

# Minutes of meetings held between

## 5 December 2016\* & 8 February 2017

\* Also including the Licensing Committee from 2 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 14 December 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, 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
Karen Hayes	Head of Finance, Revenue and Benefits
Chris Pedlow	Democratic Services Manager

Prior to the start of business, the Full Council observed two Minute's silence in memory of former Councillor Jim Smith MBE, Honorary Freeman and Alderman of the Borough.

The Mayor then invited representatives from each party to pay tribute to former Councillor Jim Smith MBE, Honorary Freeman and Alderman of the Borough. Councillors Lamb, Dr Bloom, Stanley, Burrett, Mullins and Crow, on behalf of their respective Groups, paid their heartfelt respects with glowing and touching tributes.

Councillor Brenda Smith, then addressed the Council, thanking them for their support during this difficult time and for the tributes made.

### 55. Apologies for Absence

Councillor C R Eade  
Mr A Quine – Honorary Freeman and Alderman.

### 56. Members' Disclosures of Interests

The following disclosures of interests were:

Member	Agenda Item No.	Name and date of Cabinet/ Committee and Minute No.	Minute Book Page No.	Subject or Planning Application No.	Type and Nature of Disclosure.
Councillor R D Burrett	7 (1) (b)	Overview and Scrutiny Commission 7 November 2016 – Minute 51	21	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)	Overview and Scrutiny Commission 28 November 2016 – Minute 62	45	Health and Adult Social Care Select Committee (HASC)	Personal Interest as a Member of West Sussex County Council

### 57. Communications

There no communications made.

### 58. Public Question Time

No questions were asked.

### 59. Minutes

The minutes of the meeting of the Full Council held on 19 October 2016 were approved as a correct record and signed by the Mayor.

Members requested that going forward that any Notice of Motion or any amendments to a Notice of Motion be recorded within the minutes, even if they were rejected.

### 60. 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)
p.23	Planning Committee 8 November 2016 Minute 36 / Item 001,  (Conservative Group)	CR/2015/0552/NCC Forge Wood, North East Sector Crawley	

<b>Minute Book Page no.</b>	<b>Committee/ Minute no. (and the Member reserving the item for Debate)</b>	<b>Subject (Decisions previously taken, reserved for debate only).</b>	<b>Subject (Recommendation to Full Council, reserved for debate)</b>
p.37	Governance Committee 14 November 2016 Minute 11  <b>(Conservative Group)</b>		Review of Democratic Structures Scrutiny Panel Final Report  <b>(Recommendation 2)</b>
p.55	Cabinet 30 November 2016 Minute 37  <b>(Labour Group – Councillor P Smith)</b>		Supporting Business through Crawley Small Business Grant.  <b>(Recommendation 7)</b>

## 61. Reports of the Cabinet, Overview and Scrutiny Commission and Committees

The Full Council were informed that the Licensing Committee minutes from the 2<sup>nd</sup> November 2016 including Recommendation 1, the Hackney Carriage and Private Hire Licensing Policy Revisions Post Consultation had been deferred to the Full Council meeting on the 22 February 2017.. The reason for this deferral was to enable the completion of the Equality Impact Assessment (EIA), relating to the Hackney Carriage and Private Hire Licensing Policy Revisions Post Consultation. This will ensure that Members receive a copy of the EIA in advance so that they can have due regard before making their decision on the Recommendation.

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

### RESOLVED

- (1) That the following reports be received:-
  - a) Planning Committee – 10 October 2016
  - b) Overview and Scrutiny Commission – 7 November 2016
  - c) Planning Committee – 8 November 2016
  - d) Governance Committee – 14 November 2016
  - e) Overview and Scrutiny Commission – 28 November 2016
  - f) Audit Committee – 29 November 2016
  - g) Cabinet – 30 November 2016
  
- (2) That the recommendations contained in the reports on the following matter, which had not been reserved for debate, be adopted :-

#### **Appointment of External Auditor Audit Committee – 29 November 2016 (Recommendation 3)**

The Full Council considered the Audit Committee report [FIN/397](#) of the Head of Finance, Revenues and Benefits.

**RESOLVED**

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

**Treasury Management Mid-Year Review 2016/2017  
Cabinet – 30 November 2016.  
(Recommendation 4)**

The Full Council considered the Cabinet report [FIN/396](#) of the Head of Finance, Revenues and Benefits

**RESOLVED**

That the Full Council approves 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)

**Review of the Council Tax Reduction Scheme  
Cabinet – 30 November 2016.  
(Recommendation 5)**

The Full Council confirmed that it has taken due consideration of the Cabinet's report and its appendices on the Review of the Council Tax Reduction Scheme [FIN/399](#) of the Head of Finance, Revenues and Benefits in coming to its decision.

**RESOLVED**

That the Full Council approves 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.

**Review of Statement of Licensing Policy Gambling Act 2005  
Cabinet – 30 November 2016.  
(Recommendation 6)**

The Full Council considered the Cabinet report [PES/222](#) of the Head of Economic and Environmental Services,

**RESOLVED**

That the Full Council approves and adopts the Council's revised Statement Licensing (Gambling Act 2005) Policy.

## 62. Reserved Items

These included the reserved items containing a recommendation to Full Council which were dealt with as set out in Minute Numbers 62, 63 and 64 below:-

## 63. CR/2015/0552/NCC, Forge Wood, North East Sector Crawley Planning Committee 8 November 2016

Councillor Jaggard, on behalf of the Conservative Group, stated that the rationale for bringing forward this item for debate was over the concerns over the built density issues with the Forge Wood development. In discussing the item it was noted that the outline planning permission was for 1900 dwellings at an average density of 41 dwellings per net hectare (dph), across the four phases of the development. However, due to some of the land having unexpected extensive flooding problems, it would likely mean that 3<sup>rd</sup> and 4<sup>th</sup> phases would have to have a average density of between 53 and 57 dph in order to achieve the proposed 1900 dwellings.

Councillors Burrett, Guidera, Lanzer and Irvine also spoke on the subject.

## 64. Review of Democratic Structures Scrutiny Panel Final Report Governance Committee– 14 November 2016 (Recommendation 2)

The Committee considered report [OSC/253](#) of the Chair of the Review of Democratic Structures Scrutiny Panel which had also been considered by the Overview and Scrutiny Commission at its meeting on 7 November 2016, Councillor Stanley moved the report and its recommendations, which was seconded.

Councillors Crow, Brenda Smith, Burrett, and Irvine also spoke on the subject.

Following a request, the Full Council voted and agreed to hold separate votes on each of the parts of the Recommendations 2.

On the vote in respect of part (i) of the recommendation, i.e. *the Full Council supports and endorses the continuation of the current model of governance (Strong Leader Model i.e. Leader and Cabinet Executive)*, the Mayor declared the recommendation to be carried by 34 votes for, 0 against with 2 abstention.

On the vote in respect of part (ii) of the recommendation, i.e. *the Full Council approves an increase to the size of the Overview and Scrutiny Commission, with effect from the next municipal year*, the Mayor declared the recommendation to be carried by 21 votes for, 13 against with 2 abstention.

## RESOLVED

That the Full Council:

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

**65. Supporting Business through Crawley Small Business Grant Scheme  
Cabinet – 30 November 2016.  
(Recommendation 7)**

The Cabinet had considered report [PES/226](#) Head of Economic and Environmental Services and the Cabinet Member for Planning and Economic Development. Councillor Lamb moved the report and its recommendations, which was seconded by Councillor Peter Smith, who spoke in detail about the Crawley Small Business Grant Scheme and the benefits it would provide across the Borough.

The recommendation was agreed.

**RESOLVED**

That the Full Council approves the amendments to the Constitution to the Grants Appeals Panel as set out in Appendix A to the Cabinet [minutes](#) on 30 November 2016

**66. Notice of Motion – 9**

The Council considered the Notice of Motion 9) as set out in the agenda. The Notice of Motion was moved by Councillor Belben and seconded by Councillor B J Burgess and was in relation to requesting that the number of calories on all bottled and canned alcoholic drinks be displayed.

During the debate on the Motion, Councillors Dr Bloom, Cheshire, Crow, Irvine, Lunnon and Joyce all spoke on the subject.

The Notion of Motion was unanimously agreed.

**RESOLVED**

That 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.'

**67. 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 Crow
Addressed to	Cabinet Member for Planning and Economic Development
Subject	The number of planning appeals during 2016 including the number dismissed and upheld, along with the costings.



**68. Announcements by Cabinet Members**

<b>Cabinet Member</b>	<b>Subject</b>
Councillor Thomas (Cabinet Member for Environmental Services and Sustainability).	<p>Two items of announcement were made.</p> <p>The first was in relation to the announcement that Crawley was ranking 318 out of 326 districts for having low levels of living environment deprivation, with a score of just 6.58, compared to Mid-Sussex, who scored 10.76, Horsham 13.2 and Chichester 18.92 with a Sussex Average of 22.1 and an England average of 21.82.</p> <p>The second related to the number of infectious disease cases recorded within the Borough since 2011. There had been almost 1000, which consists of approximately 160 per year. However, in 2016 even without the December 2016 figures were higher. Most of the cases recorded were Campylobacter and Salmonella which were most closely associated with contamination from poultry products. As a result, the Council had published press releases about the importance of storing and cooking food safely, especially poultry at this time of year.</p>
Councillor Mullins – (Cabinet Member for Wellbeing).	<p>The Cabinet Member informed the Council over the recent meetings that had been held by the Friends of Tilgate (FOT). It was noted that over 60 people attended the first two meetings with a lot of enthusiastic discussions. Whilst the 3<sup>rd</sup> meeting was set to devise a steering group for the running and organising of the FOT going forward. However, no firm decision over the creation of the steering group occurred, but the discussions were positive.</p>

**69. Questions to Cabinet Members**

<b>Name of Councillor asking Question Subject</b>	<b>Name of Cabinet Member(s) Responding</b>
<p>Councillor Crow to the Cabinet Member for Environmental Services and Sustainability</p> <p>Can the Cabinet Member confirm where the Bandstand, which was in the Queen's Square was and when will it be installed in the Memorial Garden as promised?</p>	<p>Councillor Mullins – (Cabinet Member for Wellbeing).</p> <p>It's currently being stored safely in one of the Council's warehouses. Whilst the bandstand was being dismantled, it was found that the roof was beyond repair and some of the side panels were missing. Quotes were being sourced to find the best cost and approach for its renovation. I am expecting some developments in the Spring.</p>

<p>Councillor Vitler to the Cabinet Member for Public Protection and Community Engagement.</p> <p>What is the Council doing for providing awareness and provision of services and support for elderly, lonely and vulnerable people during the Christmas period?</p>	<p>Councillor Jones – (<i>Cabinet Member for Public Protection and Community Engagement</i>).</p> <p>Thank you for your question and with the greatest of respect, I feel your question falls under the Cabinet Member for Wellbeing portfolio or under the responsibility of West Sussex County Council.</p>
<p>Councillor Stanley to the Cabinet Member for Public Protection and Community Engagement.</p> <p>He is aware of the distressing event at Ifield station recently where a young woman was brutally assaulted and if there is anything the Council can do in response to this?</p>	<p>Councillor Jones – (<i>Cabinet Member for Public Protection and Community Engagement</i>).</p> <p>I have been made aware of this event and will be writing to the Chief Constable of the British Transport Police, as they have responsibility for policing our train stations. I've asked for assurances that they are doing all they can to ensure justice is served on this matter. I am also asking for a review of security at Ifield Station, as a result of this event, especially as it appears there is no CCTV there and will be pushing that it be installed by Network Rail.</p>
<p>Councillor Guidera to the Cabinet Member for Planning and Economic Development</p> <p>I've received feedback that our market traders are really struggling with their new location. What is he doing to do to address this feedback?</p>	<p>Councillor Peter Smith – (<i>Cabinet Member for Planning and Economic Development</i>).</p> <p>We are committed to having a market, and we have worked with the trade to move their original location in the High Street to Queen's Square to help increase their footfall. Obviously with the redevelopment of Queen's Square, they had to be moved to their current temporary location. Our Town Centre Manager is constantly in communications with the stall holders and was aware of some of their concerns and we are doing our best to ameliorate them.</p>
<p>Councillor Peck to the Cabinet Member for Environmental Services and Sustainability.</p> <p>What is the Cabinet Member going to do about the mess and eyesore that's occurring across the Borough in respect of the metal broadband metal boxes, which have their doors hanging off their hinges and with a significant amount of wires and cables falling out of them?</p>	<p>Councillor Thomas – (<i>Cabinet Member for Environmental Services and Sustainability</i>).</p> <p>I am aware of those boxes he is describing and I am not sure that they would be under my portfolio responsibility, but I will endeavour to look into the matter with the appropriate telecom companies, to see if this matter can be addressed.</p>

<p>Councillor Brenda Burgess to the Cabinet Member for Public Protection and Community Engagement.</p> <p>Picking up on the question asked by Councillor Vickers, I was clear of the response by the Cabinet Member on what support that the Council was providing or promoting to the facilities available to lonely and vulnerable people during the festive period such as the Charis Centre and Open House?</p>	<p>Councillor Jones – <i>(Cabinet Member for Public Protection and Community Engagement)</i>.</p> <p>I apologise if it was felt I hadn't answered the question from Councillor Vitler fully. The Council's role is as enabler to provide significant 3<sup>rd</sup> sector grants to the organisations, such as you've mentioned and to others like CVS. The Council does use its Communications, Community Development and its front facing teams to promote those 3<sup>rd</sup> sectors and other organisations that provide this important support at this time of year.</p>
<p>Councillor Stanley to the Leader of the Council.</p> <p>Will the Leader join me in wishing all the Council staff, all the emergency services, health workers across the town and in the hospitals, all those working Christmas day, all the charity organisations supporting our community and of course our residents, a very Merry Christmas and a Happy New Year?</p>	<p>Councillor Lamb – <i>(Leader of the Council)</i>.</p> <p>Of course how could I refuse?</p>

## 71. Questions to Committee Chairs

<b>Name of Councillor asking Question Subject</b>	<b>Name of Committee Chair(s) Responding</b>
<p>Councillor Jaggard to Chair of the Licensing Committee</p> <p>In the press recently there has been an article stating that Uber have made a request to operate within Crawley. As the Council's Licensing Committee had recently been assessing a stricter code of conduct criteria for being a Hackney Carriage driver and operator, can the Councillor explain what oversight the Licensing Committee will have over Uber, to ensure that they follow the Council's code of conduct.</p>	<p>Councillor Pickett - <i>(Chair of the Licensing Committee)</i>.</p> <p>I can confirm that Uber have made an application to the Council for an operator's licence. The Licensing Team have written back seeking more information.</p> <p>If they are granted a licence, they will have to follow our code of practice as any other operator would.</p>

## 72. Closure of Meeting

The meeting ended at 9.30pm.

