Crawley retailers following the recommendation of the Environmental Audit Committee to the Government that microbeads were banned in cosmetics and cleaning products, solar panels on council buildings and the proposed heat and power system in the town centre.
- Residential improvement schemes were highlighted as being able to provide additional parking spaces. Whilst it was noted that parking was still a concern within the borough, a balance needed to be struck between providing innovative working solutions and meeting the financial challenges.
- Clarity was sought and obtained as to the process for street naming, with particular reference to Forge Wood.

RESOLVED

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

50. Review of Democratic Structures Scrutiny Panel Final Report

The Commission considered report [OSC/253](#) of Councillor B A Smith as Chair of the Review of Democratic Structures Scrutiny Panel. The Panel was established to consider assessing the Council's current governance arrangements, to consider the key attributes for an effective governance system, consider the drivers for change and then consider improvements to the current system.

- Members were in favour of Recommendations 2.1a, b, c, d, e, f and g.
- It was felt that recommendation 'h' was unnecessary as this was already understood to be actioned.
- It was commented that recommendation 'i' should be removed as training should be arranged by the Members' Executive Support Group as the independent body as opposed to the Overview and Scrutiny Commission.
- The Commission would seek to instigate recommendation 'e' as it was within its remit to do so.
- Support made to the important reference of the Portfolio Advisory Groups taking place only subject to sufficient items of business being available for consideration, which

would avoid unnecessary meetings. However it was questioned who would consider when a meeting would then occur and how.

- It was felt there were areas of uncertainty covering the Portfolio Advisory Groups. In particular, greater clarity was sought as to the formalisation and operation of the Portfolio Advisory Groups, especially the membership and chairing. Some Members felt the Groups should be chaired by a Cabinet Member so the Portfolio Holder could 'advise' other Members of initial policy proposals (as in most other authorities' models). Other Members from the Scrutiny Panel agreed that having evaluated the merits and options that the Portfolio Advisory Groups should not be chaired by a Cabinet Member.
- Recognition that the Portfolio Advisory Groups could support the development of policy, although there was also concern expressed that the Portfolio Advisory Groups may slow the decision making process.
- Financial implications were noted.
- It was felt that if recommendation 2.1b was approved, the need to establish a review within 12 months of operation was of paramount importance.

RESOLVED

That the Commission agreed to endorse recommendations a, b, c, d, e, f and g in paragraph 2.1.

Members did not fully support recommendations 2.1h and i. The comments and recommendations would be submitted to the Governance Committee on 14 November 2016.

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

The next meeting of the HASC would take place on 10 November 2016. The agenda featured:

- Health and Adult Social Care Plans for Winter 2016/17
- Meals on Wheels Contract Update
- Patient Transport Service Update, with particular reference that South Central Ambulance NHS Foundation Trust (SCAS) would be taking over the contract from Coperforma.

52. Forward Plan – December 2016 and Provisional List of Reports for the following meetings of the Commission

None.

53. Closure of Meeting

The meeting ended at 9.45pm.

R G Burgess
Acting Chair

Crawley Borough Council

Minutes of Planning Committee

8 November 2016 at 7.30pm

Present:

Councillor	I T Irvine (Chair)
Councillor	C Portal Castro (Vice-Chair)
Councillors	B J Burgess, D Crow, F Guidera, K L Jaggard, S J Joyce, M Pickett, T Rana, A C Skudder, P C Smith, M A Stone and J Tarrant

Officers Present:

Roger Brownings	Democratic Services Officer
Valerie Cheesman	Principal Planning Officer
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economic and Environmental Services
Astrid Williams	Senior Lawyer (Solicitor)

Apologies for Absence:

Councillors R S Fiveash and B McCrow.

33. Lobbying Declarations

No lobbying declarations were made.

34. Members' Disclosure of Interests

No disclosures of interests were made.

35. Minutes

The minutes of the meeting of the Committee held on [10 October 2016](#) were approved as a correct record and signed by the Chair.

36. Planning Applications List

The Committee considered report [PES/210](#) 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/210](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 001

CR/2015/0552/NCC

Forge Wood, North East Sector, Crawley.

Application to vary conditions pursuant to application CR/1998/0039/OUT for a new mixed use neighbourhood at Forge Wood, Crawley (updated noise assessment information as part of Environmental Statement - received 09/09/2016).

The Principal Planning Officer provided a verbal summation of the application. In so doing, the Committee was referred to its meeting on 11 April 2016, when it resolved to grant outline planning permission subject to a number of issues arising. It was reported that since the April meeting detailed discussions had been ongoing in order to resolve those issues, including those raised by WSCC and the agent, and to agree the detail of the wording for the respective conditions. In this connection, and following concerns regarding noise issues, specifically the relationship between the railway line, Crawley Goods Yard and the new dwellings, it had become apparent that a revised and updated noise report and chapter for the Environmental Statement (ES) was required to inform the current application. This had necessitated the re-wording of condition 34. The revised noise details and ES had since been submitted and these had been subject to publicity through a press advert and site notices. Re-consultation with consultees had taken place, including those consultations with the Goods Yard, who withdrew an objection it had earlier submitted. Furthermore, since the original Committee resolution, the Council had now adopted CIL (Community Infrastructure Levy), and there was a need to now consider the CIL liability for this development. Since the report was written four conditions have needed to be revised, with an additional informative, all as below (in italics):-

Updated Conditions:

31. *Within one month of the date of this permission, a scheme for the provision of new fire and rescue infrastructure to serve the development hereby permitted has been submitted to and approved in writing by the local planning authority. The scheme shall be in substantial accordance with the Framework for Fire Infrastructure document dated xx. The scheme shall be carried out as approved.*

34. *Before works comprising the erection of dwellings commence in each phase or sub phase of the development hereby permitted a scheme shall have been submitted to and approved in writing by the local planning authority to protect dwellings within that phase or sub phase against noise from*
 - (a) *the operation of London Gatwick Airport (taking into account noise from a possible second wide-spaced mixed mode runway at London Gatwick Airport as shown on ERCD 0308 figure 3.4 "London Gatwick Year 2030 - Noise contours with wide-spaced parallel runway" or such other noise contours as may be published by the Civil Aviation Authority in respect of such second runway),*

(b) the operation of the London/Brighton railway line,

(c) traffic on the A2011 and M23 and (where applicable)

(d) industrial noise sources including the Goods Yard located immediately to the west of the London/Brighton railway line.

For the purposes of (a), (b) and (c) (transportation noise sources) the scheme shall include:

(i) a plan identifying the dwellings within that phase or sub phase which require protection from noise;

(ii) the means by which the noise level within any (unoccupied) domestic living room or bedroom, with windows open, shall be no more than 35 dB L(A)_{eq} 16hr (between 0700 and 2300) and no more than 30dB L(A)_{eq} 8hr (between 2300 and 0700); and

(iii) the means by which the noise level within any (unoccupied) domestic bedroom, with windows open, shall not normally exceed 45 dB L(A)_{Max} between 2300 and 0700 using fast time weighting.

Where the standards in (ii) and/or (iii) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which adequate ventilation will be provided.

