

Crawley Borough Council

Cabinet

Agenda for the **Cabinet** which will be held in **Committee Room A & B - Town Hall**, on **Wednesday, 21 March 2018** at **7.30 pm**

Nightline Telephone No. 07881 500 227



Head of Legal and Democratic Services

Membership:
Councillors

P K Lamb (Chair)
S J Joyce (Vice-Chair)
M G Jones

C J Mullins
A C Skudder
P C Smith

G Thomas

Leader of the Council
Cabinet Member for Housing
Cabinet Member for Public Protection and
Community Engagement
Cabinet Member for Wellbeing
Cabinet Member for Resources
Cabinet Member for Planning and Economic
Development
Cabinet Member for Environmental Services
and Sustainability

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The order of business may change at the Chair's discretion

Part A Business (Open to the Public)

	Pages
1. Apologies for Absence	
2. Disclosures of Interest	
In accordance with the Council's Code of Conduct, Councillors of the Council are reminded that it is a requirement to declare interests where appropriate.	
3. Minutes	5 - 10
To approve as a correct record the minutes of the Cabinet held on 7 February 2018.	
4. Public Question Time	
To answer any questions asked by the public which are relevant to the functions of the Cabinet.	
Public Question Time will be concluded by the Chair when all questions have been answered or on the expiry of a period of 15 minutes, whichever is the earlier.	
5. Further Notice of Intention to Conduct Business in Private and Notifications of any Representations	
The Monitoring Officer will report on any responses to representations received in relation to why items 13, 14, 15: Crawley Leisure Management Contract, Building Cleaning Service Contract Award, and Telford Place Car Park Development should not be held in Part B Business – (Closed to the Public).	
6. Matters referred to the Cabinet and Report from the Chair of the Overview and Scrutiny Commission	
To consider any matters referred to the Cabinet (whether by a scrutiny committee or by the Council) and those for reconsideration in accordance with the provisions contained in the Scrutiny Procedure Rules, the Budget Procedure Rules and the Policy Framework Procedure Rules set out in Part 4 of the Council's Constitution.	
7. Banning Orders and the Database of Rogue Landlords and Property Agents - The Housing and Planning Act 2016	11 - 22
<i>Housing Portfolio</i>	
To consider report SHAP/73 of the Head of Strategic Housing and	

	Pages
Planning Services, which was referred to the meeting of the Overview and Scrutiny Commission held on 19 March 2018.	
8. Three Bridges Station Improvement Scheme	23 - 40
<i>Planning and Economic Development Portfolio</i>	
To consider report PES/280 of the Head of Economic and Environmental Services which was referred to the meeting of the Overview and Scrutiny Commission held on 19 March 2018.	
9. Irrecoverable Debts 2017/2018	41 - 44
<i>The Leader's Portfolio</i>	
To consider report FIN/436 of the Head of Finance, Revenues and Benefits.	
10. To Approve Options for the Council's Insurance	45 - 48
<i>Resources Portfolio</i>	
To consider report FIN/441 of the Head of Finance, Revenues and Benefits.	
11. Supplemental Agenda	
Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.	
12. Exempt Information – Exclusion of the Public (Subject to Agenda Item 5)	
The Committee is asked to consider passing the following resolution:- That under 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.	
13. Crawley Leisure Management Contract	49 - 54
<i>Wellbeing Portfolio</i>	
(Exempt Paragraphs 3 & 5)	
To consider report HPS/12 of the Head of Partnership Services, which was referred to the meeting of the Overview and Scrutiny Commission held on 19 March 2018.	
14. Building Cleaning Service Contract Award	55 - 58
<i>The Leader's Portfolio</i>	

	Pages
(Exempt Paragraph 3) To consider report HPS/05 of the Head of Partnership Services.	
15. Telford Place Car Park Development	59 - 66
<i>Housing Portfolio</i>	
(Exempt Paragraph 3) To consider report CH/180 of the Head of Crawley Homes.	

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Crawley Borough Council

Minutes of Cabinet

Wednesday, 7 February 2018 at 7.30 pm

Councillors Present:

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

Also in Attendance:

Councillor D Crow

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal and Democratic Services
Karen Hayes	Head of Finance, Revenues and Benefits
Chris Pedlow	Democratic Services Manager
Clem Smith	Head of Economic & Environmental Services

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 10 January 2017 were approved as a correct record and signed by the Leader.

3. Public Question Time

The Cabinet received a question from Mr Charles Crane from Bewbush, in relation to the redevelopment of the Town Hall site. He commented that taking the age of the building into account, there was a chance that there could be asbestos within the building. With that in mind and if demolition takes place, had the Council thought what precautions it would take to remove any asbestos that might be found?

In response Councillor Lamb commented that there were significant regulations over the removal and treatment of asbestos and with that in mind, the Council would fully comply with all regulations. Councillor Skudder also commented there was a requirement for an asbestos register, which lists where any asbestos had been identified. With the amount of work that had occurred in the Town Hall over the years, if any asbestos had been discovered it would have been logged. Councillor Skudder said he would look into the matter further.

Mr Crane asked a supplementary question on the redevelopment of the Town Hall site and the amount of HRA funding being spent on the development. The Leader asked that the Head of Finance and Revenue and Benefits to respond, as she was present. In response, it was confirmed that there was no contribution from the HRA account to the Town Hall scheme.

4. Matters referred to the Cabinet and Report from the Chair of the Overview and Scrutiny Commission

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

5. 2018/19 Budget and Council Tax

The Leader presented report [FIN/434](#) of the Head of Finance, Revenues and Benefits, which set out the Budget and level of Council Tax for the year 2018/19. It was noted that the report detailed 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 2018-2019, each of those accounts identified had been considered. The combined proposal ensured that the Council had a balanced budget.

The Leader also confirmed that Local Government settlement had been confirmed with the final settlement being £23k more than expected.

The Cabinet noted the Overview and Scrutiny Commission's comments on the report and its comments to the Cabinet following consideration of the matter at its meeting on 5 February 2018.

RESOLVED

That the Cabinet recommends to Full Council the approval of the following items regarding the 2018/19 Budget:-

- 1) to approve the proposed 2018/19 General Fund Budget including savings and growth as set out in section 6 and Appendix 1 and Appendix 2 of the report [FIN/434](#),
- 2) to approve the proposed 2018/19 Housing Revenue Account Budget as set out in section 10 and Appendix 3 of the report [FIN/434](#),
- 3) to approve the 2017/18 to 2019/20 Capital Programme and funding as set out in paragraph 11.4 of the report [FIN/434](#),

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Cabinet (46)
7 February 2018

- 4) to agree that the Council's share of Council Tax for 2018/19 be increased by 2.55% from £194.04 to £198.99 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/434](#).

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.

6. Treasury Management Strategy 2018/2019

The Leader presented report [FIN/433](#) of the Head of Finance, Revenues and Benefits to the Cabinet. The strategy covered two main areas, Capital related matters and treasury management issues.

The first element was the treasury management operation, which was to ensure that this cash flow is adequately planned, with cash being available when it was needed to operate a balanced budget. Whilst surplus monies were invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function is in relation to funding the Council's capital plans. Those capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure that the Council can meet its capital spending obligations. The management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses. On occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

The report takes into account the revenue and capital implications arising in the 2018/19 Budget and Council Tax report ([FIN/434](#)).

It was noted that the report excludes any other implications of the New Town Hall. A revised Treasury Management Strategy would be produced once the outcome of the Historic England review; and subsequently contracts have been signed and tender submissions received.

The Cabinet noted the Overview and Scrutiny Commission's comments on the report and its comments to the Cabinet following consideration of the matter at its meeting on 5 February 2018.

RESOLVED

That Cabinet recommend to Council the approval of:-

- 1) the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5 of report [FIN/433](#)
- 2) the Treasury Management Strategy contained within Section 6 of report [FIN/433](#);

- 3) the Investment Strategy contained within Section 7, and the detailed criteria included in Appendix 3 of report [FIN/433](#)

Reasons for the Recommendations

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.

7. Allocating Monies Collected Through Community Infrastructure Levy - Infrastructure Business Plan and Governance

The Cabinet Member for Planning and Economic Development presented report [PES/264](#) of the Head of Economic and Environmental Services which set out the procedures for allocating the infrastructure aspect of the Community Infrastructure Levy (CIL), totalling approximately £6mil. It was noted that three main projects had been identified for the funding, as identified via the Local Plan, were Three Bridges Railway station, the A23 Manor Royal Junction and the Bewbush medical centre.