R Sharma  
Mayor

# 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.

*NOTE by Head of Legal and Democratic Services.*

*The Equality Impact Assessment for the Hackney Carriage and Private Hire Licensing Policy Revisions Post Consultation, have been included as an appendix A to these Minutes*

## **8. Closure of Meeting**

The meeting ended at 8.02 pm.

**M PICKETT**  
**Chair**

**EQUALITY IMPACT ASSESSMENT**

<b>Name of activity:</b>	<b>Licensing Hackney Carriages and Private Hire Vehicles</b>	<b>Date Completed:</b>	<b>14/01/2017</b>
<b>Directorate / Division responsible for activity:</b>	<b>Economic and Environmental Services</b>	<b>Lead Officer:</b>	<b>Tony Baldock</b>
<b>Existing Activity</b>	<b>X</b>	<b>New / Proposed Activity</b>	
		<b>Changing / Updated Activity</b>	<b>X</b>

**What are the aims / main purposes of the activity? (Why is it needed? What are the main intended outcomes?)**

How will this support our commitment to promote equality and meet our legal responsibilities?

Reminder of our legal duties:

- Eliminating unlawful discrimination & harassment
- Promoting equality of opportunity
- Promoting good relations between people from different groups
- Promoting positive attitudes towards disabled people and taking account of someone’s disability, even where that involves treating them more favourably than other people
- Involving people, particularly disabled people, in public life and decision making

Hackney carriage and private hire vehicles have a specific role to play in an integrated transport system. They are able to provide services in situations where other forms of public transport are not available in rural areas and for those with mobility difficulties. The council recognises it is important that hackney carriage and private hire licensing powers are used appropriately to ensure that licensed vehicles of the council are safe, comfortable, properly insured and available where and when required.

The Hackney Carriage and Private Hire Vehicle Policy will help the Council as follows.

- To ensure that safe, comfortable, reliable and accessible hackney carriage and private hire vehicles are available for all who require them
- To ensure that all licensed drivers and private hire operators are fit and proper persons
- To provide clarity for licensees with respect to the Council’s requirements and the decision making process
- To promote a professional and respected hackney carriage and private hire trade. These objectives will be taken into account by the

Council when making decisions.

- Setting the standards for the licensing of drivers, vehicles and operators
- The licensing and routine inspections of vehicles, with appropriate follow up action
- Routine inspection of insurance polices, with appropriate follow up action
- The assessment of applicants to ensure they are 'fit and proper' persons and thereby entitled to hold a licence. This may include consideration of the persons medical suitability, criminal record (if any), driving standards and knowledge of the relevant law and locations in Crawley.
- Investigation of complaints with appropriate follow up action
- Liaison with the Police and other agencies regarding issues of mutual concern in relation to offences or the conduct of licensees
- Taking enforcement and / or disciplinary action including prosecution proceedings, verbal and written warnings, written cautions, notices, suspension or revocation of licences for breaches of legislation or conditions

When considering applications and taking enforcement action the Council as the Licensing Authority will have regard to Crawley Borough Council's Enforcement Policy.

The Hackney Carriage and Private Hire Licensing Policy has been produced in accordance with the powers conferred by the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and the Transport Act 1985, as amended, which places on the Council the duty to carry out its licensing functions in respect of hackney carriage and private hire licensing and also in accordance with relevant government guidance.

In formulating this policy the Licensing Authority has had regard to the provisions of the European Convention on Human Rights, Human Rights Act 1998, Crime and Disorder Act 1998, and the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 and the Equality Act 2010.

Definitions:

- Hackney carriage (more commonly known as a taxi or cab) - is a public transport vehicle for no more than eight passengers which is licensed to 'ply for hire'. This means it can stand at ranks or hailed / flagged down by members of the public. Fares are regulated by the council and must be displayed on a meter fitted in the vehicle.
- Private hire vehicle - is a public transport vehicle for no more than eight passengers but must be 'pre-booked' in advance through an operator and cannot 'ply for hire'. Fares for private hire vehicles are not regulated by the council - the cost of a journey will normally be based on a rate per mile or should be agreed with the company before the journey.

Crawley Borough Council didn't have a licensing policy and are responsible for Hackney Carriage and Private Hire Licensing in the Borough of Crawley. After consultation with interested parties including members of the hackney carriage and private hire licensing trade, the council adopted a Hackney Carriage and Private Hire Licensing Policy, which came into effect in part September 2015 and fully in April 2016

The policy is designed to be living document and will be amended and updated on a regular basis. A review of the EIA has therefore been undertaken to take account of 2 new proposed additions to the existant policy brining into effect a penalty points scheme and a code of conduct for drivers.

### **What are the main actions and processes involved?**

The licensing and regulation of the hackney carriage and private hire trade.

The legislation, guidance and policy are for the benefit of all taxi licence applications that meet the statutory and policy criteria. The licensing authority holds a neutral stance in relation to all matters providing the application criteria are met by the applicant. The only reasons for rejecting an application stem from the statutory and policy requirements of the application process. The only objections that may be considered by the licensing authority that may lead to a decision not to grant a licence relate exclusively to aspects associated with the applicant being a fit and proper person in law. Due to the complexities surrounding hackney carriage and Private Hire policy it was nevertheless decided to proceed to a full assessment.

### **Who is intended to benefit & who are the main stakeholders? (e.g. tenants, residents, customers or staff. How will they benefit?)**

A full consultation on the updates to policy has been undertaken with the trade. The Council has also taken into account the views of the following when preparing this policy and the amendments:

- Service users
- Current licence holders
- Elected members of the Council
- Sussex Police
- Local businesses and their representatives (trade associations)
- Residents and their representative bodies
- Local transport providers



Disability Groups including Crawley Town Access Group

A full list of those consulted in preparing this Policy is available from the Licensing Section.

**Have you already consulted on / researched the activity?** (What consultation has taken place & what were the key findings?  
What evidence already exists? Are there any gaps that need further investigation? What still needs to be done?)

Crawley Borough Council consulted extensively in 2016 and conducted an initial EIA in connection with the Policy for the Licensing of Hackney Carriage and Private Hire Licensing in the Borough of Crawley. After consultation with interested parties including members of the hackney carriage and private hire licensing trade, the council adopted a Hackney Carriage and Private Hire Licensing Policy, which came into effect partially in September 2015 and fully in April 2016

The Hackney Carriage and Private Hire Licensing Policy was created to allow for transparency and guidance for the trade and the Council. This policy applies throughout the administrative area of Crawley Borough Council from the dates of adoption and overrides and supersedes any existing policy in relation to hackney carriage and private hire licensing in respect of applications, renewals, transfers and other areas connected to the following licences types:

- Private Hire Vehicle
- Hackney Carriage Vehicle
- Private Hire Operator
- Hackney Carriage Driver
- Private Hire Driver

In 2016 the Council consulted with all relevant stakeholders to gain their views on plans to amend the existing policy to add a penalty points scheme and a code of conduct. The consultation revealed a high level of support and approval from the general public and representatives of the taxi trade were also supportive of the scheme.

<b>Impact on people with a protected characteristic</b> (What is the potential impact of the activity? Are the impacts high, medium or low?)		
<b>Protected characteristics / groups</b>	<b>Is there an impact (Yes / No)</b>	<b>If Yes, what is it and identify whether it is positive or negative</b>
<b>Age</b> (older / younger people, children)	<u>Yes</u> / No	<u>Positive Impact</u> ✓  <u>Negative Impact</u>
<b>Disability</b> (people with physical / sensory impairment or mental disability)	<u>Yes</u> / No	<u>Positive Impact</u> ✓  <u>Negative Impact</u>
<b>Gender reassignment</b> (the process of transitioning from one gender to another.)	Yes / <u>No</u>	<u>Positive Impact</u>  <u>Negative Impact</u>
<b>Marriage &amp; civil partnership</b> (Marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognised for same-sex couples)	Yes / <u>No</u>	<u>Positive Impact</u>  <u>Negative Impact</u>
<b>Pregnancy &amp; maternity</b> (Pregnancy is the condition of being pregnant & maternity refers to the period after the birth)	Yes / <u>No</u>	<u>Positive Impact</u>  <u>Negative Impact</u>
<b>Race</b> (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)	<u>Yes</u> / No	<u>Positive Impact</u> ✓  <u>Negative Impact</u>

<b>Religion &amp; belief</b> (religious faith or other group with a recognised belief system)	<u>Yes</u> / No	<u>Positive Impact</u> ✓ <u>Negative Impact</u>
<b>Sex</b> (male / female)	<u>Yes</u> / No	<u>Positive Impact</u> ✓ <u>Negative Impact</u>
<b>Sexual orientation</b> (lesbian, gay, bisexual, heterosexual)	Yes / <u>No</u>	<u>Positive Impact</u> <u>Negative Impact</u>

Whilst <b>Socio economic</b> disadvantage that people may face is not a protected characteristic; the potential impact on this group should be also considered	Yes / <u>No</u>	<u>Positive Impact</u> <u>Negative Impact</u>
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<b>What evidence has been used to assess the likely impacts?</b> (e.g. demographic profiles, research reports, academic research, benchmarking reports, consultation activities, staff surveys, customer surveys, public surveys, complaints, grievances, disciplinary cases, employment tribunal cases, ombudsman cases, media reports)
<p>No overall impacts have been identified across the equality strands.</p> <p>The policy applies to all regardless of gender, age, disability, religious belief, race or ethnic minority or sexual orientation. However there are implications for the following strands but these have been explained and addressed within the policy and the full impact assessment.</p> <ul style="list-style-type: none"> <li>• Gender <ul style="list-style-type: none"> <li>○ Gender of applicants is not considered a barrier to the issuing of taxi licenses and Crawley Borough Council.</li> </ul> </li> <li>• Age <ul style="list-style-type: none"> <li>○ Age restrictions are included in applications for taxi drivers however these follow national guidelines. All members of the community can use taxis and no one should be refused.</li> </ul> </li> </ul>

- Disability
  - It is a condition of a vehicle licence that wheelchair accessible vehicles have the appropriate equipment to be able to transport passengers in wheelchairs at all times. The Council also requires all licensed drivers to undergo disability training as a part of the licence requirements. (The licence for a vehicle may be suspended until such time as the Council considers the vehicle is fit for purpose).
- Race/Ethnicity
  - Applicants from outside the United Kingdom must obtain a certificate of good conduct from the relevant Embassy and will be required to pass the Council's knowledge and locality test. (as will all applicants)
- Sex (Male/Female)
  - There is a national shortage of licensed female drivers, The Council will seek to work with the local trade to increase the numbers of lady drivers in Crawley.

**What resource implications are there to deliver actions from this EIA? (Quantify: people, time, budget, etc.)**

The are no identified additional resources arising from the EIA

**Outcome following initial assessment**

Does the activity have a **positive** impact on any of the protected groups or contribute to promoting equality, equal opportunities and improving relations within target groups?

Yes / No

If yes, record the evidence below. If no STOP and re-examine the activity.

