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Crawley Borough Council



Full Council

Supplementary Agenda – Order Paper

Wednesday, 16 December 2020

A handwritten signature in black ink, appearing to read "A. Anufel".

Chief Executive

	Pages
2 Disclosures of Interest	5 - 6
Enclosed are the Disclosures of Interests received in advance of this meeting.	
4 Communications	7 - 8
Attached is a Cabinet Member Announcement from Councillor Peter Smith Cabinet Member For Planning And Economic Development	
5 Public Question Time	
There have been <u>no</u> written public questions received	
8 Councillors' Questions Time	9 - 14
Enclosed are the Councillors' written questions along with the response to those Questions	
9 Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees including Items for Debate	
There have been <u>no</u> item reserved for debate.	

11 **Pound Hill North & Forge Wood Councillors Amendment to Recommendation 2 Submission of Mission Crawley Local Plan 2021 - 2037**

15 - 16

Enclosed is the Pound Hill North & Forge Wood Councillors Amendment to Recommendation 2 – Submission of Mission Crawley Local Plan 2021 - 2037 (Cabinet, 29 January 2020, Minute 4, p.40) to be moved by Councillor Burrett and seconded by Councillor McCarthy.

This amendment will be discussed under item 6 Consideration of Full Council Recommendations and Call-in Decision, as part of the discussion on Recommendation 2 – Submission of Mission Crawley Local Plan 2021 - 2037

NOTE: The Mayor has agreed that, although this report and information was not available for at least five clear days before the meeting, there are special circumstances justifying its urgent consideration.

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

Councillor	Item	Meeting and Minute	Type and Nature of Disclosure
Councillor R D Burrett	Safer Crawley Partnership Annual Update and Forthcoming Priorities	Overview and Scrutiny Commission 2 November 2020 (Minute 4)	Personal Interest – Trustee of Crawley Open House
Councillor Irvine	CR/2020/0216/RG3 – Milton Mount, Milton Mount Avenue, Pound Hill, Crawley	Planning Committee 3 November 2020 (Minute 8)	Personal Interest – Portfolio Holder for Housing.
Councillor Purdy	CR/2020/0024/FUL – Longley House, East Park, Southgate, Crawley (Minute 6)	Planning Committee 3 November 2020 (Minute 6)	Personal Interest – employed by UK Power Networks (a consultee on the application that did not provide a response).
Councillor P Smith	CR/2020/0142/FUL – Downsman Bowls Club, Ifield Avenue, West Green, Crawley	Planning Committee 3 November 2020 (Minute 7)	Personal Interest – member of the Crawley Labour Supporters Club (based at a nearby building that shares a car park with the application site).
Councillor R D Burrett	Submission Crawley Local Plan 2021 - 2037	Overview and Scrutiny Commission 23 November 2020 (Minute 4)	Personal Interest – Member of WSCC
Councillor R D Burrett	Budget Strategy 2021/22 – 2025/26	Overview and Scrutiny Commission 23 November 2020 (Minute 5)	Personal Interest – Deferred member of pension scheme
Councillor R A Lanzer	Budget Strategy 2021/22 – 2025/26	Overview and Scrutiny Commission 23 November 2020 (Minute 5)	Personal Interest – Member of WSCC
Councillor R D Burrett	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission 23 November 2020 (Minute 8)	Personal Interest – Member of WSCC
Councillor P Smith	Budget Strategy 2021/22 – 2025/26	Cabinet 25 November 2020 Minute 7	Personal Interest – As Councillor P Smith is the Council's representative to the Town Centre BID Board
Councillor Burrett	Appropriation of Garages from the HRA to the General Fund	Cabinet 25 November 2020 (Minute 10)	Personal Interest – As Councillor Burrett currently rents a garage from the Council.
Councillor Sharma	Notice of Motion - Donating the Mayoral Ball Budget to the Mayor's Charities	Full Council 16 December 2020 (Agenda Item 7)	School Governor at Manor Green Community College

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COMMUNICATIONS –

Cabinet Member Announcement from Councillor Peter Smith Cabinet Member For Planning And Economic Development

SUPREME COURT JUDGEMENT: December 16th 2020

Heathrow and Airports National Policy Statement

Background

In February 2020, the Court of Appeal ruled that the government had failed to take the 2015 Paris Climate Agreement into account in its support for a third runway at Heathrow, ruling that the Airports National Policy Statement, (ANPS), published in 2018 was unlawful. The Government accepted this decision, but Heathrow challenged it.

The Supreme Court Judgement

Giving a summary of the Supreme Court's ruling, made today (December 16th 2020), Lord Sales said the Supreme Court unanimously concluded the appeal should be allowed and that the ANPS was not affected by any unlawfulness and is valid.