The Cabinet noted the Overview and Scrutiny Commission's comments on the report and its comments to the Cabinet following consideration of the matter at its meeting on 5 February 2018.

RESOLVED

That the Cabinet

1. approves the proposed CIL strategic infrastructure spend priorities presented in the Infrastructure Business Plan as a priority for delivery and the funding programme set out in section 5 of report [PES/264](#) below for the period 2018/19 to 2021/22.
2. notes that the Infrastructure Business Plan, including the funding programme, will be reviewed on an annual basis to take into account any changes in strategic infrastructure priorities and fluctuations in CIL receipts compared to the forecast. The first review is proposed to take place in January-March 2019.
3. approves the Governance of the Strategic Infrastructure Strand as detailed in Appendix C of report [PES/264](#).

8. 2017/2018 Budget Monitoring - Quarter 3

The Leader presented report [FIN/431](#) of the Head of Finance, Revenues and Benefits to the Cabinet which provided a summary of the Council's actual revenue and capital spending up to the 3rd Quarter, ending December 2017. It identified the main variations from the approved spending levels and any potential impact on future budgets.

The Leader commented a virement in relation to planned maintenance works to the roofs at Northgate Parade, commenting that he had investigated the virement as the Ward Councillor. He had been assured that had been virement would not affect roofing project going forward.

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Cabinet (48)
7 February 2018

RESOLVED

That Cabinet:

- 1) notes the projected outturn for the year 2017/2018 as summarised in report [FIN/431](#).
- 2) approves a virement of £65,000 for programmed repairs from the provision for Northgate Parade roofing for lighting works at the Hawth Theatre car park, as outlined in section 6.

Reasons for the Recommendations

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

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 7.41 pm

Councillor Lamb
Chair

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Crawley Borough Council

**Overview and Scrutiny Commission
19 March 2018**

**Report to Cabinet
21 March 2018**

Banning Orders and the Database of Rogue Landlords and Property Agents - The Housing and Planning Act 2016

Report of the Head of Strategic Housing and Planning Services – **SHAP/73**

1. Purpose

- 1.1 Legislation will come into force in April 2018 enabling local authorities to pursue banning orders for a number of specified offences under the Housing Act 2004. Also coming into force at this time are powers and duties on local authorities to include persons on a nationally held database of rogue landlords and property agents. This report seeks approval to use banning orders and make entries onto the database as laid out in the Housing and Planning Act 2016 as a tool to assist the Council in improving standards within the private rented sector.

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission:

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

- 2.2 To the Cabinet:

- 2.2.1 The Cabinet is recommended to:

- 2.2.2 Note and agree to the use of the new powers allowing the Council to apply for banning orders, as summarised in Sections 4.1 - 4.5 of this report.

- 2.2.3 Note and agree to the use of the new duties and powers to make entries onto the database with respect to rogue landlords and property agents, as summarised in Sections 4.6 – 4.8 of this report.

- 2.2.4 Delegate authority to the Head of Strategic Housing and Planning Services in consultation with the Head of Legal and Democratic Services to agree when banning orders are to be applied for on a case by case basis. (*Generic Delegation 3 will be used to enact this recommendation*).

- 2.2.5 Delegate authority to the Head of Strategic Housing and Planning Services in consultation with the Head of Legal and Democratic Services to agree when to exercise the power to include persons convicted of a banning order offence on the database. (*Generic Delegation 7 will be used to enact this recommendation*).

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3. Reasons for the Recommendations

- 3.1 The recommendations will enable the Council to utilise additional legislative powers in driving up standards within the private rented sector.

4. Background

Banning Orders

- 4.1 The Housing and Planning Act 2016 amended the Housing Act 2004 and introduced a range of measures to assist Local Authorities to tackle rogue landlords and property (letting and managing) agents, including the imposing of banning orders for certain specified offences, as detailed in 4.2.
- 4.2 Banning Orders – The legislation gives local authorities the power to apply to the First-tier Tribunal for a banning order for the offences set out in Appendix One.
- 4.3 The legislation also sets out the factors which a local housing authority should take into account when deciding whether to apply for a banning order:
- The seriousness of the offence of which the person has been convicted
 - Any previous convictions that the person has for a banning order offence
 - Whether the person is or has at any time been included in the database of rogue landlords and property agents and
 - The likely effect of the banning order on the person and anyone who may be affected by the order
- 4.4 If the Tribunal decides to make a banning order, the order must specify the length of the ban imposed and must last a minimum of 12 months. It may contain exceptions for some or all of the duration of the ban for the purposes of dealing with cases where there are existing tenancies and the landlord does not have the power to bring them to an immediate end, or to allow letting agents to wind down current businesses. It is the Tribunal that issues the banning order and ultimately determines the duration it will be operational for, therefore in deciding the length of ban to recommend to the Tribunal, Officers shall consider the factors listed in 4.3 above.
- 4.5 A person who breaches a banning order commits an offence and is liable on summary conviction to a term of imprisonment or a financial penalty or both. The use of financial penalties was agreed at Cabinet on 29th November 2017 through the paper SHAPS/61.

Rogue Landlord and Property Agent Database

- 4.6 The Housing and Planning Act 2016 amended the Housing Act 2004 and introduced a range of measures to assist Local Authorities to tackle poor practices in the private rented sector, including the duty to include persons with banning orders on a nationally held database of rogue landlords and property (letting and managing) agents, and the power to include persons convicted of banning order offences on the database.
- 4.7 Once in force, section 29 of the Act will impose a duty on the Council to include a person on the database once a banning order is made. In addition to mandatory entries under section 29, section 30 will give authorities the power (discretion) to include on the database those persons convicted of banning order offences and those who have been issued with civil penalties twice in 12 months. In these instances a recommendation would be made to the Head of Strategic Housing and Planning Services in consultation with the Head of

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Legal and Democratic Services to agree whether to pursue with the entry of that person on to the database.

- 4.8 Whilst the database will be held nationally, local authorities will be able to access it in order to maintain the content. All local authorities must take reasonable steps to keep information in the database up-to-date. Entries on the database can be removed or varied by the responsible authority in accordance with Section 36 of the Act.

5. Description of Issue to be Resolved

- 5.1 The provisions of the Housing and Planning Act 2016 empower local authorities to apply to the First-tier Tribunal to impose banning orders and to make entries onto a database of rogue landlords and property agents will be in effect from 6th April 2018. This report is to request that Cabinet notes the Council's new duties and endorses the use of the new powers.

6. Information & Analysis Supporting Recommendation

- 6.1 Government are not planning to release guidance regarding use of these powers until after they are introduced in April 2018.

7. Implications

- 7.1 Financial – The use of financial penalties (for breaching a banning order) was included in report SHAPS/61 and the accompanying policy, which was agreed by Cabinet on 29th November 2017.
- 7.2 Application to the First-tier Tribunal has financial impact in terms of the Legal Division's staffing resources, possible fees and cost orders against the Council, however given the likely frequency of making such an application the impact is anticipated to be low.
- 7.3 Legal – There are legal implications for the Council:
- Work will be required to develop administrative and legal procedures for applying to the First Tier Tribunal for banning orders.
 - Upon imposing a banning order, the landlord has the right to apply to the Tribunal to revoke or vary the banning order, to which the Council would need to respond.
- 7.5 Equalities Impact – The Equalities Impact Assessment has identified that the implementation of this legislation will not have an adverse equalities impact. A copy of the assessment is at Appendix Two.
- 7.6 Environmental – There are no environmental implications resulting from use of this legislation.