- Provision of wheel chair accessible vehicles
- Large scale print for service users
- Increase in lady drivers

Does the activity have a **negative impact** on any of the protected groups, i.e. disadvantage them in any way.

Yes / No

If yes, identify necessary changes and record appropriate actions below. If no, record the evidence and assessment is complete.

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<b>Decision following initial assessment</b>			
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<b>Continue with existing or introduce new / planned activity</b>	<u>Yes</u> / No	<b>Amend activity based on identified actions</b>	<u>Yes</u> / <u>No</u>
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**Action Plan** (Has the EIA identified any positive or negative impact on any of the protected groups which requires action? E.g. adjustments to the approach or documents, changes to terminology, broadening parameters of policy, etc. If so record any actions to be undertaken and monitored)

Impact identified	Action required	Lead Officer	Deadline
<ul style="list-style-type: none"> <li>Age</li> </ul>	<p>No negative impact identified on issuing of taxi licenses Age restrictions are included in applications for taxi drivers however these follow national advice (The House of Commons Transport Select Committee on taxis and private hire vehicles recommended in February 1995 that taxi licence applicants should pass a medical examination before a licence could be granted) and Guidelines: "Fitness to Drive: A Guide for Health Professionals" published on behalf of the Department by The Royal Society of Medicine Press Limited (RSM) in 2006.</p> <p>Following the receipt of a complete application the council will issue a driver's licence to an applicant provided he or she has held a full driving licence for at least 12 months and is considered to be a fit and proper person</p> <p>When renewing a license applicants are expected to produce a valid medical certificate:</p> <ul style="list-style-type: none"> <li>• Upon first application</li> <li>• Upon reasonable request</li> <li>• Every three years</li> </ul>	Senior Licensing Officer	Ongoing

	<ul style="list-style-type: none"> <li>On their 60 birthday and then annually</li> </ul> <p>When approving applications the council will consider, amongst other things: the applicant's relevant skills, knowledge, experience, qualification, medical fitness, criminal record and previous history as a licence holder in accordance with Appendix 1 and Appendix 2. This is in accordance with the Local Government Miscellaneous Provisions Act 1982 and current best practice advice "</p> <p>It is recommended that the group 2 medical standards applied by DVLA in relation to bus and lorry drivers should also be applied by local authorities to taxi drivers.</p> <p>No negative impact identified for taxi users. There is no age restriction on passengers however their differing needs will need to be considered. For example older people may need assistance in both accessing the taxi and reading and understanding the tariff whilst for the safety of younger people, child locks will be used and children will not be carried as front seat passengers.</p>		
<ul style="list-style-type: none"> <li>Disability</li> </ul>	<p>It is a condition of a vehicle licence that wheelchair accessible vehicles have the appropriate equipment to be able to transport passengers in wheelchairs at all times. (The licence for a vehicle may be suspended until such time as the Council considers the vehicle is fit for purpose).</p> <p>New legislation contained in the Equalities Act 2010 reinforces access for disabled people and regulates the</p>	Senior Licensing Officer	Ongoing

	<p>specification of vehicles used as taxis to ensure that it is possible for disabled persons:</p> <ul style="list-style-type: none"> <li>• to get into and out of taxis in safety;</li> <li>• to do so while in wheelchairs;</li> <li>• to travel in taxis in safety and reasonable comfort;</li> <li>• to do so while in wheelchairs</li> </ul> <p>It also states in the Policy that licensed drivers are under a duty to carry a passenger's guide, hearing and other prescribed assistance dog in their vehicles without additional charge.</p> <p>To encourage best practice the Licensing team will consider preparing a database of disabled access taxis to be made available upon request. However will not promote or recommend any one driver above another.</p> <p>They are also considering creating an 'excellence rating for taxi drivers' to be published on the website.</p>		
<ul style="list-style-type: none"> <li>• Sex</li> </ul>	<p>No negative impacts identified Gender of applicants is not considered a barrier to the issuing of taxi licenses and Crawley Borough Council is aware of the need for fair and equal employment opportunities, however numbers of female taxi drivers is still low but this is a national trend. Safety, lone working and traveling at night for both female drivers and female passengers have been identified as an issue. Some female passengers request female drivers and taxi companies do accommodate this demand.</p> <p>Licensing team have access to details of female drivers and</p>	<p>Senior Licensing Officer</p>	<p>April 2017</p>

	can make this available to customers. Licensing team to consider preparing database of female drivers to be made available upon request. However will not promote or recommend any one driver above another		
<ul style="list-style-type: none"> <li>Race/Ethnicity</li> </ul>	<p>No negative impact identified</p> <p>All applicants need a DBS check and applicants from outside the United Kingdom must obtain a certificate of good conduct from the relevant Embassy. The council requires all such applicants who have resided in the country for less than five years to obtain a DBS or equivalent and a Certificate of Good Conduct from their relevant Embassy or Consulate, at the applicant's expense, authenticated, translated and sealed by the Embassy or Consulate. Additional information will be considered as appropriate.</p> <p>The applicant will be required to pass the Council's knowledge and locality test.</p> <p>Applicants who request additional help and advice with reading and writing are guided by members of staff; this includes help understanding the policy, procedures, completion of application forms and relevant documentation but not the actual test itself.</p> <p>Every applicant is treated equally and must complete this test themselves.</p> <p>If an applicant fails the test they are allowed to re-sit at a reduced fee and the number of re-sits is not limited.</p>	Senior Licensing Officer	Ongoing

<b>Monitoring &amp; Review</b>	
<b>Date of last review or Impact Assessment:</b>	January 2017



<b>Date of next 12 month review:</b>	January 2018
<b>Date of next 3 year Impact Assessment (from the date of this EIA):</b>	January 2020

<b>Date EIA completed:</b>	January 2017
<b>Signed by Person Completing:</b>	<i>A. H. Bullock</i>
<b>Date Sent to HR and Equalities Team:</b>	.....
<b>Approved by Head of Service:</b>	.....

NB – The original signed hard copy & an electronic copy should be kept within your Department for audit purposes. Send an electronic copy to the OD Officer in HR & Development. Also, please complete the summary document overleaf. This will be included on the Council’s website.

The EIA Toolkit provides guidance on completing EIAs & HR&D can provide further advice.

# Crawley Borough Council Equality Impact Assessment



Completed Equality Impact Assessment	Key findings	Future actions
<p><b>Directorate / Division:</b> Economic and Environmental</p> <p><b>Function or policy name:</b> Licensing Taxis</p> <p><b>Officer completing assessment (Job title):</b>  Environmental Health Manager</p> <p><b>Date of assessment:</b>  January 2017</p>	<p>Positive impacts of following protected groups</p> <p>Age Disability Sex Race/Ethnicity</p>	<p>Proactive encourage for female drivers</p>

# Crawley Borough Council

## Minutes of Planning Committee 5 December 2016 at 7.30pm

### Present:

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

### Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Roger Brownings	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economic and Environmental Services
Hamish Walke	Principal Planning Officer

### Apologies for Absence:

Councillor S J Joyce and F Guidera

### 40. Lobbying Declarations

The following lobbying declaration was made:-

Councillor P C Smith had been lobbied regarding application CR/2016/0840/FUL.

### 41. Members' Disclosure of Interests

No disclosures of interests were made.

### 42. Minutes

The minutes of the meeting of the Committee held on [8 November 2016](#) were approved as a correct record and signed by the Chair.

### 43. Planning Applications List

The Committee considered report [PES/211](#) 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/211](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications, the decisions be given as indicated:-

### Item 001

#### CR/2016/0722/FUL

Land at Faraday Road, Northgate, Crawley.

The Committee noted that with the agreement of the Chair, this application had been withdrawn from the report, and would be resubmitted for the Committee's consideration at its next meeting on 3 January.

### Item 002

#### CR/2016/0781/ARM

Phase 3 and Part Phase 4, Forge Wood (NES), Crawley

Approval of reserved matters for infrastructure comprising:-  
road & drainage infrastructure, pumping stations, noise barrier (comprising fence and bund along eastern boundary and associated landscaping), undergrounding of 132v power cables and other associated works pursuant to outline planning permission CR/2015/0552/NCC for new mixed neighbourhood (amended plans received and amended description)

The Principal Planning Officer provided a verbal summation of the application. It was confirmed that during the course of consideration of the application, revised plans and documents had been submitted to address concerns raised and issues identified. Additional publicity and re-consultation had since been undertaken in respect of these revised details and to amend the description of the application to refer to the new, recently granted outline permission CR/2015/0552/NCC. The latest expiry date for the receipt of comments was 16 December 2016 (not 14 or 15 December as stated in the report). The Committee was referred to a condition recommended by Highways England that surface water should not run off onto the M23 motorway or in to any drainage system connected to the highway. Whilst this was the case, and with the report setting out further details of this matter, it was emphasised that the recently approved outline planning application, as supported by a Flood Risk Assessment, carried forward the previously agreed principles of the site wide drainage strategy, and Highways England had raised no objections to that application. The Drainage Officer has concurred with the comments from the applicant regarding the drainage strategy and Officers considered that the suggested condition seemed unreasonable in this particular situation. In these circumstances Officers had been actively liaising with Highways England and the applicant to try and find a way forward. If the Committee was minded to accept the Officer's recommendation to approve the application without this particular condition, it should be noted that the Town and Country Planning (Development Affecting Truck Roads) Direction 2015 meant that if the recommended condition was not imposed then the application would have to be referred to the Secretary of State for Transport before a decision was made. Amongst other issues raised, reference was made to a proposal by the applicant to add landscaping as well as fencing around the associated pumping stations to assist their sympathetic integration into the general neighbourhood scene. In response to comments received regarding the planned cycle route, it was proposed that this would pass through the landscaped area to the front of the site before connecting to the Balcombe Road via a toucan (pedestrian and cycle) crossing. The pumping station

landscaping and the cycle route were outside the current application site though and would be resolved through subsequent detailed applications.

The Committee was advised of an updated list of plans, a revised condition and an additional condition, all as below (in italics):-

**Revised Plans List**

- *T 0347 27 Infrastructure Site Location Plan (Wider Context)*
- *T 0347 06 Rev J Infrastructure Site Location Plan*
- *T 0347 21 Rev A Phase 3 132KV Overhead/Underground Power Cables Plan*
- *T 0347 28 Rev A Phase 3 Roadway Programme*
- *T 0347 31 Indicative Infrastructure Layout Plan*
- *T 255/20 Rev H Phase 3 Drainage Plan*
  
- *P804/02 Rev D Vehicle Swept Path*
- *P804/03 Rev B Phase 3 Horizontal Geometry and Setting Out - Sheet 1 of 5*
- *P804/04 Rev B Phase 3 Horizontal Geometry and Setting Out - Sheet 2 of 5*
- *P804/05 Rev A Phase 3 Horizontal Geometry and Setting Out - Sheet 3 of 5*
- *P804/06 Rev A Phase 3 Horizontal Geometry and Setting Out - Sheet 4 of 5*
- *P804/07 Rev B Phase 3 Horizontal Geometry and Setting Out - Sheet 5 of 5*
- *P804/08 Rev B Phase 3 Drainage, Levels and Contours - Sheet 1 of 5*
- *P804/09 Rev B Phase 3 Drainage, Levels and Contours - Sheet 2 of 5*
- *P804/10 Rev A Phase 3 Drainage, Levels and Contours - Sheet 3 of 5*
- *P804/11 Rev A Phase 3 Drainage, Levels and Contours - Sheet 4 of 5*
- *P804/12 Rev B Phase 3 Drainage, Levels and Contours - Sheet 5 of 5*
- *P804/18 Rev A Longitudinal Sections - Sheet 1 of 2*
- *P804/19 Rev A Longitudinal Sections - Sheet 2 of 2*
- *P804/20 Cellular Storage Tank Details*
- *P804/21 Rev A Construction Details*
- *P804/22 Rev A Foul Water Pump Station Compound*
- *P804/24 Rev B Lighting Lux Plan,*
- *P804/27 Existing Levels Plan*
- *P804/28 Temporary Construction Access*
- *P804/43 Emergency Access,*
- *P804 44 Phase 3 Vehicle Swept Path*
  
- *7827/Phase 3/02 Rev B Tree Protection Plan*
  
- *CSA/667/226 Rev E Hard & Soft Spine Road Strategy - Sheet 1 of 3*
- *CSA/667/227 Rev C Hard & Soft Spine Road Strategy - Sheet 2 of 3*
- *CSA/667/228 Rev C Hard & Soft Spine Road Strategy - Sheet 3 of 3*
- *CSA/667/229 Rev B Detailed Planting to Bund & SuDS - Sheet 1 of 4*
- *CSA/667/230 Rev D Detailed Planting to Bund & SuDS - Sheet 2 of 4*
- *CSA/667/231 Rev D Detailed Planting to Bund & SuDS - Sheet 3 of 4*
- *CSA/667/232 Rev C Detailed Planting to Bund & SuDS - Sheet 4 of 4*
- *CSA/667/254 Rev A Phase 3 & 4 Bund Landscape Proposals Composite*
- *CSA/667/257 Rev A Acoustic Bund Sectional Elevation (without planting proposals)*
- *CSA/667/258 Rev A Acoustic Bund Sectional Elevation (with planting proposals)*
- *CSA/667/259 Rev A Acoustic Bund Sectional Elevation Detailed Area (Zone B)*

**Revised condition 10**

*No works to develop the noise barrier (comprising fence and bund) shall commence unless and until full details of the materials and specification for the acoustic fencing and details of the future maintenance and management arrangements for the fence and bund have been first submitted to and approved in writing by the Local Planning Authority. 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.*

**Additional condition 17**

*The emergency access hereby permitted shall be executed in full with the submitted Arboricultural Impact Assessment ( ref JTK/7827/Phase 3 rev C/so) dated November 2016, and drawing numbers P804/43 Emergency Access; and 7827/Phase 3/02 Rev B Tree Protection Plan; which includes the erection of and maintenance of protective fencing, construction details within the root protection area involving the use of 'no dig' construction techniques and utilising a cellular confinement system and use of a gravel finish surface course.*

*REASON: To ensure the successful and satisfactory retention of important trees on the site in accordance with policy CH3 of the Crawley Borough Local Plan 2015 - 2030.*

The Agent, Ms Laura Humphries, addressed the Committee in support of the application.