For the purposes of (d) (industrial noise sources) the scheme shall include:

(iv) A noise assessment in accordance BS4142:2014 Methods for rating and assessing industrial and commercial sound. The assessment shall be in accordance with the approach taken in the assessment included in the Environmental Statement Updated Noise Chapter (Addendum) Technical Appendix 13.29 dated September 2016 and shall identify the dwellings within that phase or sub phase where the noise rating level exceeds the background level and will therefore require protection from existing industrial noise sources;

(v) A detailed scheme of noise mitigation measures to protect the living rooms and bedrooms of those affected dwellings and which as a minimum accords with the recommendations set out in paragraphs 6.10, 6.11 and 6.12 of the Environmental Statement Updated Noise Chapter (Addendum) Technical Appendix 13.29 dated September 2016 or other alternative measures which achieve the same mitigation.

(vi) Where the identified noise mitigation measures require windows to be sealed or closed to achieve acceptable internal noise levels, the scheme must include means by which adequate ventilation will be provided for those dwellings.

(vii) A sequence of works for the construction of the proposed mitigation (including the construction of the 'employment' building on the western part of the application site and the residential barrier blocks) in relation to the dwellings demonstrating that the necessary mitigation (including the 'employment' building on the western part of the application site and the residential barrier blocks) will be in place prior to the substantial completion of any dwelling that would enable occupation likely to be affected by industrial noise

(viii) That the 'employment' building on the western part of the application site and the residential barrier blocks shall be substantially completed to provide the approved attenuation prior to the occupation of any dwelling for which it is required to mitigate noise.

Each phase or sub phase of the development shall be carried out in accordance with the approved scheme in respect of that phase or sub phase. No dwelling hereby permitted shall be substantially complete that would enable occupation until the approved mitigation scheme has been implemented in respect of that dwelling. The approved noise mitigation shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

52. *No more than 300 dwellings within the development hereby permitted shall be occupied until items (i), (ii) and (iii) listed below have been completed and have been brought into public use in accordance with a scheme previously submitted to and approved in writing by the local planning authority, unless in the case of items (iv) and (v) an alternative number of occupation is agreed in writing. The scheme shall also outline how items (iv) and (v) are to be delivered.*

(i) a combined footway/cycleway along the western side of Balcombe Road from the junction between the new link road and Crawley Avenue/Balcombe Road in a southerly direction to St. Catherines Road, Pound Hill;

(ii) an on road cycle route within Pound Hill to connect the Balcombe Road cycleway to the shops at Grattons Park and Milton Mount Schools;

(iii) an on road cycle route along Grattons Drive and Chaucer Road to link to St. Mary's Drive;

(iv) the installation of no less than 60 cycle parking stands on highway land, or such other location as may be agreed with the local planning authority, adjacent to Three Bridges railway station; and,

(v) the installation of real time information screens at 4 existing bus shelters within the Manor Royal industrial area, at the locations which are shown on drawing number 0560/SK/130.

54. *Before the occupation of the 300th dwelling within the development hereby approved, the following works shall have been completed and brought into public use, in accordance with a scheme previously submitted to and approved in writing by the local planning authority, unless in the case of Item (v) an alternative number of occupation is agreed in writing. The scheme shall also outline how item (v) is to be delivered:*

(i) a short length of combined footway/cycle way along the eastern side of Gatwick Road between Tinsley Lane in the south to the existing traffic signal controlled pedestrian crossing of Gatwick Road in the north, and the conversion of two existing signal controlled pedestrian crossings of Gatwick Road and Fleming Way to toucan crossings, in accordance with drawing number 0560/SK/131;

(ii) a combined footway/cycleway along the southern side of Radford Road between Gatwick Road in the west, to a point to the west of the existing public footpath to the east of the public house in the east, to be constructed in conjunction with the traffic signal controlled shuttle working of traffic flows across the railway bridge and to form part of the Sustrans cycleway in

accordance with drawing numbers T261/13 rev.B, T261/09 rev.C and T258/18 rev.A;

(iii) an on road cycle route along Tinsley Lane between Crawley Avenue in the south and Gatwick Road in the north in accordance with drawing number 0560/SK/132;

(iv) a combined footway/cycleway along the eastern side of Hazelwick Avenue to link between Crawley Avenue in the north and the Tesco superstore on Hazelwick Avenue in the south and to include the conversion of the pedestrian footbridge and approach ramps over Crawley Avenue, to the east of the Hazelwick roundabout to a combined footway/cycleway, in accordance with drawing number 0560/SK/133; and

(v) the installation of a bus shelter on the north side of Haslett Avenue East, opposite Three Bridges railway station, in accordance with drawing number TC 17/1A.

Additional informative:

5. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
- Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

The Agent, Mr David Hutchison, addressed the Committee in support of the application.

The Committee then considered the application. Particular reference was made to density and noise issues. In response to queries made, the Principal Planning Officer confirmed that:

- The development's minimum average density was proposed as being no lower than 41 dwellings per hectare (Condition 1). The permission allows for up to 1900 dwellings and this is the number of dwellings needed to make the neighbourhood viable including other facilities and address Borough housing need. (Condition 4 restricted the maximum number to 1900 dwellings).
- In terms of noise, the related noise information had been investigated in detail, and the developer would be obliged to meet the strict requirements assigned.

- In relation to the employment building on the western edge of the site, it was explained that this was an integral part of the noise mitigation. The western phases of development needed to be built out in the right sequence and a condition is worded to protect the future occupants.

Permitted subject to the conditions and informatives set out in report [PES/210](#) and the updated conditions and additional informative above.

Item 002

CR/2016/0089/FUL

Car Park adjacent to Crawley College, Northgate Avenue, Northgate, Crawley

Erection of a part 8 and part 6 storey building to provide a total of 90 flats, with associated parking, landscaping and frontage service bay on car park land fronting Northgate Avenue.

Councillors B J Burgess, K L Jaggard, S J Joyce, 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 of a clerical correction to informative 11, whereby the condition 19 referred to in that informative should read as condition “23”. In addition there had also been some minor amendments made to the plan including an alteration to the development’s layby, and 3 amended plans had been received since the report’s preparation.

The Agent, Mr Ian Coomber, addressed the Committee in support of the application.

The Committee then considered the application. The issues raised by Members included on-car parking provision for residents, lack of provision of affordable housing, viability and the height and scale of the building. The Committee wished to highlight its reservations regarding a number of issues relating to highway matters. These included:

- The perceived impacts on traffic flow along Northgate Avenue and the implications for the already busy junction with Woodfield Road and that for the proposed junction of the development.
- It was the view of some Members that the junction with Woodfield Road and Northgate Avenue was already confusing and busy and there was concern the highway modifications proposed would make this worse and detrimental to highway safety.
- The adequacy of cycle path provision.
- The creation of the lay-by and its potential conflict with existing traffic manoeuvres in particular the Woodfield Road junction.
- The potential of the proposed lay-by (intended for refuse vehicle operations on the development) being used as a passenger drop off point by other vehicles and college patrons along this already busy section of road.

The Committee requested that written representations be sent by Officers to the Highways Authority conveying its reservations and seeking arrangements to mitigate these issues.

It was also confirmed that a clause about the early review of scheme viability is proposed in the S106 Agreement.

Permitted subject to the conclusion of a Section 106 agreement to secure the infrastructure contributions and provisions set out in paragraph 6.2 of report [PES/210](#), and the conditions and informatives set out in that report, including the clerical correction above to Informative 11.

The Committee's reservations in relation to highway matters resulting from the development would be the subject of written representations to the Highways Authority.

Item 003

CR/2016/0114/ARM

Phase 2D, Forge Wood (North East Sector), Pound Hill, Crawley.