8. Background Papers

<http://www.legislation.gov.uk/ukpga/2016/22/contents>

<https://www.legislation.gov.uk/ukdsi/2017/9780111162224>

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Appendix One

	Act	Section	Content
1.	Protection from Eviction Act 1977	Section 1(2), (3) and (3A)	Unlawful eviction and harassment of occupier
2.	Criminal Law Act 1977	Section 6(1)	Violence for securing entry
3.	Housing Act 2004	Section 30(1)	Failing to comply with an improvement notice
		Section 32(1)	Failing to comply with a prohibition order
		Section 72(1), (2) and (3)	Offences in relation to licensing of Houses in Multiple Occupation
		Section 95(1) and (2)	Offences in relation to licensing of houses under Part 3
		Section 139(7)	Contravention of an overcrowding notice
		Section 234(3)	Failure to comply with management regulations in respect of Houses in Multiple Occupation
		Section 238(1)	Providing false or misleading information
4.	Regulatory Reform (Fire Safety) Order 2005	Article 32(1) and (2)	Fire safety offences
5.	Health and Safety at Work etc. Act 1974	Section 33(1)(c) where a person contravenes any requirement specified in regulation 36 of the Gas Safety (Installation and Use) Regulations 1998	Gas safety offences - duties on landlords
6.	Immigration Act 2014	Section 33A(1) and (10)	Residential tenancies – landlord offences
		Section 33B(2) and (4)	Residential tenancies – agent offences
7.	Fraud Act 2006	Section 1(1)	Fraud
		Section 6(1)	Possession of articles for use in frauds
		Section 7(1)	Making or supplying articles for use in frauds
		Section 9(1)	Participating in fraudulent business carried on by sole trader etc.

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		Section 11(1)	Obtaining services dishonestly
		Section 12(2)	Liability of company officers for offences by company
8.	Criminal Justice Act 2003	Schedule 15	Specified violent and sexual offences
9.	Misuse of Drugs Act 1971	Section 8	Occupiers etc. of premises to be punishable for permitting certain activities to take place there
		Section 9	Prohibition of certain activities relating to opium
		Section 9A(1) and (3)	Prohibition of supply etc. of articles for administering or preparing controlled drugs
		Section 18(1), (2), (3) and (4)	Miscellaneous offences
		Section 19	Attempts to commit offences
		Section 20	Assisting in or inducing commission outside United Kingdom of offence punishable under a corresponding law
		Section 21	Offences by corporations
10.	Proceeds of Crime Act 2002	Section 327	Concealing criminal property
		Section 328	Arrangements
		Section 329	Acquisition, use and possession
11.	Protection from Harassment Act 1997	Section 2	Offence of harassment
		Section 2A	Offence of stalking
12.	Anti-social Behaviour, Crime and Policing Act 2014	Section 30	Breach of criminal behaviour order
		Section 48	Failure to comply with a community protection notice
13.	Criminal Damage Act 1971	Section 1(1)	Destroying or damaging property
		Section 2	Threats to destroy or damage property
		Section 3	Possessing anything with intent to destroy or damage property

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14.	Theft Act 1968	Section 7	Theft
		Section 9	Burglary
		Section 21	Blackmail
		Section 22	Handling stolen goods

APPENDIX TWO - EQUALITY IMPACT ASSESSMENT

Name of activity:	Introduction of powers through the Housing and Planning Act 2016	Date Completed:	January 2018		
Division responsible for activity:	Strategic Housing & Planning Services	Lead Officer:	Hannah Martin		
Existing Activity	<input type="checkbox"/>	New / Proposed Activity	<input checked="" type="checkbox"/>	Changing / Updated Activity	<input type="checkbox"/>

What are the aims / main purposes of the activity?

The Housing and Planning Act 2016 amended the Housing Act 2004 and introduced a range of measures to assist Local Authorities to tackle rogue landlords and property (letting and managing) agents in the private rented sector, including the power to apply to the First-tier Tribunal to impose a banning order with regard to certain specified offences, the duty to include persons with banning orders on a nationally held database, and the power to include persons convicted of banning order offences on the database.

Banning Orders - The banning order must specify the length of the ban imposed and must last a minimum of 12 months. It may contain exceptions for some or all of the duration of the ban for the purposes of dealing with cases where there are existing tenancies and the landlord does not have the power to bring them to an immediate end, or to allow letting agents to wind down current businesses. A person who breaches a banning order commits an offence and is liable on summary conviction of imprisonment or a financial penalty or both.

Database - As per section 29 of the Act, duties are explicit and therefore the Council has no discretion as to whether it includes persons with a banning order on the database. Section 30 gives authorities the power, not the duty, to include persons convicted of banning order offences on the database. In these instances so a recommendation would be made to the Head of Strategic Housing and Planning Services in consultation with the Head of Legal and Democratic Services to agree whether to pursue with the entry of that person on to the database.

Whilst the database will be held nationally, local authorities will be able to access it in order to maintain the content. All local authorities must take reasonable steps to keep information in the database up-to-date. Entries on the database can be removed or varied by the responsible authority in accordance with Section 36 of the Act.

What are the main actions and processes involved?

Legislation has come into force to allow local authorities to pursue the imposition of banning orders through the First-tier Tribunal for a number of specified offences (see section 4.2 of report SHAPS/68), the duty to include persons with banning orders on a nationally held database, and the power to include persons convicted of banning order offences on the database.

Who is intended to benefit & who are the main stakeholders?

These powers were introduced by Government to tackle rogue landlords and managing agents and are designed to benefit [the increasing number of] households that are living in private rented accommodation.

Have you already consulted on / researched the activity?

Government carried out a consultation in 2016 therefore further consultation is not required.

Impact on people with a protected characteristic

Protected characteristics / groups	Is there an impact (Yes / No)	If Yes, what is it and identify whether it is positive or negative
Age (older / younger people, children)	No	Banning orders can be applied for if certain specified offences have been committed. The Act advises on the factors to be considered when deciding whether to pursue action under this legislation. The inclusion of persons on the database is dependent on the offence committed and whether the local authority has the power or duty to include them. The age of the offender or victim is not a factor in deciding whether to take action, nor will it affect/impact the outcome.
Disability (people with physical / sensory impairment or mental disability)	No	Whether a person has a disability or not has no bearing on the use of this legislation or the impact.
Gender reassignment (the process of transitioning from one gender to another.)	No	Whether a person is undergoing gender reassignment has no bearing on the use of this legislation or the impact.
Marriage & civil partnership	No	Whether a person is married or in a civil partnership or not has no bearing on the use of this legislation or the impact.
Pregnancy & maternity (Pregnancy is the condition of being pregnant & maternity refers to the period after the birth)	No	Whether a person is pregnant or on maternity has no bearing on the use of this legislation or the impact.
Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)	No	A person's race has no bearing on the use of this legislation or the impact.

Religion & belief (religious faith or other group with a recognised belief system)	No	A persons religious beliefs have no bearing on the use of this legislation or the impact.
Sex (male / female)	No	A person's gender has no bearing on the use of this legislation or the impact.
Sexual orientation (lesbian, gay, bisexual, heterosexual)	No	A person's sexual orientation has no bearing on the use of this legislation or the impact.

Whilst Socio economic disadvantage that people may face is not a protected characteristic; the potential impact on this group should be also considered	No	A person's socio economic status has no bearing on whether this legislation would be used.
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What evidence has been used to assess the likely impacts?

Government have already carried out an impact assessment, a link to which is included in the Cabinet report.

What resource implications are there to deliver actions from this EIA?

Financial – The use and impact of financial penalties (for breaches of banning orders) were covered in report SHAPS/61 and the accompanying policy which was agreed at Cabinet on the 29th November 2017.

Application to the First-tier Tribunal has financial impact in terms of the Legal Divisions staffing resources, however given the likely frequency of making such an application the impact is anticipated to be low.

Inclusion of persons on the database has no financial impact on the Council.

Legal – There are legal implications for the Council:

- Work will be required to develop administrative and legal procedures for applying to the First Tier Tribunal for banning orders.
- Upon imposing a banning order, the landlord has the right to apply to the Tribunal to revoke or vary the banning order, to which the Council would need to respond.
- The only potential legal implication regarding the inclusion of persons on the database would be if they appealed to the First-tier Tribunal and Legal representation was required, however given the likely frequency of including a person on the database the impact is anticipated to be low.