The Committee then considered the application. A Member asked how an objection raised by this Authority's Refuse and Recycling Team relating to communal collection points for individual houses, had been addressed. In response, the Committee was advised that this would be considered in detail through later detailed housing applications, rather than through this infrastructure application. However, the current application included plans demonstrating that refuse and recycling vehicles would be able to access all neighbourhood roads proposed.

**Approved**, subject to the expiry of the consultation period as set out above, referral to the Secretary of State for Transport if the matter of the drainage condition and the M23 is not resolved, the updated list of plans above, and subject to the imposition of conditions, including the updated conditions above, and, but not limited, to the conditions listed in report [PES/211](#)

**Item 003**

**CR/2016/0840/FUL**

20 Milton Road, Pound Hill, Crawley

Retrospective Permission for single storey rear extension.

The Principal Planning Officer provided a verbal summation of the application. He indicated that the construction was at an advanced stage, with the main issues for

consideration being the proposed rendered finish, the colour that the rendered finish would be painted and the impact of the extension on the visual amenities and character of the wider area and the amenities of neighbouring occupiers.

Mrs Rita Richardson, of 18 Milton Road, addressed the Committee in objection to the application.

The Committee listened carefully to the matters raised in objection. One such matter related to Mrs Richardson's concern regarding potential flooding in her property's rear garden as a result of hard surfacing put into the rear garden of no 20. Mrs Richardson had referred to the fact that her garden was lower than that of no. 20 Milton Road, and it was not apparent that extra drainage had been included to make up for the natural drainage afforded by the former lawns. In response to a Member's comments on this matter, and on that relating to the alignment of the extension's rear wall with that property's garage, the Principal Planning Officer confirmed that: (i) the hard surfacing of the rear garden did not require a planning application (the Local Planning Authority had no control over that matter), and (ii) the rear wall of the extension extends slightly beyond the front elevation of the property's garage. It was generally felt that whilst the extension was of a significant size, it would have very limited visibility from public viewpoints, and that, subject to control over paint colour, the extension was considered acceptable.

**Permitted** subject to the conditions set out in report [PES/211](#).

#### **44. The Crawley Borough 114-118 Three Bridges Road Tree Preservation Order No. 21/2016**

The Committee considered report [PES/228](#) of the Head of Economic and Environmental Services which sought to determine whether to confirm the Tree Preservation Order (TPO) with or without modification for continued protection or, not to confirm the TPO.

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

Mr Steven Chalk spoke in objection to the TPO.

The Committee then considered the report. The Committee acknowledged the concerns raised in objection, including those relating to amenity value (with reference made to the previous removal of other trees along Three Bridges Road), and safety/nuisance issues. Some Members acknowledged that trees can be a nuisance, whilst others noted that the oak tree concerned was a healthy specimen, required regular maintenance as with all garden trees and considered that it added to the amenity and environmental value of the area. Whilst noting the apparent confusion around the previous status of the tree and whether it was protected, it was generally considered that the tree was, in any case, worthy of protection for its amenity value and because of the potential threat of its removal. It was further recognised that the confirmation of the Order would not preclude further application for works to the trees in terms of any maintenance required.

Having considered the issues raised in the report, including those raised through the objection, the Committee agreed to confirm the TPO without modification.

**Confirmed**

**45. The Crawley Borough Tinsley Lane South Tree Preservation Order No. 16/2016 and Tinsley Lane North Tree Preservation Order No. 17/2016**

The Group Manager (Development Management) introduced the report [PES/227](#) which sought to determine whether to confirm these two Tree Preservation Orders (TPOs) with or without modification for continued protection or, not to confirm the TPOs.

Having considered the issues raised in the report, including those raised through an objection, the Committee agreed to confirm the two TPOs without modification.

**Confirmed.**

**46. Closure of Meeting**

The meeting ended at 8.18 pm.

I T IRVINE  
**Chair**



# Crawley Borough Council

## Minutes of Planning Committee

3 January 2017 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:

Ann-Maria Brown	Head of Legal and Democratic Services
Roger Brownings	Democratic Services Officer
Valerie Cheesman	Principal Planning Officer
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economic and Environmental Services

### Apologies for Absence:

Councillors R S Fiveash and B McCrow.

### 47. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillor Stone had been lobbied regarding application CR/2016/0795/FUL.

Councillors Pickett and Tarrant had been lobbied regarding applications  
CR/2016/0838/FUL and CR/2016/0839/FUL.

Councillor B J Burgess had been lobbied regarding application CR/2016/0857/FUL.

### 48. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor P C Smith	Minute 50	CR/2016/0501/FUL. Wingspan Field and Part of Donkey Field, Betts Way, Langley Green, Crawley.	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet

<b>Member</b>	<b>Minute Number</b>	<b>Subject</b>	<b>Type and Nature of Disclosure</b>
			Member for Planning and Economic Development.
Councillor P C Smith	Minute 50	CR/2016/0502/FUL. Donkey Field, Betts Way, Langley Green, Crawley.	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet Member for Planning and Economic Development.
Councillor P C Smith	Minute 50	CR/2016/0722/FUL Land at Faraday Road, Northgate, Crawley	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet Member for Planning and Economic Development.
Councillor P C Smith	Minute 50	CR/2016/0820/FUL Fleming House, Fleming Way, Northgate, Crawley	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet Member for Planning and Economic Development.
Ann-Maria Brown, Head of Legal and Democratic Services	Minute 50	CR/2016/0838/FUL. 5 Perryfield Road, Southgate, Crawley.	Personal Interest - knew one of the objectors who was addressing the Committee on this application. Ann-Maria Brown left the meeting before the presentation and took no part in the discussion on the item.
Ann-Maria Brown, Head of Legal and Democratic Services	Minute 50	CR/2016/0839/FUL. 13 Perryfield Road, Southgate, Crawley.	Personal Interest - knew one of the objectors who was addressing the Committee on this application. Ann-Maria Brown left the meeting before the presentation and took no part in the discussion on the item.

#### 49. Minutes

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

#### 50. Planning Applications List

The Committee considered report [PES/212](#) 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/212](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications, the decisions be given as indicated:-

##### **Item 001**

##### **CR/2016/0501/FUL.**

Wingspan Field and Part of Donkey Field, Betts Way, Langley Green, Crawley.

Creation of a car park to provide up to 401 spaces for use in conjunction with Nova and Astral Towers.

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

The Group Manager (Development Management) provided a verbal summation of the application. In so doing the Committee was referred to the fact that this application was one of two submitted to this meeting seeking planning permission to provide two surface level car parks to provide parking facilities for a consented development on the neighbouring Astral Towers and Nova office Site. (The second application is considered as Item 002 in these minutes). The development of this site for the provision of parking had been proposed as the previously approved multi-storey car park was not considered financially viable, and this alternative proposal could bring forward the proposed high-quality Class A Nova office development for which there was an acknowledged need in this part of the Borough. The proposals as set out in detail within the report would seek to safeguard the availability of 1,022 parking spaces, being broadly in line with the approved Nova development. In order to ensure delivery of those spaces, the Applicant proposed to enter into a Section 106 Agreement with the Local Planning Authority to ensure, for example, that:

- Should permission be granted for this and the second application submitted to this meeting, only level parking would be constructed (to provide up to a maximum of 1022 spaces), and;
- Should permission only be granted for this application, level parking and a single deck car park would be constructed (to provide up to a maximum of 1022 spaces),
- That the parking would only be provided in connection with the delivery of the office development.

The aspirations of bringing forward the proposed high-quality office development through the provision of the proposed parking spaces needed to be balanced against all planning considerations (as set out above and in the report), particularly the fact that provision of the car park would lead to the loss of the potential future employment

site on the Wingspan Field. However, it was reported that the developer had offered a number of assurances in an attempt to address all issues raised by both applications submitted, and it was emphasised that these assurances would need to be realised if the development was to be acceptable and obligations secured via a S106 Agreement and the planning conditions.

The Agent, Mr Peter Rainier, addressed the Committee in support of the application.

The Committee then considered the application. In response to issues raised by the Committee, Officers acknowledged that the proposed use of the site for surface car parking was not an efficient use of land in the context of Local Plan Policy CH4 and that the extant proposal would accommodate the required parking more efficiently through a multi-storey car park. However, the applicant had supplied further evidence, which has been independently assessed, that demonstrated that the multi-storey car park as originally permitted was no longer considered to be viable, and this alongside the loss of potential new floorspace at Wingspan should this application be approved, had to be balanced against the potential delivery of around 11,000 sq m of Grade A office space.

**Permitted** subject to the completion of a Section 106 Legal Agreement and the conditions set out in report [PES/212](#).

**Item 002**

**CR/2016/0502/FUL.**

Donkey Field, Betts Way, Langley Green, Crawley.

Creation of a temporary (up to 15 years) car park to provide up to 265 spaces for use in conjunction with Nova and Astral Towers.

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

The Group Manager (Development Management) provided a verbal summation of the application. The Committee was advised that, as fully detailed in the report, this current application along with a further application for the Wingspan Field and part of the Donkey Field (CR/2016/0501/FUL – item 001 in the minute above refers), were intended to make up the shortfall in car parking facilities that would result if the multi storey car park as originally proposed for the consented development on the neighbouring Astral Towers and Nova office Site was not provided. This application site was partially within the Gatwick Airport Safeguarded Land as defined by the Crawley Local Plan 2015-2030. The development of this site for the provision of parking facilities had been proposed in light of further evidence demonstrating the non-viability of the originally permitted multi-storey car park, and in order to bring forward the proposed high-quality Class A Nova office development for which there was an acknowledged need in that part of the Borough. However, in taking this application forward consideration had to be given to all the other planning considerations as set out above and in the report, with particular reference made to safeguarding objection raised by Gatwick Airport Limited (GAL) in relation to the conflict with Policy GAT2 of the Crawley Borough Local Plan 2015-2030.

The Agent, Mr Peter Rainier, addressed the Committee on this application. In supporting the application Mr Rainier indicated that following the publication of the report, he and the Applicant had been in dialogue with GAL to seek to overcome GAL's safeguarding objection. Mr Rainier also indicated that GAL were willing to consider the representations made, and requested the Committee to defer its

consideration of this application until further discussions between the Applicant, GAL and Officers had concluded.

The Committee then considered the application. With particular reference made to the Agent's request to defer the application, Members sought the Officer's advice as to how this application should be moved forward. In response, the Group Manager emphasised that this was the first she had heard of the further dialogue between the Applicant and GAL, and offered the following options in terms of resolving the application:

- The Committee could make a decision at this meeting (in line with the Officer's recommendation) to refuse the application, bearing in mind that a decision to refuse would still enable the Applicant to lodge an appeal or resubmit a new application.
- As suggested by the agent, it would not be appropriate for a decision to be made to delegate to Officers with a view to permit the application, in the absence of any information and with the current objection from GAL as, based on the current information available, the application would have to be referred to the CAA.
- The Committee could defer the application to enable the Officers and Applicant to undertake further consideration around the Local Plan Policy GAT2, with the report then referred back to the Committee for its consideration.

The Committee considered the options provided.

**Refused** for the reason set out in report [PES/212](#)

**Item 006**

**CR/2016/0838/FUL.**

5 Perryfield Road, Southgate, Crawley.

Change of use to 7 no. self-contained temporary accommodation units for the homeless with communal kitchen (amended plans and documents received).

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

The Principal Planning Officer provided a verbal summation of the application. She confirmed that permission was sought for change of use of the existing drop-in centre and training facility (C2) to form seven self-contained temporary accommodation units for the homeless (with a shared communal kitchen and other facilities) to form a hostel. The residents of the hostel would be homeless people on the Housing Register and seeking permanent housing. On average, it was expected that a resident would be in occupation for between 12-15 months in the hostel. The proposed hostel would be occupied by a maximum of sixteen residents in total. The proposal was intended to make a significant contribution towards meeting acute local housing needs.

