

Crawley Borough Council

**Full Council**

**Supplementary Agenda – Order Paper**

**Wednesday, 13 December 2017**

*Anne Maria Brown*

**Head of Legal and Democratic Services**

Prior to the start of the business below, **the Mayor** will ask all present to stand and observe **one** Minute's silence in memory of Honourable Alderman and Freeman Alan Quine who has recently passed away.

The Mayor will set aside some time during the Agenda Item 3. Communications for representatives from each party to pay tribute.

	<b>Pages</b>
<b>1 Apologies for Absence</b> Apologies have been received from Dr Bloom	
<b>2 Disclosures of Interest</b> Enclosed are the disclosures received in advance of this meeting. Councillors can at this stage of the meeting make any further disclosures	<b>5 - 8</b>
<b>4 Public Question Time</b> To answer public questions under Council Procedure Rule10. <ul style="list-style-type: none"><li>• The Mayor will invite questions in turn, via the raising of hands. Prior notice of the questions is not required.</li><li>• Each questioner may ask one question and a supplementary question (on the same subject)</li><li>• Each questioner is asked to direct their question to the Mayor and provide their name and the ward they live in.</li></ul>	



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- The questions must not be a statement, but must relate to the functions of the Full Council. The questions cannot be about an individual's personal circumstance or substantially be the same as a question raised in the past 6 months.
- The Mayor may invite any Councillor to respond. No Councillor will speak more than once on a question and will confine their comments to responding to the question
- Up to 30 minutes is allocated to Public Question Time.

## **6 Items for debate (Reserved Items)**

**9 - 10**

Enclosed are the items and recommendations indicated by each Group Secretary for which Councillors have reserved for debate.

Councillors can at this stage request further items to be reserved for debate.

The actual debating of the items will take place under Agenda Item - 8. Reserved Items. All other items will be received and recommendations moved enbloc during Agenda Item - 7. Minutes of The Cabinet, Overview And Scrutiny Commission and Committees.

## **11 Councillors' Written Questions**

**11 - 14**

Enclosed are the Councillors' written questions along with the response to those Questions.

## **INFORMATION ON DURATION OF THE MEETING**

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

Should the vote be in favour of not continuing, there is a process for dealing with motions and recommendations which have not been dealt with within the two and a half hours, or at the expiry of any agreed extension(s). In these circumstances, such motions and recommendations will be deemed as formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way. If a recorded vote is called for during this process, it will be taken immediately. This process will also apply in instances where the Council is statutorily required to make a decision about any matter before a particular date.

During the process set out above, the only other motions which may be moved are that a matter be withdrawn or referred to an appropriate body or individual for decision or report.

When all motions and recommendations have been dealt with, the Mayor will declare the meeting closed.

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## Disclosures of Interest received from Councillors in advance of the meeting

Councillor	Item and	Meeting & Minute	Type and Nature of Disclosure
Councillor Thomas	Planning Application CR/2017/0444/FUL - Kilnmead Car Park, Kilnmead, Northgate, Crawley	Planning Committee 9 October 2017 – Minute 6, Page 27	Personal Interest – Ward Councillor for Northgate
Councillor Burrett	Business Rates Retention – 100% Business Rates pilot application	Cabinet 25 October 2017 – Minute 4, page 35	Personal and Non-Prejudicial Interest as a Member of West Sussex County Council
Councillor Burrett	Town Centre Parking Scrutiny Panel Update Report	Overview and Scrutiny Commission 6 November 2017 – Minute 6, Page 42	Personal and Non-Prejudicial Interest as a Member of West Sussex County Council
Councillor Burrett	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission 6 November 2017 – Minute 7, Page 43	Personal and Non-Prejudicial Interest as a Member of West Sussex County Council
Councillor Cheshire	Town Centre Parking Scrutiny Panel	Overview and Scrutiny Commission 6 November 2017 Minute 6, page 42	Personal Interest – Member of TAG
Councillor Lanzer	Transformation Plan and Review of Current Progress	Overview and Scrutiny Commission 6 November 2017 Minute 5, page 41	Personal Interest – Member of WSCC
Councillor B A Smith	Town Centre Parking Scrutiny Panel	Overview and Scrutiny Commission 6 November 2017 Minute 6, page 42	Personal Interest – Member of WSCC
Councillor Lanzer	Town Centre Parking Scrutiny Panel	Overview and Scrutiny Commission 6 November 2017 Minute 6, page 42	Personal Interest – Member of WSCC