Approval of reserved matters for phase 2D for the erection of 75 dwellings, car parking including garages, internal access roads, footpaths, parking and circulation area, hard and soft landscaping and other associated infrastructure and engineering works and noise barrier comprising bund and acoustic fence pursuant to outline planning permission CR/1998/0039/OUT for a new mixed use neighbourhood (revised application site, amended plans, and documents received).

The Principal Planning Officer provided a verbal summation of the application. The Committee was advised that a revised noise report had been submitted and the objection raised by the Goods Yard had been removed. The Committee was advised that the conditions and informatives had been updated, all as below (in italics):-

Updated Conditions

1. *The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.*
2. *Provision shall be made for high speed broadband to serve all dwellings on the development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure delivery of high quality communications in accordance with Policy IN2 of the Crawley Borough Local Plan 2015-2030.*
3. *Provision shall be made for combined aerial facilities to serve all flat development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.*
4. *Before the properties approved in this phase are first occupied, details of the design and location of lighting to be provided in the parking areas shall be submitted to and approved in writing by the Local Planning Authority, and the lighting thereafter implemented in accordance with the agreed details.
REASON: To safeguard the appearance of the development and the amenities of the area in accordance with Policies GD2 and CH3 of the Crawley Borough Local Plan 2015 -2030.*
5. *The secure cycle store(s) and refuse stores shown on the approved drawings shall be constructed and operational prior to the first occupation of the dwellings which they are intended to serve.*

REASON: To safeguard the appearance of the development and the amenities of the area and to ensure the operational requirements of the development in accordance with Policies GD2 and CH3 of the Crawley Borough Local Plan 2015 -2030.

- 6 *No solar panels or renewables which may be required pursuant to the discharge of a condition on the outline planning permission shall be installed unless and until full details of their design and location are submitted to and agreed by the Local Planning Authority in writing. The works shall thereafter be implemented in accordance with the agreed details.*
REASON: To control the design of the development in detail and to ensure a satisfactory visual appearance in the interests of visual amenity in accordance with GD3 of the Crawley Borough Local Plan 2015 – 2030.
- 7 *No development, including site works of any description shall take place on the site unless and until all the trees/bushes/hedges to be retained on the site have been protected in accordance with the approved drawing(s) and submitted details. Within the areas thereby fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any roots with a diameter of 25mm or more shall be left un-severed.*
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 8 *The construction of the development shall be undertaken in accordance with the safeguards detailed within the submitted Ecological Assessment dated January 2016 as amended by Addendum dated October 2016 – Phase 2D – Residential provided by Ecology Solutions.*
REASON: To ensure that the ecology of the site is protected and enhanced in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and Para 118 of the NPPF 2012.
- 9 *All landscaping works shall be carried out in accordance with the approved drawings and details. No alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority.*
REASON: In the interests of visual amenity and because the scheme has been designed to mitigate bird hazard and avoid endangering the safe movements off aircraft and the operation of Gatwick Airport through the attraction of birds.
- 10 *All planting, seeding or turfing comprised in the approved details of landscaping within Phase 2D shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.*
REASON: In the interests of amenity and of the environment of the development in the accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 11 *Before the dwellings approved in this phase are first occupied, details of the design and location of external flues and gas pipes to be provided to serve the*

*dwellings (including flats/apartments) shall be submitted to and approved in writing by the Local Planning Authority, and the external flues and gas pipes shall thereafter be implemented in accordance with the agreed details.
 REASON: To control the design of the development in detail and to ensure a satisfactory visual appearance in the interests of visual amenity in accordance with GD3 of the Crawley Borough Local Plan 2015 – 2030.*

- 12 *No development, including site works of any description shall take place on the site unless and until full details of the proposed noise bunding and acoustic fencing have been first submitted to and approved in writing by the Local Planning Authority, including full details of contouring (including sections), planting/landscaping and materials and specification for the acoustic fencing and in addition future maintenance arrangements. The development shall be implemented in accordance with the agreed details and retained thereafter and no dwelling shall be occupied until the bunding and acoustic fencing has been provided in accordance with the details so approved..
 REASON: To safeguard the appearance of the development and the amenities of the occupiers of the proposed dwellings and to ensure a satisfactory visual appearance area and to ensure the operational requirements of the development in accordance with Policies GD2 and CH3 of the Crawley Borough Local Plan 2015 -2030.*

Updated Informatives

- 1 *Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from www.aoa.org.uk/policy-campaigns/operations-safety/)*
- 2 *This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:*
- Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.*
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.*
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from*

the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

- 3 *The applicant is advised that the management and maintenance of the drainage proposals for this site and Forge Wood as a whole must be the subject of an application to discharge condition 16 of the outline planning permission.*
- 4 *The applicant is advised that this permission does not extend to include the proposed materials for the development the subject of this permission. The submitted details have been excluded from the list of approved drawings. Approval is not granted to the proposed materials as submitted and proposed materials must be the subject of an application under condition 38 of the outline planning permission.*

NPPF Statement

In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:

- *Liaising with members/consultees/respondents/applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.*
- *Seeking amended plans/additional information to address identified issues during the course of the application.*

This decision has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in article 35, of the Town and Country Planning (Development Management Procedure) Order 2015.

The Agent, Mr David Hutchison, addressed the Committee. In supporting the application, he advised that he had nothing further to add.

The Committee then considered the application. In response to issues raised by the Committee, the Principal Planning Officer indicated that whilst there were some inconsistencies in terms of sizes of gardens and some were below adopted standards, each phase of development was being looked at individually in terms of policy, but also in terms of the large areas of open space and play areas to be available. Whilst it was not a planning requirement, overhead power cables would be relocated by undergrounding them.

Approved subject to the approval of CR/2015/0552/NCC, as considered earlier at this meeting, amendment of the description of this application, further publicity and consultation if required and subject, but not limited, to the imposition of the updated conditions and informatives above.

Item 004

CR/2016/0170/FUL

Southways Business Park, London Road, Langley Green, Crawley.

Continued use of site for airport parking together with retention of associated office building for a temporary period of 3 years, to include extended parking area in lieu of

off airport parking site permitted at site E2, Crawley business quarter, Northgate under CR/2014/0080/FUL.

Councillor M A Stone declared he had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application. The Committee was advised of two clerical correction:-

- In the third line of paragraph 5.7, delete the word “exiting” and replace with “existing”
- In the fourth line of paragraph 5.37, delete the word “compressive” and replace with the word “comprehensive”.

The Applicant, Mr Tom Kiss, addressed the Committee in support of the application, and requested the committee to consider deferring the decision in light of the legal challenge against Policy GAT3.

The Committee then considered the application. The Committee conveyed its concerns regarding highway safety and access from the site to the A23, whilst expressing the view that Gatwick Airport related parking was an important issue and that the adopted Local Plan needed to be protected and complied with. Whilst there had been a formal notification of a legal challenge to the Policy, it was acknowledged that until the case had been heard and judgement given, Policy GAT3 of the Local Plan remained current and relevant when determining the planning application before the Committee. A view was expressed that the request for the deferral did not appear to be unreasonable. In response to this the Committee was advised by the Group Manager (Development Management) that to defer because of the legal challenge in respect of GAT3 was not appropriate given that GAT3 was only 1 of 4 reasons given for the officer’s recommendation to refuse.

Refused for the reasons set out in report [PES/210](#)

Item 006

CR/2016/0568/FUL

Butts End & 1, Butts Close, West Green, Crawley.

Erection of single storey front porch, first floor side and roof extension, conversion of garage and garden room to habitable space (1 Butts Close). New pitched roof over adjoining properties at 1 Butts Close and Butts End.