Mrs Camille McCabe spoke in objection to the application. She emphasised that many of her concerns also applied to the similar application CR/2016/0839/FUL, to be considered later at this meeting regarding No. 13 Perryfield Road (Item 007 in the minutes below refers).

The Committee then considered the application. The Committee acknowledged the concerns raised in objection, including those raised by Mrs McCabe, notably those made on the grounds of: there was too much temporary accommodation in the vicinity

which affected the residential nature of the locality, loss of privacy, safety and anti-social behaviour and site management. Members' responses on the issues raised were as follows:

- Whilst it was acknowledged that the Council had a duty to help meet the acute housing needs in Crawley, many Members agreed that there was a disproportionate concentration of hostel accommodation in the area, impacting on its residential nature.
- Concerns regarding the potential for anti-social behaviour.
- Reference made to the proposed hostels as being Houses in Multiple Occupation (HMOs), and the view reiterated that such a concentration in particular in Perryfield Road contravened Policy H6 of the Local Plan and Southgate was specifically referred to in the policy.
- That the property would be better served by housing a large family from the Housing Waiting List, whilst others felt that the property was more suited to aspirational housing.

In response to issues raised, the Principal Planning Officer:

- Referred to the definition of a HMO as set out in Policy H6 of the Local Plan, and in so doing compared, for example, arrangements for the use of facilities in HMO's with that of the hostels proposed. It was explained that the key distinction between the hostel and HMO was the level of management and that hostels were more actively managed. In the case of HMOs, the occupiers would share facilities, whilst with the proposed hostels each would have en-suite facilities (shower, WC and basin), and a kitchenette area. There would be a communal kitchen and bathroom on the ground floor, for an element of choice. Development would have to meet its own operational needs including parking, but there was no required set percentage in terms of the number multi occupation properties per locality or area.
- Advised that to enable appropriate management of the hostel and to reduce any adverse impact upon adjoining residents, all occupiers would have to enter into a Licence Agreement with Crawley Borough Council and comply with various requirements, including measures to limit noise and other potential disturbance. Management to be controlled via the S106 Agreement.
- Advised that eviction was an option should those requirements be breached. Thus the Applicant had addressed most issues raised by the objectors in terms of potential anti-social behaviour through the proposed site management plan.
- The current former use of the building was a drop in centre and it was considered that the character of Perryfield Road was a mix of uses and dwelling types.

The Committee considered carefully the application information and the issues and concerns raised, and was of the view that in line with Policy H6 of the Local Plan (Houses in Multiple Occupation), the application would lead to an excessive concentration of HMOs in the locality and Perryfield Road.

The Officer's recommendation to permit was overturned.

It was then moved to refuse planning permission for the following reasons:

- (i) that the application would contribute to excessive concentrations of HMOs.
- (ii) the cumulative impact this would have upon the character of the area cited in the application and on the amenity and privacy of neighbouring properties as a result of the noise emanating from outside of the property due to its intensity of occupation.

This was seconded, and a vote was taken.

**Refused** for the following reason:

The proposed change of use would intensify the use of No. 5 Perryfield Road and would create a concentration of hostel accommodation and houses in multiple occupation in the locality causing an adverse impact upon residential amenity, due to increased activity, movements to/from the property and general disturbance, and as such would be contrary to policies CH3 and H6 of the Crawley Borough Local Plan 2015-2030.

**Item 007**

**CR/2016/0839/FUL.**

13 Perryfield Road, Southgate, Crawley.

Change of use to 3 no. self-contained temporary accommodation units for the homeless with communal kitchen facilities (amended plans and documents received). Councillors K L Jaggard, M Pickett, M A Stone and J Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application. It was reported that permission was sought for change of use of an existing residential dwelling (C3) to 3 No. self-contained temporary accommodation units for homeless families, with shared communal facilities to form a proposed hostel. There would be a single communal kitchen with utility room on the ground floor. The residents of the hostel would be homeless people on the Housing Register and seeking permanent housing. On average, it was expected that a resident would be in occupation in the hostel for between 12-15 months. The proposal was intended to make a significant contribution towards meeting acute local housing needs. These were along similar lines to those concerns raised earlier at this meeting regarding the proposed hostel application CR/2016/0838/FUL (Item 006 in the minute above refers). The Committee was advised of the following clerical correction to Condition 9 of the application (Page 87 of the report):-

In the first line, delete the words "The property shall be occupied by a maximum of eleven residents" and replace with "The hostel use hereby permitted shall be occupied by no more than eleven residents....."

Mrs Camille McCabe had already spoken in objection to the application as part of her representations made earlier under application CR/2016/0838/FUL. Miss Sue Henley and Mr Roger Coombes now conveyed their own objections to the application currently under consideration.

The Committee then considered the application. Members recognised the similarity of concerns raised in objection to this hostel application and that application considered earlier at this meeting, particularly those made on the grounds of: there was too much temporary accommodation in the vicinity which affected the residential nature of the locality, Loss of privacy, safety and anti-social behaviour and site management.

The Committee considered carefully the application information and the issues and concerns raised, and as with the earlier hostel application was of the view that in line with Policy H6 of the Local Plan (Houses in Multiple Occupation), the application would lead to an excessive concentration of HMOs in the locality and Perryfield Road.

The Officer's recommendation to permit was overturned.

It was then moved to refuse planning permission for the following reasons:

- (i) that the application would contribute to excessive concentrations of HMOs.

(ii) the cumulative impact this would have upon the character of the area cited in the application and on the amenity and privacy of neighbouring properties as a result of the noise emanating from outside of the property due to its intensity of occupation.

This was seconded, and a vote was taken.

**Refused** for the following reason:

The proposed change of use would intensify the use of No. 13 Perryfield Road and would create a concentration of hostel accommodation and houses in multiple occupation in the locality causing an adverse impact upon residential amenity, due to increased activity, movements to/from the property and general disturbance, and as such would be contrary to policies CH3 and H6 of the Crawley Borough Local Plan 2015-2030.

**Item 008**

**CR/2016/0857/FUL**

83 - 87 Three Bridges Road, Three Bridges, Crawley

Demolition of existing local authority hostel accommodation and erection of 10 x one bedroom (2 person) and 4 x two bedroom (4 person) affordable flats with associated parking and landscaping.

Councillors B J Burgess, 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 application sought permission to demolish the existing three buildings and erect two replacement buildings. Following revisions to the scheme, fourteen car parking spaces were proposed in the rear garden along with a cycle shelter and refuse/recycling bin enclosure. The redevelopment would provide fourteen new affordable housing units, helping to address local needs. With regard to Condition 16 (tree protection), the Applicant was keen not to have a pre-commencement condition and the Committee was advised that the wording of that Condition could be amended to reflect this matter if a satisfactory tree protection plan was provided prior to the conclusion of the S106 Agreement.

Mrs Jill Frankham, Mr Martin Brown and Councillor R G Burgess, as a Ward Member for Three Bridges, addressed the Committee in objection to the application.

The Committee then considered the application. The Committee discussed in detail the concerns raised in objection, particularly those made on the grounds of:

- Why hostels were being demolished for flats if there was a need.
- The buildings were out of character with the size and design of houses in this part of Three Bridges Road, would be forward of the existing building line, unsympathetic bricks and three storey was out of character.
- Three Bridges Road had a leafy, pre-new town, low density character and the proposal would be overdevelopment. Increased prominence of site from new access..
- Increased traffic on a dangerous bend in the road. Increased risk of accidents. Development at 95 had been refused. No traffic calming measures proposed. .
- Query on refuse collection arrangements for the development.
- Loss of light to neighbouring windows at 89A. Overlooking and loss of privacy.
- Limited notice of development and consultation with neighbours.



Members acknowledged that the redevelopment would help to address local housing needs, and that they needed to look across the whole town to mitigate that need. However, many Members felt that the proposed buildings were very much out of scale and character with the rest of the area concerned. Various concerns were raised by Members regarding the potential risk to safety from increased traffic movement and from refuse vehicles entering the site, and felt that the proposed development would impact on neighbours, traffic and the area generally. Some Members referred to the refusal of the two applications for hostels considered earlier at this meeting, and felt that in view of those decisions the hostel space forming part of this application needed to be retained. Concerns were also raised regarding the proposed loss of trees.

In response to issues raised, the Principal Planning Officer advised that:

- Following consultations with the Urban Designer the design was considered acceptable and in keeping with the surrounding area.
- The proposed development would not be the furthest forward building along Three Bridges Road.
- The application site was not in a Conservation Area or in an Area of Special Local Character.
- Following consultation with the Local Highway Authority, improved visibility splays had been achieved to improve sightlines for passing traffic. There would be no need for refuse vehicles to park in Three Bridges Road as part of its collection service. Vehicles would turn into the site and come out again in forward gear. With one access point to the proposed site, the Highways Authority considered the proposals acceptable in safety terms.
- Subject to conditions, officers did not consider that significant adverse impact upon neighbours would result from the proposal.
- There were no objections on highways or parking grounds and the site was situated in a sustainable location.
- Ecological issues, tree protection and new landscaping could be secured by condition.
- The trees identified to be removed were considered of poor condition.
- In terms of the concerns regarding limited notice and consultation with neighbours, the event in question was arranged by the Applicant, whilst the Planning Authority had met its requirements in notifying / advertising the application concerned.

The Committee considered carefully the application information and the issues and concerns raised.

At the request of Councillor B J Burgess, and in accordance with Council Procedure Rule 18.5, the names of the Members voting for and against the motion (to permit) and abstentions were recorded as set out below:

**For the Proposal (to permit):**

Councillors I T Irvine, S J Joyce, M Pickett, C Portal Castro, A C Skudder and P C Smith (6).

**Against the Proposal (to permit):**

Councillors B J Burgess, D Crow, F Guidera, K L Jaggard, T Rana, M A Stone and J Tarrant (7).

**Abstentions:**

None.

The Officer's recommendation to permit was therefore overturned.

It was then moved to refuse planning permission for the following reason:

The proposed development, by reason of its size and scale, would be visually dominant in the Three Bridges Road streetscene, out of character with the surrounding area and as such would be contrary to policies CH1, CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

This was seconded, and a vote was taken.

**Refused** for the reason set out above.

**Item 003**

**CR/2016/0722/FUL.**

Land at Faraday Road, Northgate, Crawley.

Erection of three B8 24 hour operation warehouses, ancillary office, provision of associated car parking, landscaping and security enclosure (amended description).  
Councillors K L Jaggard and M A Stone declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and advised the Committee that amended plans had been received detailing the landscape drawing and layout plans to reflect the changes in the landscaping. The Committee was also advised of the following clerical correction to Condition 18 of the application (Page 48 of the report):-

In the second line, delete the text "XXX" and replace with "GA00001 (revision 9)"

The Group Manager reported that although concerns of the Urban Design officer in terms of the development's frontage to Faraday Road had not been overcome, it was considered that the Applicant had now demonstrated that the landscaping proposals for the site, whilst not strictly according with the Manor Royal Guidance, would (i) create an attractive frontage to the street, (ii) integrate with the development to the north and south of the site and (iii) could result in a positive improvement to landscaping in the public realm in accordance with the aspirations of the Manor Royal SPD.

The Agent, Mr Mr Jonathan Bainbridge, addressed the Committee in support of the application.

The Committee then considered the application. In response to an issue raised by a Member regarding the visual impact of the high security fencing intended, the Committee was informed that further landscaping was proposed either side of the northern site access and along the northern boundary to soften the visual impact (around the front of the unit) of that proposed fencing. Members generally indicated their support for the application and welcomed the further investment being made into the Manor Royal area.

**Permitted**, subject to S106 Agreement to secure Manor Royal contribution set out in Paragraph 5.18 of the report [PES/212](#), and the conditions listed in the report, including the corrected condition 18 above.

**Item 005**

**CR/2016/0820/FUL**

Fleming House, Fleming Way, Northgate, Crawley

Part demolition, conversion and extension of existing building and change of use from industrial (B1, B2 & B8) to form multi-car dealership (sui generis) (amended description).

Councillors K L Jaggard and M A Stone declared they had visited the site.

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

The Applicant, Mr Glen Obee, addressed the Committee in support of the application.

The Committee then considered the application. Members indicated their general support for the application, and welcomed the creation of new jobs arising therefrom. **Approved**, subject to the conditions listed in report [PES/212](#).

**Item 004**

**CR/2016/0795/FUL**

5 Dene Tye, Pound Hill, Crawley

Erection of a rear conservatory.

Councillors K L Jaggard, 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 then considered the application.