The Implications for the Local Plan

This is an important decision but does not change the position of the Local Plan with regard to safeguarding nor the allocation of a Strategic Employment Location at Gatwick Green. Factual updates to the supporting text only will be made to reference this judgement.

The approach of the previous Regulation 19 Local Plan, published in January 2020, removing safeguarding and proposing an Area Action Plan was made when the ANPS was in force.

However, we cannot revert to this approach because our Advisory Inspector in April 2020 did not support it, citing continued uncertainty regarding safeguarding only partly caused by the ANPS Court of Appeal case, and referencing the Gatwick Airport Master Plan which states it is in the national interest to continue with the strategy of safeguarding and GAL's objection to the Regulation 19 Local Plan. The Inspector was also clear that the Local Plan must contain a strategy to address Crawley's employment needs, and that a trigger should be included in the Plan for it to be reviewed should there be certainty on national policy regarding safeguarding. Also, the national Aviation Strategy, published in December 2018, still remains in draft form, and states that it would be prudent to continue safeguarding at Gatwick. The new Local Plan has, therefore, challenged the extent of safeguarding, rather than the principle of it, with the allocation of Gatwick Green to meet Crawley's employment needs considered to be possible whether safeguarding is required or not.

This allows the Local Plan to progress, which is essential for it to provide clarity on meeting Crawley's development needs and for it to be within the timeline to be able to use the Government's transitional arrangements prior to the changes to the planning system.

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Councillors Written Questions and the Responses

Full Council – 16 December 2020

(Questions in *italics and Answers in RED*)

1. Questions to Councillor Jhans (Cabinet Member for Environmental Services and Sustainability) from Councillor Jaggard

Following the motion 'Parking and Safety outside our Schools' that was passed at the July 2019 Full Council meeting, where it was agreed that the Civil Enforcement Officers' current pattern of patrols be adapted to ensure patrols outside of our primary schools during the drop-off and pick-up times, please state for the Autumn Term so far covering the months of September, October and November 2020:

- 1. which Crawley's schools have been patrolled at drop-off and pick-up times?*
- 2. the dates of these patrols?*
- 3. how many Civil Enforcement penalties were issued?*

Due to COVID-19 most schools, particularly primary schools, have introduced staggered start and finish times to aid social distancing and therefore this has altered our approach of enforcement. As a result, the number of carers outside a school collecting/ dropping off children at the same time varies as does the demand for space to park.

I can confirm that all schools across the Borough have been the subject of enforcement and monitoring patrols. The Schools within the controlled zones are visited as part of a targeted action plan at least weekly, In relation to schools outside of the controlled parking zone, these have been visited at least fortnightly.

In relation to the numbers of Penalty Charge Notices, prior to lockdown one in March 2020, 12 Notices were issued. Since lockdown, 3 Notices have been issued. Our experience has shown that the visible presence of Uniform Civil Enforcement Officers acts as a powerful deterrent and staff continue to focus on education and advice.

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2. Questions to Councillor Lamb (Leader of the Council) from Councillor Crow

On the 17th of November, the Council issued a press release encouraging local businesses who qualified to apply for the Business Support Grant for the second period of national Covid-19 restrictions that lasted four weeks from 5th November to 2nd December. This press release read as follows:

Eligible businesses can now apply for the latest round of business grants but Crawley Borough Council says the funding is not nearly enough.

Despite Crawley being responsible for 25 per cent of the economic output in West Sussex, it has been given some of the lowest grant funding in the county.

The government has given the council £3,733,396 made up of:

- £1,485,216 in Local Restrictions Support Grant to distribute to businesses that pay business rates and have had to close during the second lockdown*
- £2,248,180 in Additional Restrictions Grant, which is given to businesses that don't pay business rates and have been affected by the lockdown but not legally required to close.*

Out of seven local authorities in West Sussex, only one received less than Crawley's combined grants figure. Five councils received more.

The Additional Restrictions Grant is based on £20 per person in Crawley rather than the number of businesses in the town. This means that Arun District Council, for example, has received £3,215,160 due to a larger population but smaller economy.

And only one council in West Sussex received less than Crawley across both rounds of grant funding in April and November. Crawley received a total of £17,167,646. The highest – Chichester District Council – received £43,739,396.

In the first round of grants earlier this year only 23 per cent of Crawley businesses received financial help from the government.

Councillor Peter Lamb, Leader of the Council, said: "The pot of grant funding provided by the government is very limited and does not recognise the number of businesses we have in Crawley.

"The way the grant settlement is calculated – on population and not on the size of the economy – means we have to turn most businesses away, while other councils have millions to spare. This is causing major hardship at a time when Crawley is already the hardest-hit economy in the UK."