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?	No	
Does the activity have a negative impact on any of the protected groups, i.e. disadvantage them in any way.	No	

Decision following initial assessment			
Continue with existing or introduce new / planned activity	Yes	Amend activity based on identified actions	No

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
Periodically review the use of banning orders to ensure that we are being fair and proportionate in their application. Periodically review the inclusion of persons on to the database where we have the power (not the duty) to do so to ensure that we are being fair and proportionate.	Periodically review use of banning orders and inclusion of persons onto the database.	HM	NA

Monitoring & Review	
Date of last review or Impact Assessment:	Not applicable
Date of next 12 month review:	
Date of next 3 year Impact Assessment (from the date of this EIA):	

Date EIA completed:	
Signed by Person Completing:	Hannah Martin
Date Sent to HR and Equalities Team:	
Approved by Head of Service:	

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Agenda Item 8

Crawley Borough Council

Report to Overview and Scrutiny Commission 19 March 2018

Report to Cabinet 21 March 2018

Three Bridges Station Improvement Scheme

Report of the Head of Economic and Environmental Services – PES/280

1. Purpose

- 1.1 Crawley Borough Council and West Sussex County Council are working together with partners to progress proposals for a range of improvements at Three Bridges Station as part of the Crawley Growth Programme.
- 1.2 This report seeks Cabinet approval to commence the utilisation of the £1.5 million previously allocated from the Council's capital programme to the Station improvement scheme, as part of the Crawley Growth programme, so that the next detailed design phase of the scheme can be implemented and achieved.

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission
- That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet.
- 2.2 To the Cabinet
- The Cabinet is recommended to:
- a) Approve, in principle, the overall design concept for the Three Bridges Station Improvement Scheme, subject to the detailed design stage.
 - b) Approve expenditure of up to £675,000 from the £1.5 million previously allocated from the Crawley Borough Council capital programme for spend on the detailed design stage of the scheme as part of the Crawley Growth Programme.
 - c) Approve the addition of £393,759.00 of Section 106 monies to the existing Crawley Borough Council capital programme allocation to the Three Bridges station improvement scheme as part of the Crawley Growth Programme.

3. Reasons for the Recommendations

- 3.1 The proposed scheme seeks to improve access to and exit from the station, transforming the public realm and strengthening sustainable transport connections to benefit both local residents and commuters to Manor Royal and all parts of Crawley.
- 3.2 On 29 June 2016, Cabinet approved the allocation of £1.5m to the Three Bridges Station Scheme (Financial Outturn 2015/16 - FIN/385). This forms part of a wider allocation of £5.4m to support the delivery of the Crawley Growth Programme, which was reported to Cabinet on 4 October 2017 [PES/259](#).

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Cabinet approval for expenditure of up to £675,000 is now required in order to progress and achieve the detailed designs for the scheme and prepare a planning application submission.

- 3.3 Once the detailed designs are drawn up and prior to submission of a planning application, Crawley Borough Council, West Sussex County Council and partners will go out to public consultation to ensure local support for the scheme proposals and officers will subsequently go back to Cabinet in the autumn to seek approval for the detailed designs. The current concept design is therefore subject to change.
- 3.4 The S106 monies referred to in section 2.2(c) were previously approved by Cabinet for use on this scheme in the report [SHAP/43](#) dated 11 February 2015. Cabinet approval is required in order to add them to the capital programme. Furthermore, developers are often required through Section 106 planning agreements to make financial contributions towards the provision or improvement of infrastructure if a need is generated by the new developments. These monies must be spent as set out in the planning agreements and in accordance with government guidance. These monies are reported quarterly to the Planning Committee and report [PES/279](#) identifies £393,759.00 as specific Section 106 funds to Three Bridges station.

4. Background

- 4.1 In 2013 a feasibility study was commissioned by Southern Railway Ltd, West Sussex County Council and Crawley Borough Council to identify interchange infrastructure improvements to Three Bridges Station.
- 4.2 The agreed objectives of the scheme at the time were as follows;
- Improve access to the station by sustainable forms of transport
 - Improve the transport interchange facilities
 - Improve provision for the picking up / dropping off of passengers by car
 - Improve provision for the taxi rank
 - Improve the physical environment of the station forecourt area
 - Maintain safe access to the passenger car park and other uses
- 4.3 The feasibility study undertaken by AECOM reported, in 2013, on three options to improve access to Three Bridges Station. AECOM reported the findings of the study in their report titled "Three Bridges Station Forecourt Enhancement Report" dated October 2013.
- 4.4 Waterman Infrastructure & Environment were then commissioned by Crawley Borough Council to do further work on the scheme and this narrowed it down to two options.
- 4.5 The Project steering group then carried out public consultation based on two of the options, which took place during Nov-Dec 2014 and also included information about a proposed traffic light upgrade scheme (now being implemented by West Sussex County Council).
- 4.6 The consultation report issued in Jan 2015 showed that Option 1 was preferred by 62% of respondents and 94% said that the S106 funds should be spent on Station improvements.
- 4.7 On the 11th February 2015 Cabinet resolved to allocate £430,000 of S106 monies to the implementation of the scheme as per option 1, however these

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funds were not at the time added to the Crawley Borough Council capital programme, since West Sussex County Council was the lead partner.

- 4.8 In May 2015 Southern Railway Limited produced a feasibility report for a new “eastern” entrance gate line onto Platform 5, together with a new vehicle drop off zone associated with this entrance, along Station Hill.
- 4.9 In February 2016, following nine months of negotiation by West Sussex County Council with the Coast to Capital Local Enterprise Partnership in order to obtain funding, the scheme became stalled as the business case could not be supported by Network Rail.
- 4.10 On 29 June 2016, Crawley Borough Council’s Cabinet agreed to reallocate £1.5 million of Crawley Borough Council capital funds to the scheme from the Queens Square Regeneration Programme (Financial Outturn 2015/16 - FIN/385). This was made possible because officers had successfully secured £1.5 million of Local Enterprise Partnership (LEP) funding which, along with a similar level of funding from West Sussex County Council, fully funded the Queens Square scheme.
- 4.11 In September 2016 it was agreed by the Crawley Growth Board that the Council should take the lead on discussions with Network Rail to review the scheme and seek to draw up a revised project brief in line with Network Rail objectives.
- 4.12 In spring 2017, Network Rail agreed for the scheme to be revived and in September 2017 the Council secured the services of an experienced Programme Manager to drive forward the scheme.
- 4.13 In November 2017, a new Design Brief was developed based on option 1 (on the basis of the consultation responses referred to above) and Project Centre were appointed to review option 1 and also take into account the Govia Thameslink Railway (then Southern) feasibility report on a new eastern access to the station. This has resulted in the revised concept design proposal presented in this report.
- 4.14 West Sussex County Council are currently upgrading the seven junctions near the station from the SCOOT traffic light system to the MOVA operation which will see an improvement to the traffic flows at each junction and better vehicle access to the station.

5. Three Bridges Station Improvement Scheme – Revised Design Concept Proposal

- 5.1 The revised objectives of the scheme are as follows;
- Improve the physical environment of the station forecourt area
 - Improve the taxi rank
 - Improve provision for picking up/dropping off of passengers by car / taxi
 - Improve the transport interchange facilities / review bus shelters & cycle links
 - Improve access to the station by sustainable forms of transport
 - Improve significantly pedestrian access by creating a new eastern entrance / exit point to the station at platform 5
 - Improve access to buses from the station and upgrade the quality of the bus shelters
 - Review parking facilities to offset any spaces lost as a result of the proposals.