**Permitted**, subject to the conditions listed in report [PES/212](#).

**51. The Crawley Borough Units 1-17 Whittle Way, Northgate Tree  
Preservation Order No. 15/2016**

The Group Manager (Development Management) introduced report [PES/229](#) which sought to determine whether to confirm this Tree Preservation Order (TPO) with or without modification for continued protection or, not to confirm the TPO.

Having considered the issues raised in the report, the Committee agreed to confirm the TPO without modification.

**Confirmed.**

**52. Closure of Meeting**

The meeting ended at 10.19 pm.

I T IRVINE  
Chair

# Crawley Borough Council

## Minutes of the Overview and Scrutiny Commission Monday 9 January 2017 at 7.00pm

### Present:

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

### Also in Attendance:

Councillors S J Joyce and P C Smith

**Apologies for Absence:** None

### Officers Present:

Karen Dodds Head of Crawley Homes  
Heather Girling Democratic Services Officer  
Jean McPherson Group Manager (Development Management)  
Susan Mills Transformation Officer  
Becky Pearce Sheltered Housing and Telecare Manager  
Clem Smith Head of Economic and Environmental Services

## 65. Members' Disclosure of Interests and Whipping Declarations

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor R A Lanzer	69	Transformation Update – Sheltered Housing Redesign	Personal Interest – Member of WSCC

## 66. Minutes and Matters Arising

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

## 67. Public Question Time

No questions from the public were asked.

## 68. Transformation Update – Planning Redesign

The Commission received an update from Jean McPherson, Group Manager (Development Management) on the Planning System Thinking Review.

The key conclusions from the 'check phase' were:

- There were multiple "hand offs" meaning that work was passed between several departments which caused delays and duplication.
- There was a lack of 'measures' and it was important to fully understand the current problems within the system.

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

- Experimentation had first taken place with the tree service and tree preservation orders and then progressed to site and planning applications.
- There were now individual officers allocated to customers, involved in the process "end to end" ensuring one contact for the entire process, resulting in a reduction in process time.
- Customer information was being enhanced as a result of improved technology.
- The team regularly reviewed ways of working in order to share knowledge and improve learning, ensuring the correct 'skill set' for dealing with applications.
- 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:

- There was recognition that assigning individual officers was helpful to customers and this had also increased staff morale and improved customer relations.
- It was considered beneficial that information and communication had been simplified.
- Acknowledgement that the Enforcement Service still needed to be reviewed and the need to continually review processes was of paramount importance.

### RESOLVED

That the Chair thanked the Group Manager (Development Management) for their contribution and attendance at the Commission. The presentation had been very interesting and informative.

## 69. Transformation Update – Sheltered Housing Redesign

The Commission received an update from Becky Pearce, Sheltered Housing and Telecare Manager on the Sheltered Housing System Thinking Review.

The main conclusions from the 'check phase' were:

- There was an assumption that people in Sheltered Housing were vulnerable together with the perception of sheltered accommodation being for older people, when in fact many were able to manage well themselves and had little contact with the Scheme Manager.
- There was limited demand for the sheltered service but significant demand for accommodation. The most popular property type was 2 bed bungalows, but this was the property type with least availability. Similarly those wishing to downsize in some cases had very limited desire to move, and no requirement for sheltered housing.
- Some of the existing sheltered properties were not popular and were difficult to let as considered too small.

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

- The service would change from accommodation based support to a needs based service for all elderly tenants (including those in general needs accommodation).

- The team of scheme managers would provide a support service to tenants based on needs criteria working with individuals to ensure they had the correct support services in place.
- The scheme managers would work in a team from a hub and be less isolated in their working practices, based at the Integral Schemes providing a daily presence.
- In view of the lack of demand for sheltered properties there would be a de-designation of remaining schemes on a rolling programme. Where the property would be due to be de-designated the alarm system would be removed and a tenant given a lifeline if there was requirement. The community rooms in these schemes could be changed back to housing enabling a rental income to be provided.
- Restructure for the team was currently planned including the out of hours service. This incorporated the facility to deal with any emergency access and tenant lock outs.

During the discussion, the following points were expressed:

- Consultation with WSCC Adult Services was planned regarding providing care within the general needs stock.
- There was an acknowledgement that circumstances change and it was challenging to identify individual health needs. It would be necessary for partnership working and the need to maintain regular contact to ensure people were living well and accessing services.
- Questions were raised regarding right to buy if properties were re-designated.
- There would be a requirement to respond as a flexible, needs based service.

## **RESOLVED**

That the Commission welcomed the presentation. The Chair thanked officers for their contribution and attendance at the Commission.

## **70. Cabinet Member Discussion with the Cabinet Member for Housing**

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

The following topics were discussed:

- Homelessness was highlighted, with particular reference to the increase across the town and the potential cost incurred to the council. It was felt that whilst there was a duty of care to provide housing, there was a cost to the service. It was considered that the 'right to buy' scheme and the increasing private sector market had affected the current position.
- With reference to bed and breakfast accommodation provided by the council there was an aim to minimise the use of temporary accommodation where possible.
- Homes in Multiple Occupation (HMOs) was discussed with reference to the potential option of councils having discretionary powers to extend licensing to other HMOs, which were not subject to mandatory licensing. It was commented that the council did not currently propose to introduce additional licensing. However there were approximately 40 HMOs registered and standards for HMOs of two floors and those of three floors or more that had to be met and assessed.
- Concern was expressed in relation to the changes to the New Homes Bonus.
- Clarity was sought on the numbers transferring between properties. It was confirmed that the Under Occupation Incentive Policy was still in place and it was felt the council was still working to fulfil the housing needs of the town. However it was acknowledged that there was a current housing gap.

- The Passivhaus development at Gales Place was felt to achieve energy efficiency and internal comfort for the occupants through good design. It may be considered for other developments providing costs and need could be justified.

## **RESOLVED**

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

### **71. Health and Adult Social Care Select Committee (HASC)**

The next meeting of the HASC would take place on 18 January 2017. An update would be provided at the next meeting of the Commission.

### **72. Forward Plan – February 2017 and Provisional List of Reports for the following meetings of the Commission**

The Commission confirmed the following reports for its February meeting:

- Budget & Council Tax 2017-2018
- Treasury Management Strategy 2017-2018
- Safeguarding Children, Young People and Adults at Risk Policy
- Sheltered Housing Service Review
- Crawley Town Hall

### **73. Closure of Meeting**

The meeting ended at 9.05pm.

B A Smith  
**Chair**

# Crawley Borough Council

## Minutes of Planning Committee

30 January 2017 at 7.30pm

### Present:

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

### Officers Present:

Roger Brownings	Democratic Services Officer
Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Marc Robinson	Principal Planning Officer
Clem Smith	Head of Economic and Environmental Services

### Apologies for Absence:

Councillor F Guidera,

### 53. Lobbying Declarations

Councillor McCrow had been lobbied regarding application CR/2016/0864/NCC.

### 54. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor P C Smith	Minute 56	CR/2016/0864/NCC The Cooperative Food, Balcombe Road, Pound Hill, Crawley.	Personal Interest as he was a Member of the Cooperative Party.
Councillor P C Smith	Minute 56	CR/2016/0932/FUL Papergraphics Ltd, Diva Innovation Centre, Crompton Way, Northgate, Crawley	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet



Member	Minute Number	Subject	Type and Nature of Disclosure
			Member for Planning and Economic Development.
55.	<b>Minutes</b>		
		The minutes of the meeting of the Committee held on <a href="#">3 January 2017</a> were approved as a correct record and signed by the Chair.	
56.	<b>Planning Applications List</b>		
		The Committee considered report <a href="#">PES/213</a> of the Head of Economic and Environmental Services.	
		<b>RESOLVED</b>	
		That in respect of the applications specified below, details of which are more particularly set out in report <a href="#">PES/213</a> of the Head of Economic and Environmental Services and in the Register of Planning Applications, the decisions be given as indicated:-	
		<b>Item 001</b> <b>CR/2016/0298/FUL.</b> Former Goffs Park Nursing Home, 39 - 41 Goffs Park Road, Southgate, Crawley.	
		Change of use from Nursing Home (C2) to large house in multiple occupation (sui generis)	
		Councillors Jaggard, Pickett, Stone and Tarrant declared they had visited the site.	
		The Principal Planning Officer, Marc Robinson, provided a verbal summation of the application. He indicated that since the publication of the report, the Local Highway Authority had confirmed that it had no objection to the application on parking or highway safety grounds. The PPO referred the Committee to the associated planning considerations and in particular to the neighbouring residential amenity and character of the area.	
		The Agent, Mr James Simpson, addressed the Committee in support of the application. He suggested that if necessary, the Applicant would be prepared to accept an appropriately worded condition to address concerns raised in the report, along with a condition that a management plan be put in place prior to the first occupation, and that should the Committee be minded, a temporary consent would be acceptable to the Applicant whilst he sought to gain a longer term consent on a comprehensive scheme.	
		The Committee then considered the application and the issues raised. Members referred to the Committee's decisions to refuse at its last meeting the applications for proposed hostels in Perryfield Road, Southgate. With this in mind, and in terms of this application, Members reiterated the view that such a concentration of HMOs in a particular area would be contrary to Policies CH3 and H6 of the Local Plan and that	

Southgate was specifically referred to in that H6 Policy . The Committee acknowledged the reason recommended for refusal as set out in the report

**Refused** for the reason set out in report [PES/213](#)

**Item 002**

**CR/2016/0780/ARM**

Phase 3A, Forge Wood (NES), Crawley

Approval of reserved matters for Phase 3A for 225 dwellings and associated works pursuant to outline planning permission CR/2015/0552/NCC for a mixed use neighbourhood (revised description, amended drawings and documents received)

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

The Agent, Ms Laura Humphries, addressed the Committee in support of the application.

The Committee then considered the application. In response to issues raised, the PPO explained that:-

- In terms of density, the site area for Forge Wood was not changing and overall the number of dwellings would be the same (1900 units). However, due to changing technical requirements the developable area to build dwellings had reduced. This meant that there would be larger areas that had no development on them, such as open space. On the built areas, whilst there would be some variety of density across the phases and sub phases, the development's minimum average density was set at being no lower than 41 dwellings per hectare (Condition 1 of the outline planning permission). The outline permission allowed for up to 1900 dwellings (condition 4) and this was the number of dwellings needed to make the neighbourhood viable including other facilities and address Borough housing need.
- Garden sizes were set out as guidance not policy. Whilst garden sizes for houses were not fully in accordance with the outdoor space standards, when the application was taken as a whole garden sizes were not generally below those standards.
- Separation distances were satisfactory and in many cases, those distances exceeded the minimum of 21m required between facing rear to rear elevations.
- The reduction in some garden sizes did not therefore result in dwelling relationships which were unsatisfactory, and given the location of the site and surrounding open space and nearby woodland and the fact that the neighbourhood would have significant open space, it was considered that the development would have an appropriate level of amenity space overall.
- Parking spaces within the development met the standard, and in some cases exceeded the standard.
- With regard to comments made by Thames Water, it was not appropriate to impose a condition relating to strategic infrastructure to a reserved matter application because such issues should have been conditioned at outline stage. Agreement around this matter could be achieved outside of this reserved matters application.

A Member referred to the fact that the scheme as amended had been the subject of a wide range of consultations and suggestions, and the Committee wished to thank all Officers concerned for taking on board issues arising.

**Approved**, subject to the conditions and informatives set out in report [PES/213](#).

**Item 003**

**CR/2016/0864/NCC**

The Cooperative Food, Balcombe Road, Pound Hill, Crawley

Retrospective variation of Condition 7 (hours of delivery of fuel or goods pursuant to CR/2006/0592/FUL) to allow the delivery of newspapers and magazines only before 8.00

Councillors Jaggard, Smith, Stone and Tarrant declared they had visited the site.

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

The Applicant, Mr Chris Edge, addressed the Committee in support of the application.

The Committee then considered the application. In response to issues raised, the PPO explained that:-

- The Member's suggestion that the proposed variation of condition be amended so that the delivery of newspapers and magazines be made before 0800, but not earlier than 0700 was not considered reasonable. Restricting deliveries to no earlier than 0700 would mean that those publications would not be available for sale when the shop opened. For the reasons outlined in the report, it was felt that the impact that one light commercial delivery of paper goods would have on noise and disturbance would be negligible.
- The delivery of newspapers and magazines were made by a third party and were outside the control of the petrol station owner.
- The Environmental Health Division had no objection to the variation of condition as proposed.
- There have been some past breaches of conditions and the current application is to regularise the identified delivery of newspapers/magazines outside the permitted hours.
- The proposed variation of condition limits delivery to a single transit type van or similar.

**Permitted**, and that the other conditions that are relevant to the ongoing operation of the site be re-imposed, all as listed in report [PES/213](#).

**Item 004**

**CR/2016/0928/FUL**

Smyths Toys, Unit 3, Acorn Retail Park, Betts Way, Langley Green, Crawley

Extension to mezzanine floor within unit 3 of approved retail development (ref: CR/2014/0824/FUL).

Councillors Jaggard, Stone and Tarrant declared they had visited the site.