Councillors M A Stone and J Tarrant declared they had visited the site.

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

The Applicant, Mr Graham Hobden, addressed the Committee in support of the application.

The Committee considered carefully the application information and was of the view that there were a variety of houses in the locality of differing designs and styles. There were also various types of extensions in the area. It did not accept the design considerations in the Officers report.

The Officer’s recommendation to refuse was overturned.

It was then moved to grant planning permission subject to standard conditions and this was seconded. A vote was taken.

Permitted subject to the following standard conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for external walls (and roofs) of the proposed building(s) have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

Item 005

CR/2016/0325/FUL

Quality dry cleaners and launderette, 10 Pound Hill Parade, Pound Hill, Crawley

Demolition of rear lean-to and sub-division of existing unit and change of use from dry cleaners/laundrette (sui generis) to dry cleaners/laundrette (sui generis) & hot food takeaway (A5) (including ventilation and filtration system; installation of new shopfront, erection of two chimneys on the roof to provide extract outlets, alterations to rear elevation to provide additional rear access doors (amended plans received).

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

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

The Committee then considered the application. In raising issues on this matter, particularly in relation to noise and neighbouring residents, the Committee noted the associated conditions and informatives proposed.

Permitted subject to the conditions and informatives set out in report [PES/210](#).

Item 007

CR/2016/0693/ADV

Verge adjacent to Tilgate Drive, Tilgate, Crawley

Advertisement consent for erection of free standing pole mounted directional/information sign.

Councillor J Tarrant declared she had visited the site.

The Principal Planning Officer provided a verbal summation of the application and advised the Committee that the proposed conditions 1 and 2 had been inadvertently applied to this application, and as such should be deleted.

The Committee then considered the application.

Consent subject to condition 3 set out in report [PES/210](#)

Item 008

CR/2016/0695/FUL

4 Athelstan Close, Pound Hill, Crawley

Erection of first floor side extension above existing garage.

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

The Committee then considered the application.

Permitted subject to the conditions set out in report [PES/210](#)

37. Exclusion of the Public

RESOLVED

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

38. ENF/2016/0170 Proposed Enforcement Action at Southways Business Park, London Road, Langley Green, Crawley, West Sussex.

(Exempt Paragraph 6 – notice/order)

The Committee considered report PES/224 of the Head of Economic and Environmental Services which requested that the Committee consider whether the Council should issue and serve Enforcement Notices under Section 172 of the Town and Country Planning Act 1990.

RESOLVED

That it is expedient to issue and serve enforcement notices pursuant to Section 172 of the Town and Country Planning act 1990 (as amended) in the form set out in report PES/224, in respect of:

(1) the unauthorised use of land for purposes of airport car parking, the erection of portacabins and other temporary buildings; and

(2) the creation of areas of hardstanding, and the creation of bunds.

39. Closure of Meeting

The meeting ended at 9.42 pm.

I T IRVINE
Chair

Crawley Borough Council

Minutes of Governance Committee

14 November 2016 at 7.00pm

Present:

Councillor	J Stanley (Chair)
Councillor	R D Burrett (Vice–Chair)
Councillors	D Crow, C R Eade, M G Jones, S J Joyce, P K Lamb, R A Lanzer, T Lunnon, and A C Skudder

Also in Attendance:

Councillor R G Burgess	(Acting Chair of the Overview and Scrutiny Commission and member of the Review of Democratic Structures Scrutiny Panel)
Councillor I T Irvine	

Officers Present:

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

Apologies for Absence:

Absent:

Councillor K McCarthy

8. Death of Honorary Freeman and Alderman Jim Smith MBE

The Committee observed one minute's silence in memory of former Councillor, Mayor and Honorary Freeman and Alderman Jim Smith MBE. Jim sadly passed away on 9 November 2016.

9. Members' Disclosure of Interests

No disclosures of interests were made by Members.

10. Minutes

The minutes of the meeting of the Committee held on [20 September 2016](#) were approved as a correct record and signed by the Chair.

11. Review of Democratic Structures Scrutiny Panel Final Report

The Committee considered report [OSC/253](#) of the Chair of the Review of Democratic Structures Scrutiny Panel. The Scrutiny Panel had been established to consider assessing the Council's current governance arrangements, to consider the key attributes for an effective governance system, consider the drivers for change and then consider improvements to the current system. The report before the Committee presented the findings and recommendations of the Panel.

Councillor R G Burgess, Acting Chair of the Overview and Scrutiny Commission, presented the Panel's report and drew the Committee's attention to the comments made by the Overview and Scrutiny Commission at its meeting held on 7 November 2016 on the above report (comments are attached as Appendix 1 to these minutes). The Committee noted that reference to the "Development Control Committee" on page B13 of the report should be deleted and replaced with the "Planning Committee".

The Committee considered the recommendations proposed by the Scrutiny Panel and made the following comments:

(a) Retention of the current model of Governance (Strong Leader Model ie Leader and Cabinet Executive)

It was acknowledged that the Review had been established following a desire by some Councillors to return to the 'Committee System' as they were of the view that such a system would increase the involvement of back bench Members. The Committee was satisfied that the Strong Leader Model had worked well for the Council since its introduction and it agreed overwhelmingly to support the retention of the current model of Governance.

(b) Establishment of 2 'Portfolio Advisory Groups' (hybrid arrangements)

The Committee discussed the proposal to establish Portfolio Advisory Groups (PAGs) in detail. Many Committee members felt that the work which would be undertaken by the proposed PAGs was currently within the remit of the Overview and Scrutiny Commission (OSC) and that there was little evidence to suggest that Members were not currently involved in the development of policy. However some Members expressed the view that, as the OSC currently met two days prior to the relevant Cabinet meeting, the impact the Commission had on policy development was limited.

Whilst some Members were of the view that the introduction of PAGs could improve decision making and could be useful in developing or refining complex policies the majority of the Committee felt that PAGs would not add value, would not deliver the benefits envisaged and would be a re-creation of the 'failed' Policy Development Forums which had been deemed unnecessary and therefore disbanded in 2015. Several Committee members also expressed concern at, what they considered to be, a small membership for the PAGs and subsequently felt that could result in a struggle for attendance at meetings.

The majority of the Committee viewed all-Member seminars as a more effective way to involve Members in policy development and that cross-party Working Groups could be established when necessary. The Committee therefore did not support the establishment of PAGs.

(c) Introduction of Cabinet Members updates to all Members to communicate information relating to their portfolio to be provided prior to Full Council

The majority of the Committee were of the opinion that Cabinet Members already had the opportunity to provide updates at Full Council meetings during the “Announcements by Cabinet Members” item and therefore the proposal was not necessary. The Committee therefore did not support the recommendation.

(d) Establishment of seminars for the ‘big’ issues where officers can obtain Member input and feedback at an early stage

The Committee supported seminars as an effective and valuable way of encouraging Member involvement in policy development and ‘big’ issues. Although seminars could be useful as a ‘brainstorming session’ it was noted that they were less productive when initial ideas had not been formulated enough to enable coherent debate. Disappointment was expressed at the regular low attendance at seminars and the Committee hoped that attendance would improve. The Committee supported the recommendation.

(e) The Commission’s request that Cabinet Members introduce reports at Overview and Scrutiny Commission (OSC) meetings

Although the Committee supported the recommendation, several Committee members were of the view that the Commission could already request that a Cabinet Member attend a meeting, and it was acknowledged that most Cabinet Members already attended when a report relating to their portfolio was to be considered by the Commission.