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- 5.2 Following sessions with a range of stakeholder groups additional objectives have been added;
- Provide an attractive, safe and accessible sustainable transport gateway and node into Crawley, as per the Crawley Growth Programme.
 - Deliver improved safe, direct and inter-connected pedestrian and cyclist access to and from the station by sustainable forms of transport (walking, cycling and public transport, electric cars), particularly in relation to Manor Royal Business District and Crawley Town Centre.
- 5.3 The dialogue with key stakeholder groups, including Network Rail, Govia Thameslink Railway, West Sussex County Council, the Taxi Association, Town Access Group (TAG) and the Cycle Forum, has proven to be invaluable in helping to inform the revised concept designs, which are presented in Appendix A.
- 5.4 Appendix A comprises an illustrative map with numbers to indicate where the proposed changes to the designs are located, alongside explanatory text to explain the nature of each change and an artist's impression of the redesigned forecourt. The key changes proposed are all subject to further assessment at detailed design stage and are as follows:
- 5.5 **Enhanced Parking Provision / A new vehicle Waiting Zone for the public –** Reconfiguring the car park provides an additional 6 parking spaces and creates space for the construction of dedicated new pick up and drop off waiting area for the public, which would comprise 17 spaces. This area would also be used for the occasional bus replacement service, a capacity for up to 8 buses.
- 5.6 **Enlargement of the Taxi Rank –** The provision at the front of the station for an enlarged taxi rank for up to 22 taxis with a two lane exit, which also takes away the need for a stopping up order to transfer the ownership of a small area of land within the forecourt, from the Council to Network Rail.
- 5.7 **Sustainable Transport Hub –** This revised proposal creates 9 additional electrical vehicle charging points in the car park, 40 additional bicycle parking spaces, new pedestrian crossings, significantly improved cycle route access, the creation of two bus Superhubs – (state of the art bus stops equipped with Wi-Fi, phone charging points etc.), an additional bus shelter and the relocation of another bus stop closer to the station. This will significantly increase the ability for people to access and exit the station more safely and by sustainable modes of transport.
- 5.8 **A brand new Eastern Access –** The revised proposal seeks to create an Eastern Access via platform 5 of Three Bridges station for bus passengers, pedestrians and cyclists, whilst also providing sufficient parking spaces for staff working at the Network Rail depot.
- 5.9 **Transforming the Forecourt –** The revised proposal aims to provide new and better quality public space on the forecourt at the front entrance of the station, comprising high quality paving, raised planters, trees and soft landscaping, feature steps and a ramp to enhance disabled access.
- 5.10 **The option to remove the right hand Turn -** The concept design for the Three Bridges Station improvement also refers to a proposal to remove the right hand turn out of the station in order to increase the amount of space for pedestrians and cyclists to access the station and further enhance traffic flows by increasing "green time" on Haslett Avenue East for town centre bound traffic. At detailed design stage a thorough and robust analysis will be undertaken to determine

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whether removing the right hand turn is viable, taking account of the impact of its removal on local residents. The outcome of this investigation will be presented as part of the detailed designs, which will be the subject of further public consultation, ahead of a report to Cabinet seeking approval for the detailed designs and then, subject to Cabinet approval, the submission of a planning application.

- 5.11 Once the detailed designs are drawn up and prior to submission of a planning application, Crawley Borough Council, West Sussex County Council and partners will go out to public consultation to ensure local support for the scheme proposals and officers will subsequently go back to Cabinet in the autumn to seek approval for the detailed designs. The current concept design is therefore subject to change.

6. Information & Analysis Supporting Recommendation

- 6.1 The Programme Manager has held meetings with a range of stakeholder groups including: Economic Regeneration Working Group (to which all Crawley Borough Council and Crawley West Sussex County Councillors members were invited), the Town Access Group, Hackney Carriage Association, Cycle and Walking Forum, Three Bridges Community Forum, County Local Committee (CLC) and ward councillors. Other forums and stakeholders were offered an information session briefing of the scheme but did not take up the offer.
- 6.2 The feedback received from the key stakeholders has been very positive as regards the overall scheme, and the revised concept designs well received. Queries raised by residents and stakeholders about specific aspects of the overall scheme have been added to and then answered on a dedicated Frequently Asked Questions page, which can be found on-line on the www.regeneratingcrawley.org.uk web site and also at Appendix B.
- 6.3 From 12th February to 5th March 2018, six information sessions were delivered to the general public; one in County Mall, one at Crawley Library and four sessions at various times inside Three Bridges station. The majority of the sessions were well attended with people providing feedback either at the time or via a dedicated email address. Feedback continues to be collated and analysed to inform preparations for the detailed design stage when outstanding queries will be taken into account.
- 6.4 The Council and partners are committed to undertaking a thorough investigation as part of the detailed designs process in order to determine whether or not the removal of the right hand turn is viable and to identify alternative solutions if required.
- 6.5 The Scheme is being project managed by Crawley Borough Council, working in close partnership with Govia Thameslink Railway, Network Rail and West Sussex County Council. These partners have all confirmed their commitment to the scheme by joining the Project Steering Group and agreeing the Terms of Reference for the group.
- 6.6 The next steps for the Scheme, subject to Cabinet approval, will be as follows;
- Further develop the concept to a level of detailed design particularly responding to and mitigating resident concerns raised during the information sessions.
 - Undertake a further period of public consultation on the detailed designs.
 - Submit a report to Cabinet seeking approval for the final version of the detailed designs.

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- Subject to Cabinet approval, submit a full planning application
 - Develop construction specification details to enable works tendering of the project.
 - Subject to planning permission a procurement process will be undertaken to let the construction contract and appoint a contractor to undertake the works, which will require Cabinet approval.
 - The intention is for the scheme works to commence on site by January 2020.
- 6.7 Govia Thameslink Railway (GTR), Infrastructure Director, said:
“Crawley Borough Council's proposed investment in interchange infrastructure improvements at Three Bridges Station is welcomed and will most certainly further improve the ease of use of the station for all the rail passengers. A timely improvement that GTR fully support.”
- 6.8 Network Rail Route Enhancement Manager, said: “We fully support the Crawley Growth Programme plans to improve connectivity for pedestrians, cyclists and motorist at Three Bridges station. Well connected stations are a vital link for local communities and mean better journeys for rail passengers.”
- 6.9 West Sussex County Council is pleased to support the development of the Three Bridges station project, a critical project within the Crawley Growth Programme. West Sussex County Council supports progressing this work forward to a detailed design stage, which will enable us to consider the communities feedback, undertake traffic modelling and identify a clear and viable scheme that will improve the major transport hub that is Three Bridges Station.

7. Implications

- 7.1 The report seeks approval for an allocation of up to £675,000 from the £1.5 million previously allocated from the Crawley Borough Council capital programme for spend on the detailed design stage of the scheme. This is an integral part of the Crawley Growth Programme and will enable the delivery of the detailed design work.
- 7.2 Govia Thameslink Railway and Network Rail are not funding the scheme but they have provided corporate commitment and staff support to enable us to proceed with the scheme and are helping us to navigate through their organisations, with some partners aiming to cover their own costs.
- 7.3 The main risks associated with the scheme are as follows;
- a) **Land ownership issues** - The discussions that we will be having in the near future will be around whether the whole of the enlarged taxi rank area and the public vehicle waiting area should become adopted public highway or whether parts of it should solely remain within the ownership of Network Rail and leased to Govia Thameslink Railway. The preferred option is for all of the proposed enlarged taxi rank area and public vehicle waiting area to become adopted public highway.
 - b) **Unforeseen additional costs** – incorporating additional elements to the scheme may result in additional costs. There is a risk of unforeseen costs being identified at the detailed design stage, which would either require additional funds or an alteration of the scope of the scheme.
 - c) Ongoing support from Govia Thameslink Railway is dependent on the scheme having a resource “cost neutral” impact on them.

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- d) **Eastern Access** -Land and Infrastructure Challenges –There will need to be an agreement put in place with the landowners of the Eastern Access zone to enable the scheme works to take place - this will therefore be subject to successful negotiations. The next detailed design stage will ascertain the requirements and full costs for the partial demolition of a section of the retaining wall if required. The wall is a sizeable structure, approximately 5-6m high and a section approximately 50m long would need to be removed to facilitate construction of the Eastern Access vehicle drop off area. A section of the wall may need to be replaced and relocated. In addition there are complex land ownership issues that need to be investigated and these may reveal unforeseen costs.

- e) **Construction Logistics** - The station will need to remain operational throughout the construction period and must ensure continuation of all public access around the station. As a result, this will impact on the programme for the construction as the sequencing of the work will need to be carefully planned and approved by all parties. This is proposed to take place as early as possible in the project design stage with the final proposals being developed when the Contractor is appointed (subject to cabinet approval), which is expected in the autumn of 2019.