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Businesses that have had to close during the second lockdown can apply for a Local Restrictions Support Grant by visiting <https://grantapproval.co.uk>

For more information visit www.crawley.gov.uk/emergency/coronavirus-information/businesses-and-employers/business-support-grants

1. With applications closing on 13th December and noting that the press release states “but Crawley Borough Council says the funding is not nearly enough” and the Leader’s quote saying “The pot of grant funding by the government is very limited”, how much of the £3.73 million available from the government has been allocated for payment so far by the Council?

Across West Sussex the closing date for Discretionary (Additional Restrictions) grants was 13th December. All authorities are undersubscribed and will be reopening the scheme. Funding levels are given below –

Local Authority	Additional Restrictions £20 per Head of population	Local Restrictions Support (Closed Addendum)	Total	Original business rates bills 2020/21 before retail reliefs
	£	£	£	£m
Adur	1,286,020	786,276	2,072,296	19.7
Arun	3,215,160	2,583,864	5,799,024	36.5
Chichester	2,422,580	2,955,816	5,378,396	49.6
Crawley	2,248,180	1,485,216	3,733,396	129.9
Horsham	2,875,820	2,040,498	4,916,318	46.7
Mid Sussex	3,020,440	2,211,552	5,231,992	49.3
Worthing	2,211,400	2,157,642	4,369,042	31.9
TOTAL	17,279,600	14,220,864	31,500,464	363.6

As at 14th December 2020, £269,706 of Local Restrictions Support Grants (Closed Addendum) has been paid. The amount of grants paid will increase during the week commencing 14th December 2020 as Additional Restrictions (discretionary) grants are paid, including payments for taxi drivers who have applied. The £3,733,396 is to fund businesses up until 31st March 2022.

There are several types of grants announced by the Government. These are –

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Grant Scheme name	Status	Description	Priority Sectors	Business Rates Payers Only?	Grant Value
Local Restrictions Support Grant (Closed Addendum)	Currently open	Businesses mandated to close during the 2 nd National Lockdown	All Sectors	Yes	One off payment Rateable value up to £15,000 = £1,334 RV £15,000 to £51,000 = £2,000 RV over £51,000 £3,000
Local Restrictions Support Grant (Open)	Currently open	Businesses financially impacted due to Tier 2 restrictions For the two weeks from 2 December 2020	Leisure, Hospitality, Hotels, Bed & Breakfast	Yes	Rateable value up to £15,000 = £467 RV £15,000 to £51,000 = £700 RV over £51,000 £1,050
Wet-Led Pubs Grant	Closes: 29 December 2020	Any wet-let pub with less than 50% income from food	Hospitality	Yes	One-off grant £1,000 For Christmas period
Additional Restrictions Grant	Closed 13 th Dec – will be reopening	Businesses financially impacted due to the pandemic	All Sectors	No	Taxi drivers £250 Market stall holders £500 Rateable value or running costs up to £15,000 = £1,334 RV or running costs £15,000 to £51,000 = £2,000 RV or running costs over £51,000 £3,000

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Feedback from businesses is that they find it difficult to understand which scheme(s) they are eligible for and/or that for the sums involved and the risk of not receiving anything, it's not worth the time spent applying. Staff within Corporate Finance and Economic Development have been seconded onto the management of claims, which is taking considerable time.

2. *Noting that the Leader's quote also states "means we have to turn most businesses away", to date how many Crawley businesses have been turned away due to there being inadequate funding available?*

The table below shows the grants paid across West Sussex for the first lockdown.

Local Authority	Retail & Hospitality	Discretionary	Total
	£	£	£
Adur	11,020,000	555,000	11,575,000
Arun	31,785,000	1,538,500	33,323,500
Chichester	36,585,000	1,776,000	38,361,000
Crawley	12,795,000	639,250	13,434,250
Horsham	28,160,000	1,317,500	29,477,500
Mid Sussex	26,400,000	1,463,500	27,863,500
Worthing	19,215,000	972,500	20,187,500
TOTAL	165,960,000	8,262,250	174,222,250

We had an allocation of £639,250 for discretionary grants. We received applications to the value of £1.2m so were able to pay 50% of them by value.

We received 170 applications and made payments to 68 businesses through the discretionary scheme.

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Full Council

16 December 2020

**POUND HILL NORTH AND FORGE WOOD COUNCILLORS
AMENDMENT TO RECOMMENDATION 2 –
SUBMISSION CRAWLEY LOCAL PLAN 2021 – 2037**

Mover Councillor Burrett and Seconder Councillor McCarthy

That the Local Plan be agreed as proposed but with all reference to the Gatwick Green employment site allocation having been removed.

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