(f) Acquiring a “Member Mix” on the Overview and Scrutiny Commission

The Committee was very concerned that limiting the length of time a Member could serve on the Commission to three years could have a significantly negative impact on the membership of other Committees, especially if the size of the Commission was increased as per recommendation (g) below. The Committee was unsure whether the recommendation set out in the report relating to the acquisition of a “Member Mix” included the imposition of a term limit for membership on the Commission. For clarification purposes an amendment was moved, seconded and considered as follows:

Amendment:

It was moved by Councillor P K Lamb, and seconded by Councillor R A Lanzer that Recommendation 2.1(f) of the Panel be amended as follows (additional wording shown in bold):

“Acquire a “Member Mix” on the Overview and Scrutiny Commission, **no formal term limit is implied by this recommendation.**”

The amendment upon being put to the Committee was declared to be CARRIED.

The Committee was then asked to vote on the recommendation as amended. However, although the Committee agreed that a balance and mix of new and experienced Members on the Commission would be nice, it was of the opinion that the Commission was best served by Members who had a specific interest in that area and that details relating to the Commission’s membership was the responsibility of the political groups and should not be stipulated. The Committee therefore did not support that a “Member Mix” be acquired on the Overview and Scrutiny Commission.

(g) An increase in the size of the Overview and Scrutiny Commission

The Committee was of the opinion that an increase in the size of the Commission should not be looked at in isolation as it would impact on the membership of other Committees. To ensure that membership reflected the political balance of the Council, and to minimise disruption to other Committees an amendment was moved, seconded and considered as follows:

Amendment:

It was moved by Councillor M G Jones, and seconded by Councillor P K Lamb that Recommendation 2.1(g) of the Panel be amended as follows (additional wording shown in bold):

“Increase the size of the Overview and Scrutiny Commission **with effect from the next municipal year.**”

The amendment upon being put to the Committee was declared to be CARRIED.

Although concern was raised that an increased membership would lengthen the duration of Commission meetings, on balance the Committee agreed that the membership should be increased if that was the wish of the Commission. The Committee therefore supported the recommendation as amended.

Member’s attendance at meetings

Although it did not form part of the report, a query was raised regarding what appeared to be a lack of consistency when recording Members as “also in attendance” at meetings. The Head of Legal and Democratic Services agreed to look into the matter to ensure consistency.

The Committee thanked Councillor R G Burgess, members of the Scrutiny Panel and the Democratic Services Officer (HG) for a thorough review and detailed report, as well as the Overview and Scrutiny Commission for its comments.

RESOLVED

RECOMMENDATION 2

That the Full Council be recommended to:

- (i) Support and endorse the continuation of the current model of governance (Strong Leader Model i.e. Leader and Cabinet Executive).
- (ii) Agree an increase to the size of the Overview and Scrutiny Commission, with effect from the next municipal year

And

That

- (i) Seminars be established for the 'big' issues where officers can obtain Member input and feedback at an early stage.
- (ii) Cabinet Members introduce reports at Overview and Scrutiny Commission meetings.

12. 2018 Review of Parliamentary Constituencies

The Committee considered report [LDS/122](#) of the Head of Legal and Democratic Services which informed the Committee of the initial proposals of the Boundary Commission for England for new Parliamentary constituency boundaries as they affected Crawley. The Commission had proposed that the Borough of Crawley be retained in one constituency, with the inclusion of Copthorne and Worth Ward (which was currently within the Horsham constituency). The report requested that, in addition to the Copthorne and Worth Ward, the Committee consider making representations to the Commission to include Kilnwood Vale polling district in Crawley constituency.

It was noted that some wording had been omitted from the end of paragraph 6.2 and the paragraph should read "The urban character of Kilnwood Vale is different to the rest of the ward, particularly the western section".

Several members of the Committee were of the opinion that such an inclusion of Kilnwood Vale would be premature at this stage as it did not currently lie within the Crawley Borough and its incorporation would require a split of the Rusper and Colgate Ward. However, the majority of the Committee supported the proposal to include Kilnwood Vale in the Crawley constituency as Kilnwood Vale would receive most of its services from Crawley and not Horsham. It was also felt that the character of Kilnwood Vale more closely matched that of Crawley and it was hoped that the area would be incorporated within the Crawley Borough in future.

RESOLVED

That representations be made to the Boundary Commission for England on the initial draft proposals that the Kilnwood Vale Polling District be included in Crawley constituency.

13. Electoral Review 2017/18

The Committee considered report [LDS/123](#) of the Head of Legal and Democratic Services which informed the Committee that the Local Government Boundary Commission for England was planning to conduct an electoral review to improve electoral equality in Crawley. The Committee was recommended to establish an informal working group known as the Electoral Review Panel to lead on the detailed work needed to take place during the period of the review.

RESOLVED

1. That the information relating to the electoral review be noted.
2. That an Electoral Review Panel of 5 (3:2) members of the Governance Committee be established to:
 - a) Undertake the detailed work necessary for the review.
 - b) Submit recommendations to the Governance Committee as necessary, prior to any proposals being submitted to the Boundary Commission for England.
3. That the Group Leaders inform the Head of Legal and Democratic Services of their nominations for membership on the Electoral Review Panel.

14. Electoral Services Team Report

The Committee considered report [LDS/124](#) of the Head of Legal and Democratic Services which informed Members of current electoral matters. Members sought and received clarification on a number of issues raised including matters relating to voter ID, the possible impact of Brexit on overseas voters and the retention of voters on the register who did not respond to the Household Enquiry Form.

RESOLVED

That the report be noted.

15. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 9.15pm.

J STANLEY
Chair

Comments from the Overview and Scrutiny Commission on Review of Democratic Structures Scrutiny Panel at its meeting on Monday 7 November 2016

OSC/254

OSC Agenda Item 8 – Review of Democratic Structures Scrutiny Panel Final Report

Comments and Recommendations

The Commission held a discussion on report OSC/253 of the Chair of the Review of Democratic Structures Scrutiny Panel with the Acting Chair of the Overview and Scrutiny Commission.

Members were in favour of Recommendations 2.1a, b, c, d, e, f and g.

- It was felt that recommendation ‘h’ was unnecessary as this was already understood to be actioned.
- It was commented that recommendation ‘i’ should be removed as training should be arranged by the Members’ Executive Support Group as the independent body as opposed to the Overview and Scrutiny Commission.
- The Commission would seek to instigate recommendation ‘e’ as it was within its remit to do so.
- Support made to the important reference of the Portfolio Advisory Groups taking place only subject to sufficient items of business being available for consideration, which would avoid unnecessary meetings. However it was questioned who would consider when a meeting would then occur and how.
- It was felt there were areas of uncertainty covering the Portfolio Advisory Groups. In particular, greater clarity was sought as to the formalisation and operation of the Portfolio Advisory Groups, in particular the membership and chairing. Some Members felt the Groups should be chaired by a Cabinet Member so the Portfolio Holder could ‘advise’ other Members of initial policy proposals (as in most other authorities’ models). Other Members from the Scrutiny Panel agreed that having evaluated the merits and options that the Portfolio Advisory Groups should not be chaired by a Cabinet Member.
- Recognition that the Portfolio Advisory Groups could support the development of policy, although there was also concern expressed that the Portfolio Advisory Groups may slow the decision making process.
- Financial implications were noted.
- It was felt that if recommendation 2.1b was approved, the need to establish a review within 12 months of operation was of paramount importance.