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Councillor Boxall	CR/2017/0483/FUL - Land Adjacent to Dobbins Place, Ifield, Crawley	Planning Committee 7 November 2017 – Minute 5, Page 48	Personal and Prejudicial Interest – a close relative owned a nearby property in Poynings Road. Councillor Boxall left the meeting before consideration of this application and took no part in the discussion or voting on the item.
Councillor B J Burgess	CR/2016/0955/FUL 27 Forge Road, Three Bridges, Crawley	Planning Committee 7 November 2017 Minute 4 , page 46	Councillor Burgess with the permission of the Chair addressed the Committee as a Ward Member and then to avoid any perception of bias or predetermination left the meeting before consideration of this application and took no part in the discussion or voting on the item
Councillor P C Smith	CR//2017/0589/FUL 2-14 Crompton Way, Northgate, Crawley	Planning Committee 7 November 2017 Minute 7, page 51	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District
Councillor Stone	CR/2017/0483/FUL - Land Adjacent to Dobbins Place, Ifield, Crawley	Planning Committee 7 November 2017 Minute 5, page 48	Councillor Stone with the permission of the Chair addressed the Committee as a Ward Member and then to avoid any perception of bias or predetermination left the meeting before consideration of this application and took no part in the discussion or voting on the item.

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Councillor Burrett	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission 27 November 2017 – Minute 11, Page 57	Personal and Non-Prejudicial Interest as a Member of West Sussex County Council
Councillor Lanzer	Town Centre Signage and Wayfinding	Overview and Scrutiny Commission 27 November 2017 Minute 8, page 55	Personal Interest – Member of WSCC
Councillor Lanzer	Town Centre Regeneration Programme	Overview and Scrutiny Commission 27 November 2017 Minute 9, page 56	Personal Interest – Member of WSCC

All officers present at the Cabinet on Wednesday, 29 November 2017, with exception of the Chief Executive, declared a personal interest in respect of *Minute 12, Quarter Monitoring 2017/18, – Quarter 2*, page 105 as, the item includes a proposal for a one off payment to staff. The Chief Executive confirmed that she had chosen not to receive the proposed payment.

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# Agenda Item 6

## 6. Items for debate (Reserved Items)

<b>Minute Book Page no.</b>	<b>Committee/ Minute no. (and the Member reserving the item for Debate)</b>	<b>Subject (Decisions previously taken under delegated powers, reserved for debate only).</b>	<b>Subject (Recommendation to Council, reserved for debate)</b>
P40	Overview and Scrutiny Commission, Minute 4 6 November 2017 Conservative Group	Receiving Customers in the Town Hall	
P60	Audit Committee, Minute 4 28 November 2017, Conservative Group	Internal Audit Progress Report as at 31st October 2017 Incorporating Risk Management Update as at 31st October 2017	
P65	Governance Committee Minute 4 Labour Group and Conservative Group		<u>Recommendation 1</u> Submission to Boundary Commission, Proposed - Council Size
P101	Cabinet Minute 7 Conservative Group	Town Centre Signage & Wayfinding	
P106	Cabinet Minute 12 Labour Group and Conservative Group		<u>Recommendation 3</u> 2017-18 Budget Monitoring – Quarter 2
P108	Cabinet Minute 15 Labour Group and Conservative Group		<u>Recommendation 5</u> Allocation of funds for College Car Park scheme – Affordable Housing Opportunity

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

It will be moved by ***Councillor Portal Castro (as the Deputy Mayor)***:-

That the recommendations to Full Council, which have not been reserved for debate be adopted under item 7 (2)

**(Subject to any changes made at the meeting, the recommendations not reserved can be identified from the table below):-**

<b>Page no.</b>	<b>Committee/ Minute no.</b>	<b>Subject (Recommendation to Full Council, not reserved for debate).</b>
104	Cabinet, 29 November 2017 (Minute 11)	Brownfield Land Register  <b>(Recommendation 2)</b>
106	Cabinet, 29 November 2017 (Minute 11)	Community Infrastructure Levy (CIL) – Delegation of Enforcement Powers  <b>(Recommendation 4)</b>

# Agenda Item 11

## Councillors Written Questions to Cabinet Members and the Responses

1. From Councillor Irvine to the Cabinet Member for Housing?

Question –

*Please give figures concerning the sale of Council houses as under:-*

- a) *Number of houses sold.*
- b) *Market value of houses sold.*
- c) *Discount allowed as an amount and as a percentage.*
- d) *Number of houses sold below historic cost and amount below such cost.*

Response –

*The position at 1 December 2017 was:-*

- a) *£10,933*
- b) *£621,295,292.50*
- c) *£264,759,100.75*
- d) *753, & £4,770,472*

2. From Councillor Crow to the Leader of the Council:

Question –

*Crawley Borough currently elects its Councillors over a four year cycle in a system known as 'elections by thirds' where a third of the Council is up for election in three years out of four, with the fourth year being the all-out West Sussex County Council elections where the whole of the County Council is up for election.*