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

The Committee then considered the application and welcomed the proposals.

**Permitted**, subject to the conditions listed in report [PES/213](#).

**Item 005**

**CR/2016/0932/FUL**

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

Recladding of two storey office area, including provision of a new customer experience centre at ground floor level with associated alterations to fenestration to suit

Councillor Jaggard declared she had visited the site.

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

The Committee then considered the application and acknowledged the improvements that the proposals would bring to the external appearance of the site and locality.

**Permitted**, subject to the conditions listed in report [PES/213](#).

**57. Closure of Meeting**

The meeting ended at 8.31 pm.

I T IRVINE  
Chair

# Crawley Borough Council

## Minutes of the Overview and Scrutiny Commission Monday 6 February 2017 at 7.00pm

### Present:

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

### Also in Attendance:

Councillors B J Burgess, D Crow, C R Eade, K L Jaggard, M G Jones, P K Lamb,  
T Lunnon, B McCrow, A C Skudder, J Tarrant, G Thomas and K J Trussell

**Apologies for Absence:** None

### Officers Present:

Peter Browning Deputy Chief Executive  
Heather Girling Democratic Services Officer  
Chris Harris Head of Community Services  
Karen Hayes Head of Finance, Revenues and Benefits  
Nigel Sheehan Head of Partnership Services  
Paul Windust Corporate Accounting & Treasury Services Manager  
Vicky Wise Community Services Manager

## 74. Members' Disclosure of Interests and Whipping Declarations

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor R A Lanzer	77	2017/18 Budget and Council Tax	Personal Interest – Member of LGPS

## 75. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [9 January 2017](#) were approved as a correct record and signed by the Chair. Councillor Lanzer raised a matter on item 70 (Cabinet Member Discussion with the Cabinet Member for Housing). It was noted that the Commission had discussed various issues in relation to affordable housing and in reference to 'specific delegation 2' regarding a variation in the percentage and/or tenure mix being

sought. There had been previous planning applications evaluated by the District Valuer which have not met viability requirements in full.

## **76. Public Question Time**

No questions from the public were asked.

## **77. 2017/18 Budget and Council Tax**

The Commission considered report [FIN/401](#) with the Leader and the Head of Finance, Revenues and Benefits. The report set out the proposed Budget and Council Tax for 2017/18 taking into account factors such savings and growth, latest investment interest projections and income estimates.

The following topics were discussed:

- Amendment in section 5.1, Revenue Support Grant for 2016/2017 to read £1.78m.
- Recognition of the reduced cost of employers pension contributions.
- In light of other increases in general living expenses comments were received regarding the pay award assumption of 1%.
- It was felt that the criteria in relation to the capital programme that future bids should be based on expenditure required to maintain the council's assets could possibly be broadened.
- Concern voiced regarding vacancies within the Community Wardens service given the important nature of the work. However due to a review of the service acceptable staffing provision had been justified.
- Concern expressed that other town assets that do not provide an income stream should not become neglected.
- Acknowledgement that a restatement of capital budget and treasury management position where impacted should be received if report DCE/02 be approved.

### **RESOLVED**

That the Commission noted the report and would look forward to the discussion at Full Council on 22 February 2017.

## **78. Treasury Management Strategy 2017/2018**

The Commission considered report [FIN/404](#) of the Head of Finance, Revenues and Benefits on the Treasury Management Strategy for 2017/2018 which the Council was required to approve before the start of the financial year in accordance with the CIPFA Code of Practice for Treasury Management and the Council's financial regulations.

During the discussion with The Leader, Head of Finance, Revenues and Benefits and the Corporate Accounting and Treasury Services Manager, the main discussion areas included:

- It was commented that should report DCE/02 be approved this would affect future reports.
- Whilst Members had no further comments on the report they took the opportunity to thank the Corporate Accounting & Treasury Services Manager for the work undertaken and regular attendance at the Commission's meetings.

## RESOLVED

That the Commission noted the report to the Cabinet.

### 79. Safeguarding Children, Young People and Adults at Risk Policy 2017

The Commission considered report [HCS/03](#) of the Head of Community Services which had been updated due to changes in legislation.

During the discussion with the Cabinet Member for Public Protection and Community Engagement, Head of Community Services and the Community Services Manager the following discussion areas were highlighted:

- Acknowledgement of the lead safeguarding and lead designated safeguarding officers, together with the process for referral and reporting all concerns.
- Clarification sought and obtained on allegation categories, disclosures and future actions, including maintaining records with a further explanation requested from a Member in relation to the Data Protection Act and the Humans Rights Act with confirmation required from Legal Services regarding the period of time records are held. OSC Members would opt out for non-receipt of this verification statement.
- Comments that cases of historical abuse were once current abuse and any investigation into patterns of behaviour could contribute in the collection of evidence. It was also felt that training and learning would assist from any complaints.
- Recognition that awareness campaigns take place with partners in relation to various initiatives such as FGM, CSE and E-safety and that public awareness tends to be quite high. In addition, CSE awareness training had previously been offered to all licensed taxi/private hire drivers in Crawley.
- In terms of the Prevent agenda, the council is required to protect and prevent all vulnerable people, including children, young people and adults at risk from being drawn into radicalisation, terrorism and non-violent extremism. The council is required to address vulnerabilities to radicalisation in all its forms.
- It was recommended that Members receive an update/further training on the Prevent Duty.

## RESOLVED

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

### 80. Health and Adult Social Care Select Committee (HASC)

An update was provided from the most recent HASC meeting. Key items of discussion included:

- The HASC received an update on the Care Act 2014 and was assured the council was Care Act compliant.
- There had been issues surrounding recruitment and retention of care workers and whilst there had been successful recruitment campaigns, these needed to be repeated across the county.
- Procurement of the Reablement Service had been called-in for further scrutiny. Timescales were a factor in terms of procurement. A competitive procurement process would commence late February/early March for commencement of the new service from 1 October 2017.
- The Safeguarding Adults Board Report 2015/2016 was considered.

**81. Forward Plan – March 2017 and Provisional List of Reports for the following meetings of the Commission**

The Commission confirmed the following reports for its February meeting:

- Town Centre Regeneration Programme (Phase 2) - Queensway and The Pavement
- Sheltered Housing Service Review

**82 Fostering Interest in Local Government**

Members were reminded that the All Member Workshop regarding 'Fostering Interest in Local Government' was currently scheduled for 15 February 2017.

**83. Exclusion of the Public**

**RESOLVED**

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

**84. Crawley Town Hall**

**(Exempt Paragraphs 3 & 5)**

*Information relating to financial and business affairs of any particular person (including the Authority holding that information); and*

*Information in respect of which a claim to legal privilege could be maintained in legal proceedings.*

The Commission considered report DCE/02 of the Deputy Chief Executive on the Crawley Town Hall Site Redevelopment Scheme. The report considered options and recommendations on a preferred scheme for the redevelopment of the Town Hall building and site.

During the discussion Members commended officers in the compilation of the report and raised the following issues. It was recognised that should report DCE/02 be approved:

- A restatement of capital budget and treasury management position where impacted should be received.
- A new town hall building was a preferred option as it would provide new homes (including affordable housing element), quality office space, district heat network, public square and a fit for purpose building for staff, Members and customers. This would achieve significant savings and generate additional income.
- Recognition that the use of flexible space in the Council Chamber area provided the most opportunity but there was a need to ensure a balance was achieved between flexibility and a sense of civic pride.



- Support for the memorabilia within the current Town Hall to be retained where appropriate.
- All consultation (staff, Member and public) should be planned and undertaken accordingly.
- There was an appreciation that the Town Hall is a landmark site and further work was required to ensure that the final design was one of quality but also cost effective.
- Recognition that the timetable and any risks would need to be monitored closely. It would be important to keep implications for staff, Members and customers to a minimum.
- Recognition that future refurbishment would be required to maintain grade A commercial offices.
- Acknowledgement that it was important to ensure there is sufficient parking to meet the needs of the development.
- Support for continuation of Members' seminars, focused on specific issues.

## **RESOLVED**

That the Commission supported the recommendations to the Cabinet but requested the comments and issues above be addressed as the design development progresses, specifically that the capital budget and treasury management position be amended where impacted.

### **85. Closure of Meeting**

The meeting ended at 9.35pm.

B A Smith  
**Chair**

# Crawley Borough Council

## Minutes of Cabinet

**Wednesday 8 February 2017 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)
S J Joyce	(Deputy Leader of the Council and Cabinet Member for Housing)
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:**

Councillors	D Crow, and B A Smith ( <i>Chair of the Overview and Scrutiny Commission</i> )
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**Officers Present:**

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

**40. Apologies for Absence:**

No apologies were received.

**41. Members' Disclosure of Interests**

No declarations of interests were made.

**42. Minutes**

The minutes of the meeting of the Cabinet held on [30 November 2016](#) were approved as a correct record and signed by the Chair.

**43. Public Question Time**

There were no questions from the public.

#### 44. Matters Referred to the Cabinet

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

#### 45. 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.

#### 46. 2017/18 Budget and Council Tax

The Leader presented report [FIN/401](#) of the Head of Finance, Revenues and Benefits, which set out the Budget and level of Council Tax for the year 2017/18. It was noted that the report details each of the Revenue, Capital and Housing Revenue Accounts that combine together to formulate 'The Budget'. In proposing the level of Council Tax for the Financial Year 2017-2018, each of those accounts identified had been considered. The combined proposal ensured that the Council had a balanced budget.

The Cabinet noted the Overview and Scrutiny Commission's comments from its meeting on 6 February 2017 and then agreed the recommendations.

### RESOLVED

#### RECOMMENDATION 2

That the Full Council be RECOMMENDED:

- 1) to approve the proposed 2017/18 General Fund Budget including savings and growth as set out in section 6 and Appendix 1 and Appendix 2 of the report [FIN/401](#),
- 2) to approve the proposed 2017/18 Housing Revenue Account Budget as set out in section 10 and Appendix 3 of the report [FIN/401](#),
- 3) to approve the 2016/17 to 2019/20 Capital Programme and funding as set out in paragraph 11.5 of the report [FIN/401](#),
- 4) to agree that the Council's share of Council Tax for 2017/18 be increased by 2.52% from £189.27 to £194.04 for a band D property as set out in paragraphs 5.5.1 and 13.3,
- 5) to approve the Pay Policy Statement for 2017/2018 as outlined in paragraph 16.3 and Appendix 6 of the report [FIN/401](#).

## Reason for Decision

To provide adequate funding for the proposed level of services and to fulfil the statutory requirement to set a Budget and Council Tax and report on the robustness of estimates.

### **Note by Head of Legal and Democratic Services**

*The **Notice of Precept** was received from the Police and Crime Commissioner for Sussex and West Sussex County Council following the publication of both the agenda and this Minute Book for the 22 February meeting of the Full Council. Those Precept details have since been circulated to Members, and a further recommendation (**Recommendation 3**) will be moved in relation to the 2017/2018 Budget and Council Tax.*

## 47. Treasury Management Strategy 2017/2018

The Leader presented report [FIN/404](#) of the Head of Finance, Revenues and Benefits to the Cabinet, which sought approval of the Treasury Management Strategy for 2017/18.

There are no material changes to the Investment Strategy in section 7 and Appendix 3 compared with the 2016/2017 Strategy, as amended by the 2016/2017 Treasury Management Mid-Year Review. It was noted that in respect of non-Housing Revenue Account activities, the Council's current policy was to remain debt free and invest according to the principles of security, liquidity and yield.

The Cabinet noted the Overview and Scrutiny Commission's comments from its meeting on 6 February 2017 and then agreed the recommendations.

## RESOLVED

### **RECOMMENDATION 4**

That the Full Council be RECOMMENDED to approve:

- 1) the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5 of the report [FIN/404](#);
- 2) the Treasury Management Strategy contained within Section 6 of the report [FIN/404](#);
- 3) the Investment Strategy contained within Section 7, and the detailed criteria included in Appendix 3 of the report [FIN/404](#);

## Reason for Decision

The Council's financial regulations, in accordance with the CIPFA Code of Practice for Treasury Management, requires a Treasury Management Strategy to be approved for the forthcoming financial year. This report complies with these requirements.

#### **48. Safeguarding Children, Young People and Adults at Risk Policy 2017**

The Cabinet Member for Public Protection and Community Engagement presented report [HCS/03](#) of the Head of Community Services, which detailed that the Council has a legal responsibility to safeguard, protect and promote the wellbeing of children, young people and adults at risk. The Safeguarding Policy provides a framework for safeguarding and articulates the Council's commitment to safeguarding.

The report details the updates to the Safeguarding Policy. These are due to changes in legislation, statutory guidance, updates to the Pan Sussex safeguarding policies and procedures, as well as developments in best practice.

The Chair of the Overview and Scrutiny Commission' presented the Commission's comments from its meeting on 6 February 2017, emphasising their support for the policy and requested that Members receive further training on Prevent, as the last training had been in 2015. Cabinet were also noted that the Commission had asked for a confirmation from Legal Services regarding the period of time records were to be held.