**Councillor R G Burgess (Acting Chair, Overview and Scrutiny Commission)
7 November 2016**

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission

Monday 28 November 2016 at 7.00pm

Present:

Councillor B A Smith (Chair)
Councillors M L Ayling, T G Belben, Dr H S Bloom, C A Cheshire, I T Irvine,
R A Lanzer, T Rana and K Sudan

Also in Attendance:

Councillors P K Lamb and M Pickett

Apologies for Absence:

Councillors R G Burgess and L Vitler
Lee Harris Chief Executive

Officers Present:

Tony Baldock Environmental Health Manager
Jos Berreen Benefits Case Officer
Heather Girling Democratic Services Officer
Karen Hayes Head of Finance, Revenues and Benefits
Paul Windust Corporate Accounting & Treasury Services Manager

54. Death of Honorary Freeman and Alderman Jim Smith MBE

The Commission observed one minute's silence in memory of former Councillor, Mayor and Honorary Freeman and Alderman Jim Smith MBE. Jim sadly passed away on 9 November 2016.

55. Members' Disclosure of Interests and Whipping Declarations

No disclosures of interests or whipping declarations were made.

56. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [7 November 2016](#) were approved as a correct record and signed by the Chair.

57. Public Question Time

No questions from the public were asked.

58. Treasury Management Mid-Year Review 2016-2017

The Commission considered report [FIN/396](#) of the Head of Finance, Revenues and Benefits which provided an update on the Council's Treasury Management Strategy for the first two quarters of 2016/2017. The Council prioritises its investments as being security of capital, liquidity and yield.

During the discussion with the Leader, the Head of Finance, Revenues and Benefits, and the Corporate Accounting and Treasury Services Manager the following topics were discussed:

- The breach of investment limits was noted.
- Recognition that repurchase agreements were a form of low risk secure lending and loans to housing associations can provide significant yield when compared to local authorities.
- Support that Repurchase Agreements and Housing Associations investments be appended to the 2016/17 Annual Investment Strategy.

RESOLVED

That the report and recommendations to the Cabinet be noted.

59. Review of the Council Tax Reduction Scheme

The Commission considered report [FIN/399](#) of the Head of Finance, Revenues and Benefits. The Council introduced a local council tax reduction scheme in April 2013. The scheme is means tested and determines the amount by which a taxpayer's council tax will be reduced. Due to Government welfare reform changes it was appropriate for the Council to consider whether it wished to revise the current scheme. The report considered some possible amendments to the current scheme, which, if agreed, would come into effect from 1 April 2017.

During the discussion with the Leader, the Head of Finance, Revenues and Benefits and Benefits Case Officer, Members main comments included:

- Disappointment was voiced that a response had not been received during the consultation period from the Sussex Police and Crime Commissioner.
- Reference was made to appendix 3 in the report to the "estimated additional cost avoided to WSCC and Sussex Police" that should apply to options 1-4.
- Members sought and gained clarification on a number of matters raised including the option 4 proposal, the calculation of housing benefit allowance and the council tax reduction applied, particularly for those working non-standard hour contracts.
- Concern was expressed over the complex nature of the report and as a result there were mixed views from Members in terms of considering the options for recommendation. Whilst one Member recommended options 1, 2, 3, 4 and 5c, the majority of Members favoured the principal concept to support those options that had a less negative impact on those most vulnerable.
- The Commission took the opportunity to thank all the officers concerned for the work undertaken and commitment in the Benefits Service. Particular reference was made to Karen Hayes (Head of Finance, Revenues and Benefits) and team members including Jos Berreen (Benefits Case Officer).

RESOLVED

That the Commission noted the report and supported the principal concept to support those options that had a less negative impact on those most vulnerable.

60. Review of Statement of Licensing Policy Gambling Act 2005

The Commission considered report [PES/222](#) of the Head of Economic and Environmental Services. The report documented the proposed amendments to the Council's revised Statement of Licensing Policy (Gambling Act 2005), which had been generated from responses following a 12 week public consultation exercise that concluded on 25 September 2016.

During the discussion with the Environmental Health Manager, Members expressed the following comments:

- Support that the policy achieved a balance between respecting access to premises and protecting the rights of individuals.
- Clarification sought on the terms of reference for licensing and licensing-sub committees.
- Acknowledgement that the statutory guidance now included local area profiles and operators risk assessments. The latter of which would include premises lone-working, a requirement of the Health and Safety at Work Act.

RESOLVED

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

61. Safeguarding Children, Young People and Adults at Risk Policy 2016

The Commission was informed that this item had been deferred with prior agreement of the Chair. The amended policy required further consultation and review. It would now feature on the OSC agenda in early 2017.

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

The recent HASC meeting took place in November 2016. Key items of discussion included the Patient Transport Service contract move from Coperforma to South Central Ambulance NHS Foundation Trust (SCAS). A further update would be provided at the next meeting.

63. Forward Plan – January 2017 and Provisional List of Reports for the following meetings of the Commission

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

Crawley Town Hall
Future Delivery of Crawley's Building Control Service
Sheltered Housing Service Review
Local Development Scheme (LDS) – provisional referral

64. Closure of Meeting

The meeting ended at 7.57pm.

B A Smith
Chair

Crawley Borough Council

Minutes of Audit Committee

29 November 2016 at 6.30pm

Present:

Councillor K Sudan (Chair)
Councillor C R Eade (Vice Chair)
Councillors R D Burrett, I T Irvine and C Portal Castro

Also in Attendance:

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

Officers Present:

Chris Corker	Corporate Fraud and Inspections Manager
Gillian Edwards	Audit and Risk Manager
Karen Hayes	Head of Finance, Revenues and Benefits
Mez Matthews	Democratic Services Officer
Mark Rice	Corporate Fraud Investigator

19. Apologies for Absence:

With all the Committee's Members being present at this meeting, there were no apologies for absence.

20. Members' Disclosure of Interests

No disclosures of interests were made.

21. Minutes

The minutes of the meeting of the Committee held on [28 September 2016](#) were approved as a correct record and signed by the Chair.

22. Fraud Team Report

The Committee considered report [FIN/400](#) of the Corporate Fraud and Inspections Manager, which focussed on activity for the period from 8 July 2016 to 14 November 2016.

As indicated in the report, the Team had continued to perform successfully. The Corporate Fraud and Inspections Manager and Corporate Fraud Investigator took this

opportunity to brief the Committee on specific areas of the Team's work including, for example, that in respect of Housing Fraud and the New Homes Bonus (2016).

The Committee was provided with details of cases investigated and the Team's investigations, whilst a discussion took place on the team's work generally. Members sought and received clarification on a number of points raised, including issues around retrospective fraud investigations, the subletting of council properties and payment of council tax on rented properties. The Chair thanked the Corporate Fraud and Inspections Manager and Corporate Fraud Investigator for the continued good work undertaken by the team.

RESOLVED

That the report be noted.

23. Annual Audit Letter for the Year Ended 31 March 2016

The Committee considered the Annual Audit Letter from Ernst and Young LLP. The Letter was attached as [Enclosure C](#) to the agenda. The Director of Ernst and Young LLP presented the Letter which provided a summary of Ernst and Young's assessment of the Council for 2015-2016 and highlighted the key issues. The Committee acknowledged that the majority of the information detailed in the Audit Results Report, which had been considered by the Committee at its meeting in July ([minute 8](#) refers) were reflected in the letter before the Committee.