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8. Next Steps

8.1 The following provides an indicative outline of the proposed future programme;

Activity	When Apr-Jun- Qtr1 Jul-Sep- Qtr2 Oct-Dec- Qtr3 Jan-Mar- Qtr4	Comment
Develop Detailed design Delivery Plan and overall Programme	Quarter 1 2018/2019	This is in line with the Council's commitment to respond to resident concerns raised at the information sessions, including the – "no right hand turn"; This will include action to identify where possible mitigation / design solutions. Commence land negotiations.
Information Gathering/Data Collection Develop and complete comprehensive detailed designs, ready for public consultation.	Quarter 2 / 3 2018/2019	Carry out Traffic Impact Assessment on proposed design – this will include comprehensive traffic modelling, examining in depth the impact of the proposals to remove the right hand turn and to create an Eastern access vehicle drop off point. Continue Land Negotiations Scope, Commission and Carry Out Site Investigations (e.g. Ground Penetrating Radar, Traffic Studies, Retaining Wall investigations, Pavements testing, environmental etc.) Develop and refine design details
Public consultation On detailed design proposals	Quarter 3 2018/2019	Undertake further public consultation with local residents and stakeholders to ensure sufficient local support prior to submitting the planning application.
Report to Cabinet seeking approval for final version of detailed designs Prepare and submit Planning Application Planning Process	Quarter 3 / 4 2018/2019	Continue Land Negotiations Submit Planning Application Planning Process

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Complete Planning Process	Quarter 1/2 2019/2020	Secure planning permission
Completed Detailed Design		Finalise Detailed Design
Stakeholder formal Approvals		Obtain formal Network Rail and Train Operating Company approval to proposals
Section 278 Highway Application		Make Section 278 Highway Application to West Sussex County Council Continue / finalise Land negotiations
Works Procurement	Quarter 2/3 2019/2020	Produce Tender Documents Carry out Open Tender process Tender Evaluation and review Seek Cabinet approval for appointment of Contractor. Appoint Contractor
Start on site	Quarter 4 2019/2020	Construction Commences

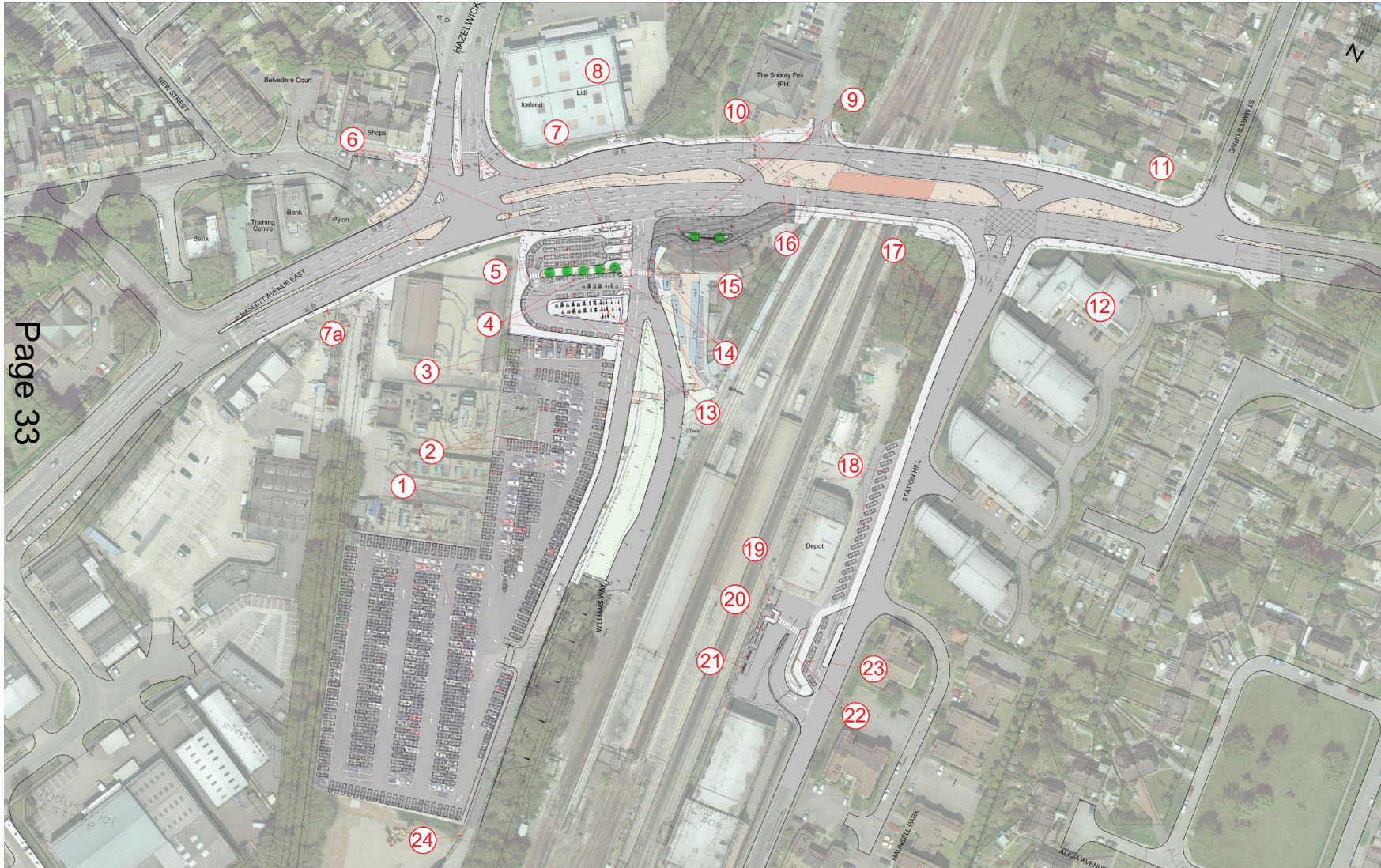
9. Background Papers

- 9.1 Report to Cabinet 11 February 2015, Three Bridges Station Forecourt Project (SHAP/43)
- 9.2 Report to Cabinet 29 June 2016, Financial Outturn 2015-16 (FIN385)
- 9.3 Report to Cabinet 4 October 2017, Proposed Crawley Growth Programme 2017-21 (PES/259)
- 9.4 Report to Planning Committee, Section 106 Monies – Q2&3 2017/18, PES/279

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The revised proposal map Appendix A



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Appendix a

Key to revised proposal map

1. Reconfigure the existing car park to provide six additional spaces. The current capacity is 395. This reconfiguration will release space to construct the new taxi rank, drop-off and waiting area.
2. Possible location for up to 14 new electric vehicle charging spaces.
3. Ten disabled spaces located nearest to the station, a net gain of one additional space on existing provision.
4. New circular drop-off / pick-up area with a 20-minute maximum stay. The area allows for approximately 17 spaces and will be occasionally be utilised for bus replacement services, accommodating approximately eight buses.
5. New expanded taxi rank area (in a similar location to the existing rank) with access from the drop-off area. Space for approximately 22 taxis, with a two-lane exit and pick up.
6. Junction and traffic light improvements carried out by West Sussex County Council, including improved pedestrian crossings.
7. Additional bus shelter and a longer stop to cater for the closure of bus stop C (Ref 7a) for improved access from the station to buses into the town centre.
8. Possible additional bus shelter located on private land to improve the quality of the bus stop area for pedestrians.
9. Closure of the right-turn facility from the station onto Haslett Avenue East. Removal of the traffic island in front of the station.
10. Relocated traffic lights and pedestrian crossings following the closure of the right-turn facility.
11. Existing 'build out' removed by West Sussex County Council to increase road space and improve flow for westbound traffic .
12. Current lane designation changed to left-turn only by West Sussex County Council.
13. Motorcycle parking area with space for approximately 50+ motorcycles.
14. Footpath extended to allow safe pedestrian and cyclist access from crossing to remodelled forecourt, to the car park, drop-off area and taxi rank. This will require the removal of the existing fence to the garden of the station house. There will be additional pedestrian crossings from the waiting and drop-off areas.
15. Forecourt improvements to provide new, larger, better quality public space and gateway feature to the station. Proposals include high quality paving, raised planters, trees and soft landscaping. There will be feature steps and ramp to enhance disabled access. Installation of a row of trees between drop-off area and taxi rank.
16. Relocated traffic lights and pedestrian crossings following the closure of the right-turn facility.
17. Footpath extended to remove kerb-side traffic lane, allowing for wider shared foot / cycle path linking to the station and cycle parking facilities via Station Hill.
18. Removal of the existing self seeded trees and shrubs, which are not protected by Tree Preservation Orders, to allow the construction of an extended staff car parking area for the depot, enabling the construction of the Eastern Access drop-off area.
19. New pedestrian entrance to the station.
20. New disability compliant pedestrian ramp and steps to allow access to platform level.
21. Additional two-tier bicycle shelter for approximately 40 bicycles.
22. New retaining wall to allow the construction of the Eastern Access drop-off point.
23. Eastern access drop-off point for five vehicles.
24. Potential new cycle route from Furnace Green, linking to Three Bridges Station, Worth Park Avenue and routes to Manor Royal and the town centre.