- a) *How much does it cost Crawley Borough Council to run and administer its own local elections under the current system of elections by thirds for an entire cycle of three years of local elections?*
- b) *Over the same time period, what is the estimated cost for Crawley Borough Council to run and administer its own local elections under a system of all-out elections where the entire Council is elected every four years?*

Response –

- a) *The total cost to the council of the last complete cycle of thirds local elections (2014-2016) was £201,301. Each of the three elections was combined with a national election.*
- b) *- The estimated cost of a stand-alone all out Crawley Borough Council election is £120,892.*

3. From Councillor Jaggard to the Leader of the Council:

Question –

*A recent Fawcett Society report titled "Does Local Government Work for Women?" found that Crawley Borough Council is one of only 9 councils out of 306 nationally, that has no female councillors currently serving on the cabinet. The Crawley Observer online also recently reported that no female councillors at all have been*

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*appointed to the cabinet since the current Labour Administration took office in May 2014.*

*Since the Local Government Act in the year 2000 when the Leader and Cabinet system was set up:*

- a) *In what year was the last female Councillor appointed to a Labour Cabinet at Crawley Borough Council and in what role?*
- b) *In what year did a female Councillor last serve in a Labour Cabinet and in what role?*

Response –

- a) *Councillor Brenda Smith was appointed to the inaugural Cabinet, then called the Executive, in 2000 as the Executive Member for Community Engagement. Cabinet appointments are made on a gender-blind basis, with portfolios allocated to those best suited for taking on each role.*
- b) *Councillor Brenda Smith left the Executive and her role as the Executive Member for Community Engagement in 2002. From 2006 to 2014, Labour was in opposition at Crawley Borough Council, however the Shadow Cabinet contained female representation for all except the last few months of that period.*

4. From Councillor Guidera, to the Cabinet Member for Wellbeing

Question –

*It is my understanding that there is a covenant on the war memorial that we call 'the memorial gardens'. This covenant says that business may not be carried out on the land, nor money made from it, nor may it to be built upon, nor may it be disposed of without permission from the Charity Commission. The development plans we've seen indicate that the bandstand will be placed within the memorial gardens, along with the foundations needed and that surely constitutes being 'built upon'. Has Crawley Borough Council sought the permission of the charity commission for these planned works?*

Response –

*In 1921 the Memorial Gardens were conveyed to the Council's predecessor authority by Sidney Matthews to be held by it "as public grounds for the purposes of the Recreation Act 1859 (creating a charitable "trust"). The effect of the "trust" is that the Memorial Gardens must be used as open public grounds for the resort and recreation of adults and as a playground for children and youths. It is considered that the provision of the bandstand would be incidental to the recreational use and in keeping with the use of the Memorial Gardens as public grounds for the "resort and recreation of adults" and would therefore not be a potential breach of the terms of the trust. Formal consent of the Charity Commission would be required for any sale lease or transfer of any part of the gardens.*

*In addition to the trust status the Council's land title to the Memorial Gardens refers to a number of historic restrictive covenants which were imposed when the Memorial Gardens were sold in 1920. In general terms (subject to being legally enforceable) these covenants prohibit the use of advertising boards, restrict dangerous, or offensive activities and prohibit the sale of beers, wines and spirits*

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and any other trade or business. It is considered that the proposed relocation and use of the bandstand within the Memorial Gardens would not be deemed to be a breach of these covenants.

## 5. From Councillor Burrett to the Cabinet Member for Housing?

### Question –

*"In 2012 the Government relaxed the rules on the use of capital receipts from Right To Buy housing sales by allowing local authorities to keep a greater share of those receipts on the condition that they would be used to fund the provision of new affordable housing on a 1 for 1 match-funding basis, but with the proviso that any such capital receipts which were not spent within three years of their receipt would have to be paid back to the Government with interest.*

*For each of the following financial years, please state the amounts of such receipts which have had to be paid back to the Government due to the Council failing to use them for the provision of new affordable housing. Please also provide separate totals for any interest which has also become payable as a result.*

- (i) 2012/13
- (ii) 2013/14
- (iii) 2014/15
- (iv) 2015/16
- (v) 2016/17
- (vi) 2017/18
- (vii) 2018/19 (projected)"

### Response –

	<i>1-4-1 repayment</i>	<i>Interest</i>	<i>Total</i>
<i>2012/13 actual</i>	£0	£0	£0
<i>2013/14 actual</i>	£0	£0	£0
<i>2014/15 actual</i>	£0	£0	£0
<i>2015/16 actual</i>	£0	£0	£0
<i>2016/17 actual</i>	£0	£0	£0
<i>2017/18 projected*</i>	£1,236,676	£190,370	£1,427,046
<i>2018/19 projected*</i>	£0	£0	£0

*\* projections are based on forecast spend of relevant projects in the capital programme as reported in 2017/2018 Budget Monitoring – Quarter 2.*

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