In response, the Cabinet noted the Commission's comments and the Cabinet Member for Public Protection and Community Engagement confirmed that he would be arranging further Members training as a result of their request.

#### **RESOLVED**

That the Cabinet:

- 1) approve the revised Crawley Borough Council Safeguarding Children, Young People and Adults at Risk Policy 2017, as detailed in Appendix 1 of the report [HCS/03](#)
- 2) delegate authority to the Head of Community Services, in consultation with the Cabinet Member for Public Protection and Community Engagement, to revise and update the Safeguarding Policy in future, as further changes to legislation and statutory guidance are introduced.

#### **Reason for Decision**

The recommendations are made to ensure that all staff, volunteers and elected members are equipped with the knowledge, skills and information to enable them to undertake their safeguarding responsibilities for Crawley Borough Council.

#### **49. 2016/2017 Budget Monitoring - Quarter 3**

The Leader presented report [FIN/403](#) of the Head of Finance, Revenues and Benefits. The report which provided a summary of the Council's actual revenue and capital spending for the third Quarter which ended in December 2016. It identifies the main variations from the approved spending levels and any potential impact on future budgets.

## RESOLVED

That the Cabinet notes the projected outturn for the year 2016/2017 as summarised within the report.

### RECOMMENDATION 5

That the Full Council be RECOMMENDED to approve:

- 1) the allocation of £50,000 funded from in year underspends to set up a budget to support the procurement of a new Leisure contract for the period after November 2018, as set out in section 6.2 of the report [FIN/403](#)
- 2) that the Constitution be amended to delegate the following responsibility to the Head of Finance, Revenues and Benefits in relation to Virements and Other Spending Limits (paragraph 3 of the Financial Procedure Rules):

*“Virements of up to £50,000 from in year underspends between existing budgets which do not commit the Council to future year’s expenditure.”*

### Reason for Decision

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

## 50. Crawley Borough Council Statement of Community Involvement

The Cabinet Member for Planning and Economic Development presented report [SHAP/57](#) of the Head of Strategic Housing and Planning Services. The Cabinet noted that the requirement on the Council to produce a Statement of Community Involvement (SCI) was set out in Section 18 of the Planning & Compulsory Purchase Act (2004). The role of the SCI was to set out the different ways in which communities and individuals can participate in the planning process and to explain how the Council will involve them.

The Council was required to update its SCI on a regular basis and the current SCI was adopted on 14 December 2011. The proposed SCI had been updated in order to take account of changes in national and local planning policy. The draft version of the proposed SCI was published for public consultation between 3 November and 16 December 2016. The SCI before the Cabinet had been amended to take account of the feedback received from the consultation process.

## RESOLVED

That Cabinet approves:

- 1) the adoption of the updated Statement of Community Involvement (February 2017), as identified in Enclosure A of the report [SHAP/57](#), and

- 2) delegates the authority to the Head of Strategic Housing and Planning Services in consultation with the Cabinet Member for Planning and Economic Development to approve and adopt future updates of the Statement of Community Involvement.

### **Reason for Decision**

A number of changes have occurred since the SCI was adopted, both at a national level and also in terms of the council's own engagement approach, which mean that an update to the SCI is now required. These are summarised below:

- i). **Legislative Changes:** The Government has introduced a significant amount of new/amended planning legislation and guidance since the SCI was adopted. This includes the National Planning Policy Framework (2012) and accompanying Planning Practice Guidance (2014), the Town & Country Planning (General Permitted Development) Order (as amended) 2015 and 2016 introducing Prior Approvals and the Housing & Planning Act (2016).
- ii). **Implementation of the Neighbourhood Planning Bill:** The Government has consulted on regulations to implement the neighbourhood planning provisions that are set out in the Neighbourhood Planning Bill. It proposes to introduce a requirement for local planning authorities to review the Statement of Community Involvement at regular intervals and at least every five years. If the LPA decides not to update its SCI, it must publish its reasons for not considering any revisions. The LPA will also be required to publish, through the SCI, how interested parties will be involved in the early stages of Plan making and its policies for giving advice or guidance to groups wishing to prepare or update a neighbourhood plan. From the date the Bill gains Royal Assent, LPAs will have a period of 12 months to comply with these requirements.
- iii). **Development Management:** The way in which Development Management consult on planning applications was amended in November 2011, following a systems thinking review which sought to update the entire application process to make it more efficient. The revised approach to notification is explained through the Statement of Community Involvement (2011). However, the 2011 SCI does not provide detail on more recent changes that have been made to the planning system, in particular changes to expand prior approval rights. The updated SCI therefore provides further information to explain the prior approval process.

### **51. Exempt Information – Exclusion of the Public (subject to agenda item 5)**

#### **RESOLVED**

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

**52. Crawley Town Hall Site Redevelopment Scheme**

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

The Cabinet Member for Resources presented report DCE/02 of the Deputy Chief Executive, which sought the Cabinet endorsement to the principle for the significant redevelopment of the current Crawley Town Hall Site. The report presented a number of proposals. An indicative master plan for the redevelopment of the site that identifies the provision of commercial accommodation above the proposed new Town Hall, the allocation of funding to ensure that 40% affordable housing were part of the redevelopment, the inclusion of a District Heat Network within the scheme and the upgrading of the Exchange Road car park. It was emphasised that the proposal was one of the largest projects that the council had been a part of in Crawley's history and the impact of the project for the Town should not be underestimated. It should bring an improved Town Hall for our residents and a better working environment for our Officers, whilst also providing high quality office space within the Town Centre and much more needed affordable housing.

The Chair of the Overview and Scrutiny Commission' presented the Commission's comments from its meeting on 6 February 2017, emphasising the general cross party support for the proposals. The Commission requested that should the development be approved at Full Council, the Budget statement and the treasury management statement be amended to reflect the impact of the project on the Council's financial position.

In response to the Commission's request the Leader commented that he supported the principle of their request but rather than reproducing the Budget and treasury management statements, a more appropriate approach would be to reflect any budgetary changes through the quarterly monitoring report and the treasury management updates reports. The Cabinet then noted the remainder of the Commission's comments.

**RESOLVED**

**RECOMMENDATION 6**

That the Full Council be RECOMMENDED to approve

- 1) the agreement to:
  - the development and submission of a planning application to redevelop the Town Hall site and the adjacent decked car park site generally in accordance with the master plan in Appendix A of report DCE/02 to provide approximately 250 residential units (of which 40% should be affordable housing), a new town hall, commercial office space above the town hall, a site and phase 1 of a District Heat Network, a public square, enhancements to Exchange Road car park and additional parking spaces. The planning application for the redevelopment of the site is likely to be submitted by the landowner of the adjacent decked car park site, Haywards Heath Investments (LDA), or their developer, Westrock, but the application may be in joint names with the Council.



- the Council becoming the landlord of the commercial office space above the proposed Town Hall
  - the Council ensuring that the District Heat Network is capable of being extended to other sites in the town centre
  - the upgrading of Exchange Road car park as part of the redevelopment
  - the Council being provided with additional car parking spaces as a result of additional land from Haywards Heath Investments (LDA) forming part of the redevelopment proposals.
- 2) The funding as set out in the Report DCE/02
  - 3) To note and agree the potential operational implications of the redevelopment for customers, members of the Council, staff and the community in the proposed new Town Hall and during the construction phase.
  - 4) Delegate to the Deputy Chief Executive, in consultation with the Leader, Cabinet Member for Resources, Head of People & Technology and Head of Partnership Services, any operational changes in service delivery, together with the building/site layout and design of the Town Hall and multi storey car park, including internal layout and finishes. These decisions will only be made following staff and member consultation.
  - 5) To delegate the negotiation of the terms of the relevant legal documentation to the Deputy Chief Executive in consultation with the Head of Legal and Democratic Services, the Head of Finance, Revenues and Benefits and with the Leader of the Council. Further that subject to the satisfactory negotiation of terms of the proposed redevelopment in favour of the Council to delegate the approval of the Final legal documentation necessary to secure the proposed redevelopment to the Deputy Chief Executive, the Head of Legal and Democratic Services, the Head of Finance, Revenue and Benefits in consultation of the Leader of the Council.
  - 6) To delegate to the Deputy Chief Executive and the Head of Legal and Democratic Services the authorisation to seal and complete the legal documentation on behalf of the Council.
  - 7) To note the implications of the proposed Town Centre District Heat Network and subject to demand and business case, the potential future capital implications of expanding the network in due course.

### **Reason for Decision**

The recommendations provide important principles to guide officers in finalising negotiations with the landowner/developer of the site adjacent to the Town Hall site.

If the recommendations are agreed, officers will be able to try to finalise legal documentation, in consultation with the Leader to enable the regeneration of a key Town Centre site, whilst providing significant operational and financial benefits to the Council and the wider community.

Only by working with the landowner/developer to reach agreement can the Council secure:

- Approximately 250 new homes, of which up to 40% could be affordable;
- c65000sq.ft. new Town Hall over 4 floors of a new office building;
- c80000sq.ft. Grade A Commercial Office space over 5 floors, above the Town Hall for letting on the open market;
- Approximately 30 additional car parking spaces
- A refurbishment of the Exchange Road car park
- The site and initial infrastructure to enable the delivery of the Town Centre District Heat Network.
- Public realm improvements and improved connectivity to the Town Centre.
- Significant revenue savings / additional income for the Council

The Adopted Crawley Local Plan 2015 - 2030 (Policy EC6)(Development Sites within the Town Centre Boundary) stipulates that four key opportunity sites within the town centre including land north of The Boulevard, need to contribute towards a net total of 499 new dwellings. By progressing with the scheme as outlined in paragraph 3.3, the Council will be leading on the delivery of approximately 250 new dwellings towards this total, of which approximately 100 of these units could provide affordable homes

The Local Plan (Policy ENV7) (District Energy Network) also stipulates any major development within the town centre should in the first instance and in the absence of a Heat Network currently being in place, consider 'developing its own system for supplying energy to any surrounding existing or planned buildings. Any system installed should be compatible with a wider District Energy Network. This development potentially provides a site and the initial infrastructure for the first phase of a town centre heat network.

As the scheme progresses, it will be essential to ensure there is sufficient member and staff consultation regarding both the outside look of the town hall building (and public space) but also on the internal finishes. It is also essential that decisions be made in a timely manner to help avoid cost overruns on the scheme.

### **53. Leasehold Insurance Tender Appraisal**

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

The Cabinet Member for Resources presented report [FIN/402](#) of the Head of Finance, Revenues and Benefits, which informed the Cabinet that the current leasehold insurance arrangements expire on 31 March 2017. The report sought approval for the award of the contract to the supplier that can best meet the Council's leasehold insurance requirements for the next five years.

### **RESOLVED**

That Cabinet approves the appointment of Aspen, (through Arthur J Gallagher) as the Council's leasehold insurance provider for a period of five years from 1 April 2017.

### **Reason for Decision**

Following a tender evaluation, Aspen (through A J Gallagher) has submitted the most advantageous tender.

#### **54. Construction Consultancy Services Partnering Contract (Exempt Paragraphs 3 (information relating to financial and business affairs of any particular person (including the Authority holding that information))).**

The Cabinet Member for Resources presented report [HPS/07](#) of the Head of Partnership Services, which informed the Cabinet that the Council had in place a partnering contracts for the provision of consultancy services covering the following professional services; Structural Engineering, Civil Engineering, Drainage and Flood Alleviation, CDM Principle Designer, Quantity Surveying and Clerk of Works. It was noted that the existing contractual arrangements were due to expire on the 30th April 2017 and the report detailed the tendering processes for the procuring of a new three year set of contracts, that included an option for the Council to extend for a further two years should the Council wish to.

### **RESOLVED**

That Cabinet approves:

- a) the awarding for Civil Engineering services to The Project Centre.
- b) the awarding for Drainage and Flood Alleviation services to The Project Centre.
- c) the awarding for Structural Engineering services to The Project Centre.
- d) the awarding for Construction Design and Management (CDM) Principle Designer services to Potter Raper Partnership.
- e) the awarding for Clerk of Work services to Potter Raper Partnership.
- f) the awarding for Quantity Surveying services to Keegans Ltd,

and that in the unlikely event that one of the first choice consultants reject the contract offer, it is recommended to appoint from the list of alternatives as set out in 6.2 of the report.

### **Reason for Decision**

In accordance with the Procurement Code, approval was sought from the Cabinet to enter into contracts for the Consultancy Services with the recommended providers as shown in section 2.1 and table 2 of the report [HPS/07](#)

#### **55. Closure of Meeting**

In closing the meeting, the Cabinet asked that their thanks be recorded to Lee Harris, Chief Executive for all his hard work and best wishes in his new job at West Sussex County Council, as this would be his last Cabinet meeting in Crawley. With that, the business of the Cabinet concluded, the Chair declared the meeting closed at 7.55 pm.

P K LAMB  
Chair