Artist's impression of forecourt



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Appendix a

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Frequently asked questions Appendix B

1. What are the proposed improvements to Three Bridges Station?

Crawley Borough Council, Govia Thameslink Railway, Network Rail and West Sussex County Council are proposing to redevelop Three Bridges Station forecourt and the area around the station.

Using feedback obtained from the original public consultation that took place in November 2015, changes are being proposed to the concept design in the following key areas;

- The creation of additional parking spaces at the station;
- Adding in a pick-up and drop-off point along Station Hill for up to five vehicles – creating an Eastern Access for bus passengers, pedestrians and cyclists to the station;
- The provision at the front of the station of an enlarged taxi rank in an accessible location with a two lane exit, with an increased capacity for up to 22 taxis;
- The provision of a 20-minute pick-up and drop-off area for up to 17 cars, which will be used for occasional rail replacement bus services;
- The introduction of additional pedestrian crossings for safely accessing and exiting the station;
- The introduction of new walking and cycle routes into the station alongside new cycle parking;
- The introduction of new “superhub” bus stops
- The addition of a bus shelter and the relocation of a bus stop.

2. Is there scope to extend the car park area further within the new proposal, using the land to the South of the existing car park?

It's not possible, as the land to the south is part of the land for the Thameslink maintenance depot (CR/2011/0093/FUL) and is a wetland habitat area to compensate for loss of ecological habitat at Tilgate Brook.

3. Is there scope to build a single storey or multi storey car park in this area?

Since the electricity power lines are live, the costs of decommissioning the pylon and/or diverting the power mean that this is not a feasible option.

4. What is to stop people parking in one of the 14 electrical vehicle charging areas all day therefore taking up precious space, will there be a charge?

This will be addressed as part of a Traffic Management Plan for the scheme, which will be drawn up as part of the preparation of the planning application.

5. If there is only one access route into both the taxi pick up and drop off area and the public waiting area is there a possibility that the taxis could use the public space and therefore it clog up?

This is a management/ enforcement issue, so the partnership will ensure implementation of a Traffic Management Plan for the scheme further down the design process, in order to address the issues raised.

6. When the bus replacement service is in operation, would taxis be able to enter through one of the taxi exit lanes so as not to interfere with the replacement service – meaning that there would only be one queue for taxis and one pick up point during bus replacement times?

This would not be possible for safety reasons, however, it is possible that with local traffic management arrangements, the taxi rank could still be used when the rail replacement service is in operation, in its normal way.

7. Will there be a taxi rank at the proposed Eastern Access?

Taxis will be able to drop off and pick up passengers at the Eastern Access and there will be a significantly enlarged taxi rank at the front of the station.

8. Is there sufficient space around bus stop A (No. 7 on the map) for it to be a “Superhub” bus stop – as there is concern that the taxi rank may be too close?

This was considered by the designers and there will be sufficient space for the superhub.

9. **Will the bus shelter at bus stop B happen regardless of the scheme?**
As this is on private land, this will be subject to the land owner's consent and agreement with Crawley Borough Council.
10. **Will there be more than one pedestrian access out of the car park and will another entrance be created for use during the bus replacement service?**
Yes, there will be an access at the front of the car park, near the side entrance into the station and one pedestrian entrance near the vehicle entrance to the car park. Another entrance into the car park will not be required during the bus replacement service because the bus replacement service will be located at the front of the station and not in the current car park.
11. **Would the reduction from three lanes to two at the front of the station under the bridge – not worsen the traffic flow?**
No – the aim of the Haslett Avenue East Junction refurbishment scheme, undertaken by West Sussex County Council is to improve the flow of traffic. Combining this with the proposed removal of the right hand turn out of the station takes away a red phase on the lights under the bridge therefore improving traffic flow. There will still be a requirement to undertake further traffic modelling once the design concept is agreed.
12. **Was a roundabout considered outside the station near the junction of Hazelwick Avenue?**
This option was considered but was deemed as not being feasible as there is insufficient space.
13. **Would there be a negative impact on air quality as a result of the scheme?**
This scheme will provide more and improved sustainable transport options to access the station e.g. buses, cycle and pedestrians, which will reduce the need to use the car. This should have a net beneficial effect on air quality and will be monitored as part of the scheme.
14. **When vehicles come out of the station, will there be an opportunity for them to do a U-turn at the junction of Hazelwick Avenue or could it be that taxis only can do a U-turn at this junction?**
It will not be permitted for any vehicle to do a U-turn at this junction as it would be turning into traffic.
15. **If there is no U-turn please advise what route those going towards Station Hill or Pound Hill will need to take?**
The Eastern Access on Station Hill is being proposed as an alternative drop off and pick up point. For those using the front of the station, there will be alternative routes such as turning around via Stephenson Way or using the "Holiday Inn" roundabout then back along Haslett Avenue East or right into Hazelwick Avenue from there right into Bycroftway and right again to join St Mary's Drive, which will access Haslett Avenue East – eastbound.
16. **There are 10 disabled spaces proposed in this scheme is that enough?**
There are currently nine disabled parking spaces and this scheme proposes to increase overall parking by six spaces, one of which will be a disabled space. Govia Thameslink Railway currently have a dispensation that allows for nine spaces that comply with The Equality Act 2010.
17. **Does the whole scheme comply with the The Equality Act 2010?**
The scheme will provide access to the station that complies with The Equality Act 2010.
18. **Will there be any additional cycle parking?**
This scheme proposes to provide 40 additional stacked cycling bike parking spaces as part of the proposed Eastern Access.
19. **Concerns were raised about causing congestion at the Eastern Access (Station Hill) particularly in the evenings and how might that be managed?**
This is an enforcement management matter and will be taken into account at the further design stage of the scheme. The introduction of new traffic signals on Haslett Avenue East (currently being put in place by West Sussex County Council) should reduce congestion and the strengthening of different sustainable transport options to access and exit the station, e.g. walking, cycle and bus, will also reduce the need for car use to access the station and the risk of congestion.

- 20. Can we ensure that the right hand turn out of the station will not be taken away until the Eastern Access is complete?**
The intention is for the right hand turn out of the station to be removed once the Eastern Access is complete.
- 21. Will there be a filter on the lights for cars turning left into Station Hill from Haslett Avenue East?**
This is not being considered as part of the Haslett Avenue East junction refurbishment scheme being undertaken by West Sussex County Council, however for the Three Bridges station improvement scheme this will be considered at the detailed design stage.
- 22. Will I be able to buy a ticket at the new Eastern Access to the station and access any platforms within the station?**
It is proposed that there will be a new gateway to the station where passengers will be able to purchase a ticket and access any of the platforms at the station.
- 23. What impact will the scheme have on the highway and traffic flows?**
A traffic modelling exercise will be undertaken as part of the next process of the detailed design to ensure design solutions that will minimise the risk of congestion.
- 24. What are the next steps for the Scheme?**
- There will be a series of information sessions to show the revised design option between 12 February and 5 March;
 - Concept designs approved by all the major stakeholders to enable a report to Crawley Borough Council Cabinet on 21 March 2018 asking for approval to move to the next phase of design;
 - The next phase of design will further develop the concept to a level of detail to enable a full planning application.
 - Construction specification details will be completed to enable tendering of the project, subject to planning permission.
 - A procurement process will be undertaken to let the construction contract and appoint a contractor to undertake the works.
 - The intention is for the scheme to commence on site by September 2019.
- 25. How do I make comments or find out more about the scheme?**
You can get regular updates by visiting www.regeneratingcrawley.org.uk/three-bridges and email any comments to 3bridgescorridor@crawley.gov.uk by 5 March

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Crawley Borough Council

**Report to Cabinet
21 March 2018**

Irrecoverable Debts 2017/2018

Report of the Head of Finance, Revenues and Benefits - **FIN/436**

1. Purpose

- 1.1 The purpose of this report is to obtain approval to write-off a debt that is considered to be irrecoverable and exceed the delegated limit of £50,000 per write-off. A summary of debts to be written-off under delegated powers is also set out in the report.

2. Recommendations

- 2.1 Cabinet is recommended to approve the write-off of the Business Rates debt as set out in the report (Section 5).

3. Reasons for the Recommendations

- 3.1 The Council's Constitution necessitates amounts exceeding £50,000 requiring write-off to be approved by the Cabinet.