In terms of looking ahead, reference was made to the requirement to bring forward the date of preparation of the financial statements with effect for 2017/18 and the fact that, having received the audit opinion on 29 July 2016, the Council was in a strong position in respect of the earlier audit deadline. Other future issues related to the local appointment of auditors, which would be dealt with as a separate item at this meeting ([minute 25](#) refers), balancing budgets in the medium term and the ongoing impact of 'Brexit'.

The Committee received clarification on issues arising, including matters on the reduction of the specified audit threshold, valuing the Council's assets and the potential consequences of not balancing the budgets of this Authority.

Whilst considering the work of Ernst and Young LLP, during the course of this meeting the Audit Manager of Ernst and Young advised that the work on the Housing Benefit Subsidy Claim had been completed and sent to Public Sector Audit Appointments (PSAA). The Committee was also advised that a report relating to grants would be considered at the next meeting of the Committee.

RESOLVED

That the Annual Audit Letter be noted.

24. Internal Audit Progress Report as at 15 November 2016 Incorporating Risk Management Update as at 15 November 2016

The Committee considered report [FIN/398](#) 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 2016/2017 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. At the request of the Committee clarification was provided regarding freedom of information and subject access requests.

The Committee discussed the update provided on Risk Management. Following a Member query regarding the level of Section 106 funding towards the Three Bridges Railway Station, the Head of Finance, Revenues and Benefits agreed to obtain clarification from the Head of Economic and Environmental Services. The Committee noted that due to unforeseen circumstances the relocation of the Council's Data Centre was now scheduled to take place in January 2017.

RESOLVED

That the Internal Audit Progress Report as at 15 November 2016, incorporating the Risk Management Update as at 15 November 2016, be noted.

25. Appointment of External Auditor

The Committee considered report [FIN/397](#) of the Head of Finance, Revenues and Benefits which considered the options available to the Council with regard to procurement arrangements under the Local Audit and Accountability Act 2014.

Following queries from the Committee, the Head of Finance, Revenues and Benefits confirmed that, although specific financial costs were not available, opting in to the arrangements made by the Public Sector Audit Appointment (PSAA) would cost significantly less than if the Council chose to conduct its own procurement exercise. The Committee also noted that a large number of staff at PSAA had originally worked for the Audit Commission, and as such were very experienced. The Head of Finance, Revenues and Benefits took the opportunity to thank the current Auditors for the good work they had undertaken over the past couple of years.

RESOLVED

RECOMMENDATION 3

That Full Council be RECOMMENDED:

that this Council opts in to the Appointing Person arrangements made by the Public Sector Audit Appointments (PSAA) for the appointment of external auditors.

26. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 7.30pm.

K SUDAN
Chair

Crawley Borough Council

Minutes of Cabinet

Wednesday 30 November 2016 at 7.30pm

Present:

Councillors

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

Also in Attendance:

Councillor D Crow

Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Peter Browning	Deputy Head Chief Executive
Lee Harris	Chief Executive
Karen Hayes	Head of Finance, Revenue and Benefits
Chris Pedlow	Democratic Services Manager

Apologies for Absence:

Councillor S J Joyce

27. Members' Disclosure of Interests

No declarations of interests were made.

28. Minutes

The minutes of the meeting of the Cabinet held on [5 October 2016](#) were approved as a correct record and signed by the Chair.

29. Public Question Time

There were no questions from the public.

30. Matters Referred to the Cabinet

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

31. Report from the Chair of the Overview and Scrutiny Commission

The comments from the Overview and Scrutiny Commission had been circulated to all Cabinet Members. Details of those comments are provided under the minute to which the comments refer.

32. Treasury Management Mid-Year Review 2016/2017

The Leader presented report [FIN/396](#) of the Head of Finance, Revenues and Benefits highlighting that the Council was required to consider a Treasury Management report on a twice yearly basis to ensure Members were able to monitor the council's finances and to review how they were being invested.

It was noted that there were no grounds for concerns, but there were two elements of which Members needed to be aware. The first of which was the need to amend the Council's Annual Investment Strategy to include two new types of investments namely, Repurchase Agreement and loans to Housing Associations. The second issue related to a slight breach of the investment time limits, as a result of which measures had now been put in place to ensure that the Council would not go beyond such limits in the future.

The Cabinet noted the Overview and Scrutiny Commission's comments on the report before them, following the Commission's consideration of the matter at its meeting on 28 November 2016.

RESOLVED

That the Cabinet:

- 1) notes the report and the treasury activity for the first two quarters of 2016/2017;
- 2) notes the breach of investment limits (see section 7.3 of report [FIN/396](#))

RECOMMENDATION 4

That Full Council be RECOMMENDED:

to the approval of an amendment to the Council's Annual Investment Strategy to include additional investment types to the investment strategy (Sections 5.2 – 5.4 of report [FIN/396](#) refers)

Reason for Decision

The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management recommends that members be updated on treasury management activities regularly (Treasury Management Strategy Statement, annual and midyear reports). This report, therefore, ensures this Council is implementing best practice in accordance with the Code.

33. Review of the Council Tax Reduction Scheme

The Leader presented report [FIN/399](#) of the Head of Finance, Revenues and Benefits to the Cabinet, which informed Members of the requirement on the Council to have a Council Tax Reduction Scheme in place, that identified which residents would be exempted from paying Council Tax and those that would qualify for a reduction on their Council Tax. It was noted that the Council had a significant amount of discretion on the criteria for the reduction scheme and that the current scheme had not been updated since 2013.

The report contained 5 criteria options for the Cabinet to consider, as identified in paragraph 4.7 of the report, which had been out for consultation. In presenting the options the Leader proposed the following options should form the criteria that the Cabinet should recommend to Full Council for their approval.

- Option 2 (*To remove a Work Related Activity Component in the calculation for new ESA (Employment Support Allowance) applicants*),
- Option 4 (*Where someone is already paid Universal Credit (carer's element) to look after someone with a disability, to remove entitlement to the Severe Disability premium*) and
- Option 5 c (*Increase the allowance by the same as the default scheme (costing £84,000 and can be met from within the existing budget) – i.e. by the September CPI going back to when the scheme started in April 2013, this would make the scheme easier to administer*)

The Cabinet considered the comments from the Overview and Scrutiny Commission from its meeting on 28 November 2016, which the Commission had noted the report and supported the principal concept to support those options that had a less negative impact on those most vulnerable.

Members in considering the report and its criteria, agreed with the options proposed by the Leader, as they felt those were the options that would have the least negative impact on our most vulnerable residents.

RESOLVED

That the Cabinet:

- 1) considered the options set out in Appendix 1 of report [FIN/399](#) together with the results of the analysis of the consultation exercise undertaken in respect of the options and the findings of the second stage Equalities Impact Assessment (EQIA) shown in Appendix 2 of the report.
- 2) endorses that the following options be included within the proposed Council's Council Tax Reduction Scheme 2017/2018 from 1 April 2017.
 - Option 2 (*To remove a Work Related Activity Component in the calculation for new ESA (Employment Support Allowance) applicants*),
 - Option 4 (*Where someone is already paid Universal Credit (carer's element) to look after someone with a disability, to remove entitlement to the Severe Disability premium*) and

- Option 5 c *(Increase the allowance by the same as the default scheme (costing £84,000 and can be met from within the existing budget) – i.e. by the September CPI going back to when the scheme started in April 2013, this would make the scheme easier to administer)*

RECOMMENDATION 5

That Full Council be RECOMMENDED:

to approve the revised Council's Council Tax Reduction Scheme 2017/2018 with Options 2, 4 and 5c forming its criteria, from 1 April 2017, having had due regard to report [FIN/399](#), of the Head of Finance, Revenues and Benefits that includes the results of the analysis of the consultation exercise undertaken and the findings of the second stage Equalities Impact Assessment (EQIA) shown in Appendix 2 of the report.