4. Background

- 4.1 During the financial year 2017/2018, the Council is due to collect around £300 million in business rates, council tax, rents and other charges for services provided. There is a set period of time, according to the type of debt, in which the debt should be paid to the Council. If payment is not received within this period, debt recovery action is started, appropriate to the type of debt
- 4.2 At all stages of debt collection the Council seeks to enter into a dialogue with the debtor and provide advice (for example on housing benefit) and where to obtain external debt advice. Disappointingly, many debtors fail to respond to correspondence. This is true of all types of debt from both individuals and businesses.
- 4.3 Despite robust procedures being taken, some debts remain unpaid and prove to be irrecoverable. Reasons for this include bankruptcy, being unable to trace the debtor despite the use of tracing agents, death of a debtor where there is no estate, or uneconomic to collect for small balances.
- 4.4 Under the current scheme of delegation within the Council's Constitution, the Leader of the Council is delegated with the function of approving the writing-off of irrecoverable debts up to £50,000 and the Head of Finance, Revenues and Benefits

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is delegated with the function of writing off debts not exceeding £2,500. All other debts require write-off approval by the Cabinet.

- 4.5 In accordance with the Council's Financial Procedure rules, Legal constraints and Audit Commission guidelines, Councils are required to regularly review any outstanding debts and write off irrecoverable balances. The Council has been encouraged to avoid keeping debts 'on the books' without a realistic prospect of recovery.

5. Debt requiring approval for write-off

- 5.1 The debtors with arrears in excess of £50,000 requiring write-off, totalling £169,134.65 is shown in the following table. This debt is in respect of unpaid Business Rates:-

Name & Address	Reason	Total £
Trustees of Emergency Aid Victory House Manor Royal	Charity in Liquidation	107,181.80
Mar City Homes Ltd Zurich House East Park	Received part payment following Court action	61,952.85
		<hr/> 169,134.65

- 5.2 The outstanding debts have been fully investigated and legal advice has been sought but due to the circumstances they are considered irrecoverable. Any monies received for debts that have been authorised for write-off are written back onto the debtor's accounts.
- 5.3 The business rates retention scheme was introduced in April 2013. Under the scheme local authorities receive a share of any growth in business rates, but equally have to share the burden if business rates fall. For 2017/18, the Council is showing that business rates for the year are slightly higher than the baseline set by the government. As such, the Council is due to pay a levy on the rates retained above the baseline. Any reductions in business rates from write-offs would reduce the retained rates, but also reduce the levy payable. The net impact is a cost to the General fund of 20% of all write-offs.

6. Other Debts Written-Off Under Delegated Powers

- 6.1 The Council's Constitution allows the Leader and the Head of Finance, Revenues and Benefits to write-off debts up to the value of £50,000 and £2,500 respectively. The following table provides the Cabinet with a summary of other debts that have been written off under delegated powers during the financial year 2017/2018:-

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	Debt up to £2,500	Debt £2,501 to £50,000	Total £
Rent Deposits	21,023.93	0	21,023.93
General Debts	3,015.18	10,720.47	13,735.65
Housing Rents	5,007.26	5,564.22	10,571.48
Bed & Breakfast	50,253.62	0	50,253.62
Overpaid Benefit	19,569.13	26,665.17	46,234.30
Council Tax	137,692.99	0	137,692.99
Business Rates	12,898.74	197,407.23	210,305.97
TOTAL	249,460.85	240,357.09	489,817.94

7. Information & Analysis Supporting Recommendation

- 7.1 The action taken on each debt will depend on the nature of the debt and the debtor as set out in the Council's Corporate Debt policy. However, no debt is written off without good reason and all write-offs are subject to potential audit to ensure adherence to Council processes.
- 7.2 While every effort is made to maximise income, some irrecoverable debts will occur. The amounts to be written off are within the expected range for non recoverable debts and are within the budgeted provision.

8. Implications

- 8.1 Sufficient provision has been made within the Council's accounts to cover the cost of the write-offs detailed in the report and therefore writing off these debts will not affect the Council's financial position. There are no legal implications arising from this report.

9. Background papers

None

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Crawley Borough Council

Report to Cabinet
21 March 2018

To Approve Options for the Council's Insurance

Report of the Head of Finance, Revenues, and Benefits – **FIN/441**

1. Purpose

- 1.1 This report seeks formal approval for Crawley Borough Council to become a founding member of a local government mutual insurance scheme.

2. Recommendations

- 2.1 The Cabinet is recommended to:

- a) Approve the Council's participation as a Founding Member of the new Local Government Mutual.
- b) Nominate the Leader of the Council to be appointed as a Founding Member committee member and to oversee and make strategic decisions in respect of the Mutual's build phase activity pending trading.
- c) Delegate authority to the Head of Finance, Revenues and Benefits in consultation with the Leader of the Council to approve and execute any documentation necessary to give effect to recommendation 2.1 (a) above. (*Generic Delegation 8 will be used to enact this recommendation*).
- d) To note that a further report with a business case for utilising the mutual would come back to Cabinet when the Council's current long term agreement for insurance cover comes to an end.

3. Reasons for the Recommendations

- 3.1 Local Government Mutual aims to offer the prospect of affordable, high quality risk transfer and risk management through a mutual structure for the benefit of the local government sector. It may make a valuable contribution to sector-wide efficiencies and financial stability. Participation in the manner described above allows the Council to contribute to the establishment of the new Mutual without exposing itself to any financial or operational risk.
- 3.2 To confirm there is no commitment to using the services of the Mutual at this stage or in the future, unless there is a justifiable business case.

4. Background

- 4.1 Councils currently spend hundreds of millions of pounds on insurance nationally. The Local Government Association (LGA) has been exploring options to develop a cost effective alternative to the conventional insurance market products and services available to local authorities.

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- 4.2 A phase of research has been undertaken with a broad range of local authorities including interviews with LGA members, analysis of the current insurance models and talking to key providers in the market. A viable potential alternative identified is pooling the risk of LGA members to form a discretionary mutual, where all surpluses are retained in the mutual.
- 4.3 The LGA wants to work with a small number of leading authorities with a view to developing a new mutual for local government which will aim to offer comparable cover to LGA members at a competitive rate.
- 4.4 The LGA is confident that a local government mutual can deliver better cover and service at a reduced cost. By way of example, The Fire & Rescue Indemnity Company – set up in 2015 by nine fire authorities – achieved a surplus of £471,428 in its first year of trading – 12.5 per cent of their contributions, and has been nominated for industry awards.
- 4.5 Mutuals have an inherent interest in sharing best practice and supporting their members to manage risks more effectively, thereby helping to reduce risk related incidents over time.
- 4.6 The LGA is not asking founding members to change their insurance arrangements – the Mutual's board will operate a methodical admissions process.
- 4.7 Founding members would need to provide an elected member to join the Mutual's Board and help establish its governance and management arrangements and oversee its launch.

5. Proposal

- 5.1 There is an opportunity for Crawley Borough Council to join the Local Government Mutual as a founding member.
- 5.2 There is no obligation on Crawley Borough Council to utilise the Mutual subsequently. The existing contracts for insurance are due to be replaced on 1st April 2019 and a further Cabinet report would be come forward when the Council's agreement for insurance cover expires.
- 5.3 The Mutual would be owned and controlled by its members and professionally managed by Financial Conduct Authority authorised industry experts.
- 5.4 Founding Member Tasks

A company such as the Local Government Mutual acts through two bodies of people – its members and its board of directors.

The tasks of the Founding Members will in the ordinary course of events be limited to:

- a) subscribing to the memorandum of association of the Local Government Mutual in order to incorporate the company; and
- b) adopting the Mutual's Rules and new Articles of Association which will convert the new Mutual to mutual trading status and allow it to accept risks.

The tasks of new company's board of directors will be, inter alia, to:

- a) procure the Mutual management services;
- b) procure supporting insurance arrangements;
- c) adopt a business plan, prospectus and member admissions process; and

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d) have general oversight of the build activity

6. Financial Implications

6.1 The Local Government Mutual will be a company limited by guarantee, and the guarantee will be set at £100 per member. This means that the legal liability borne by the Founding Members, once they join the mutual, will be limited to £100.

7. Other Implications

7.1 There are a few possible scenarios under which Founding Members could become liable for greater amounts than the legal liability borne limit of £100. These have a low probability and in each case steps can be taken to ensure the risk is controlled and limited.

8. Background Papers

8.1 None.

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
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