Reason for Decision

The Council needs to decide whether it wishes to make any changes to its Local Council Tax Reduction Scheme (LCTRS).

34. Review of Statement of Licensing Policy Gambling Act 2005

The Cabinet Member for Environmental Services and Sustainability presented report [PES/222](#) of the Head of Economic and Environmental Services, which detailed the outcomes of the statutory consultation on the proposed revision of the Council's Statement of Licensing Policy. The Council had received three responses including from West Sussex County Council, and as a result of the views received a number of amendments to the draft policy had been identified in Appendix C to the report. It was noted that as the Council was the Licensing Authority it was required under the Gambling Act 2005 to approve, following consultation, a Statement of its Licensing policy under the Gambling Act 2005 every three years.

The Cabinet noted the Overview and Scrutiny Commission's support for the recommendations from their meeting on 28 November 2016, as detailed in the Commission's comments to Cabinet.

RESOLVED

That the Cabinet have reviewed the representations received following the consultation and approves the incorporation of those comments into a revised Statement of Licensing Policy (Gambling Act 2005), and,

RECOMMENDATION 6

That Full Council be RECOMMENDED:

to approve and adopt the Council's revised Statement Licensing (Gambling Act 2005) Policy.

Reason for Decision

It is a statutory requirement under the Gambling Act 2005 for a Licensing Authority to review and publish a Statement of its Licensing Policy every three years.

35. Safeguarding Children, Young People and Adults at Risk Policy 2016

The Leader of the Cabinet informed Members that this item had been deferred with his prior agreement, to enable the amended policy to be further reviewed. It will be resubmitted to the Cabinet in early 2017.

36. 2016/2017 Budget Monitoring - Quarter 2

The Leader presented report [FIN/395](#) of the Head of Finance, Revenues and Benefits. The report which provided a summary of the Council's actual revenue and capital spending up to the second quarter ending September 2016. It identified the main variations from the approved spending levels and any potential impact on future budgets. It was noted that the report requested the approval for an allocation of £1.1m from the Town Centre capital programme fund to extend the environmental improvement scheme, as part of the next phase of the Town Centre Regeneration Programme.

RESOLVED

That the Cabinet:

- 1) notes the projected outturn for the year 2016/2017 as summarised within the report.
- 2) approves an allocation of £1.1m from the £3.91m capital programme sum allocated for the Town Centre to extend the environmental improvement scheme in Queens Square along Queensway, The Pavement and Kingsgate, as part of the next phase of the Town Centre Regeneration Programme as outlined in paragraph 8.9 of the report.

Reason for Decision

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

37. Supporting Business through Crawley Small Business Grant Scheme

The Cabinet Member for Planning and Economic Development presented report [PES/226](#) of the Head of Economic and Environmental Services and the Cabinet Member for Planning and Economic Development. The report provided the background behind why the Council was receiving funding from the West Sussex Pooled Business Rates Fund. It also detailed how the Council proposed to administer its allocation, via the Crawley Small Business Grant Scheme. It was noted the funding was to be used for allocation of grants to new and existing small businesses for apprenticeship grants and business support. The Cabinet Member also stated that the Council had already

received a significant amount of interest from local businesses interested in applying for the proposed Small Business Grant Scheme.

The Cabinet were informed that the grant figure identified within the report was the anticipated Crawley Borough Council's allocation of the Pooled Business Rates Fund. However further communication since the publication of the report, had identified that the expected allocation for the Council was likely to be closer to £70,000.

RESOLVED

That the Cabinet:

- 1) notes the establishment of a Crawley Small Business Grant Scheme for new and existing small businesses, as set out in section 5 of the report, supported by Crawley Borough Council's allocation of the Pooled Business Rates Fund;
- 2) delegates authority to the Head of Economic and Environmental Services and Head of Finance, Revenues and Benefits in consultation with the Portfolio Holder for Planning and Economic Development to set the criteria and subsequently approve grants under the scheme.

RECOMMENDATION 7

That Full Council be RECOMMENDED:

to requests that Full Council approve the amendments to the Functions of the Grants Appeals Panel as set out in Appendix A to these Minutes.

Reason for Decision

This report seeks the approval of Cabinet for the establishment of the Small Business Grant Scheme within Crawley and to delegate approval for the administration of the process, so that the scheme can be launched on Small Business Saturday (3rd December 2016), in line with other West Sussex authorities, and grants can be administered.

38. Town Centre Working Group: Change of Name and Terms of Reference

The Cabinet Member for Planning and Economic Development introduced this item to Cabinet reminding them that the Town Centre Working Group was originally set up to consider regeneration issues solely relating to the Town Centre. However, in addition to the Town Centre, economic regeneration initiatives were increasingly taking place across the Borough and as such it is proposed to change the name of the Working Group and widen its remit to reflect this.

RESOLVED

That Cabinet approves:

- 1) The change of the name of the Town Centre Working Group to the Economic Regeneration Working Group, and;

- 2) The revised Terms of Reference of the Economic Regeneration Working Group as set out below
- I). to receive and consider updates on economic regeneration initiatives and actions across the Borough, including delivery of the Town Centre Regeneration programme, the delivery of individual economic regeneration schemes and partnership activities within the Manor Royal Business District;
 - II). to receive and consider reports on economic regeneration activities in Crawley and to make recommendations, as necessary, to the Cabinet on the:-
 - proposals to regenerate sites identified in the Local Plan, the Town Centre Supplementary Planning Document and the Manor Royal Supplementary Planning Document & Design Guide.
 - identification and promotion of other economic regeneration opportunities to enhance the physical appearance and social, economic and educational attributes communications with all interested parties to maintain confidence in the wider economic regeneration of Crawley

Reason for Decision

With increasing economic regeneration initiatives occurring across the Borough it was considered desirable to change the name and remit of the Working Group, to reflect broader approach.

39. Closure of Meeting

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

P K LAMB
Chair

Additional wording is shown as underlined

RESPONSIBILITY FOR COUNCIL FUNCTIONS GRANTS APPEALS PANEL

The powers and duties of the Council relating to the functions set out below are delegated to the Grants Appeals Panel. As far as possible, the functions of the Grants Appeals Panel will be carried out by a politically balanced panel of 5 Members drawn from the membership of that panel.

Membership: Councillors: M L Ayling, T G Belben, C A Cheshire, C R Eade, R S Fiveash, I T Irvine, K L Jaggard, M G Jones, S J Joyce, P K Lamb, T Lunnon, C J Mullins, D M Peck, M Pickett, C Portal Castro, B J Quinn, T Rana, R Sharma, A C Skudder, B A Smith, P C Smith, J Stanley, K Sudan, J Tarrant, G Thomas and L Vitler

(The Cabinet Member for Public Protection and Community Engagement to attend in an advisory and non-voting capacity for grants appeals for functions 1 and 2 below)

(The Cabinet Member for Planning and Economic Development to attend in an advisory and non-voting capacity for grants appeals for functions 3 below)

Functions of the Grants Appeals Panel

Delegation of Functions (concurrently with the Grants Appeals Panel)

- (1) To determine appeals by voluntary organisations in respect of grant applications received for the financial year
- (2) To determine appeals against the refusal of applications for discretionary business rate relief
- (3) To determine appeals against the refusal of applications for small business grant scheme