

Crawley Borough Council

Cabinet

Agenda for the **Cabinet** which will be held in **Ashurst Hall - The Charis Centre**, on **Wednesday, 10 January 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 - 18
To approve as a correct record the minutes of the Cabinet held on 29 November 2017.	
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. 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.	
6. Disabled Facilities Grant Policy	19 - 28
<i>Housing Portfolio</i>	
To consider report SHAPS/67 of the Head of Strategic Housing and Planning Services which was referred to the meeting of the Overview and Scrutiny Commission held on 8 January 2018.	
7. Proposed Manor Royal Business Improvement District (BID) Renewal	29 - 48
<i>Planning and Economic Development Portfolio</i>	
To consider report PES/266 of the Head of Economic and Environmental Services.	

	Pages
8. Procurement Shared Service - Future Delivery Model <i>Resources Portfolio</i> To consider report HPS/11 of the Head of Partnership Services.	49 - 52
9. Improvement and Efficiency Social Enterprise (iESE) <i>The Leader's Portfolio</i> To consider report LDS/134 of the Head of Legal and Democratic Services.	53 - 58
10. Supplemental Agenda Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.	

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Crawley Borough Council

Minutes of Cabinet

Wednesday, 29 November 2017 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
Russell Allison	Housing Enabling and Development Manager
Diana Maughan	Head of Housing Strategic and Planning Services
Clem Smith	Head of Economic & Environmental Services

1. Disclosures of Interest

No disclosures of interests were made by Councillors

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

2. Minutes

The minutes of the meeting of the Cabinet held on 25 October 2017 were approved as a correct record and signed by the Leader.

3. Public Question Time

There were no questions from the public.

4. Further Notice of Intention to Conduct Business in Private and Notifications of any Representations

The Head of Legal and Democratic Services reported that no representations had been received in respect of any of the following agenda items: 17, 18 and 19: *Acquisition of College Car Park Scheme – Affordable Housing Opportunity, Authority to Appoint a Contractor for 83-87 Three Bridges Road Crawley Development and Multi-Functional Device (MFD) Tender Process*, respectively.

5. 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.

6. Treasury Management Mid-Year Review 2017-2018

The Leader presented report FIN/426 of the Head of Finance, Revenues and Benefits highlighting that the Council was required to consider a treasury management report on a twice yearly basis to ensure Councillors were able to monitor the Council's finances and to review how they were being invested.

It was noted that there were no grounds for concerns, but the significant change since the last update report, was that interest rates had risen and were expected to rise again in the not too distant future.

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 27 November 2017.

RESOLVED

That Cabinet notes report FIN/426 and the treasury activity for the first two quarters of 2017/2018.

Reasons for the Recommendation

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

7. Town Centre Signage & Wayfinding

The Cabinet Member for Planning and Economic Development presented report PES/252 of the Head of Economic and Environmental Services which highlighted the findings of a signage and wayfinding audit that had been conducted across the town centre. The Cabinet noted the proposals including the introduction of clear signage and wayfinding signs across the town centre. Examples of the proposed signs and suggested locations were also included in the report.

In considering the report the Cabinet were supportive of the proposal, but did feel that some of the images on the proposed signs were quite 'abstract' and might need further consideration. Generally, Members were pleased with the idea and hoped that the new signs should help both residents and visitors, to travel throughout the Town Centre more efficiently.

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 27 November 2017. The Cabinet thanked the Commission for their in-depth discussion on this very public facing proposal. In response to the Commission's two requests, the Cabinet were happy to support the first proposal that some further public consultation on the signage designs, particularly the symbols to ensure consistency with recognition and interpretation, be held. On their second proposal, Cabinet requested that the Head of Economic and Environmental Services in consultation with Cabinet Member for Planning and Economic Development, investigated further the need for a 'meeting point' being included in the proposed signage at a prominent location. They also delegated the authority to the Head of Service to add such a 'meeting point' to the plans as appropriate.

RESOLVED

That the Cabinet

- 1) approves the signage and wayfinding audit in the town centre.
- 2) delegate authority to the Head of Economic and Environmental Services in consultation with the Cabinet Member for Planning and Economic Development to spend up to the allocated budget of £180,000 on the Town Centre signage and Wayfinding project.
- 3) delegates the authority to the Head of Economic and Environmental Services in consultation with the Cabinet Member for Planning and Economic Development to agree the final design and placement locations of the signs, subject to some public consultation over the images to be used on the signage and further consideration over the need for a 'meeting point' being included in the proposed signage at a prominent location.

Reasons for the Recommendations

This project will replace the town centre's existing tired and broken signage with modern, high quality and easily maintainable signage.

Effective wayfinding situated in suitable locations, and including maps, will enable residents and visitors to better navigate and explore the town centre.

8. Town Centre Regeneration Programme 2nd Edition

The Cabinet Member for Planning and Economic Development presented report PES/261 of the Head of Economic and Environmental Services which presents a summary of that progress and seeks approval of a revised, updated version of the Town Centre Regeneration Programme (TCRP) which was first published in February 2016.

The Cabinet were pleased how successful the first TCRP had proven to be, as it was seen as an aspirational document and most of those aspirations had been reached. It was hoped the updated version would continue in such a successful manner.

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 27 November 2017.

RESOLVED

That the Cabinet

- 1) approves the draft, updated Town Centre Regeneration Programme (Appendix A), prior to a period of stakeholder consultation as set out in section 7.2 of the report
- 2) delegate authority to the Head of Economic and Environmental Services in consultation with the Cabinet Member for Planning and Economic Development to:
 - (i). Approve the final draft of the Town Centre Regeneration Programme, noting and considering any responses or representations received following the period of stakeholder consultation;
 - (ii). Regularly update the programme to take into account the delivery details of the individual town centre regeneration schemes listed within it, as they come forward;

Reasons for the Recommendations

This report seeks Cabinet approval for the draft, updated TCRP prior to a period of consultation with stakeholders, businesses, employers and the local community.

9. Crawley 2030: Supplementary Planning Document (SPD) - Affordable Housing

The Cabinet Member for Planning and Economic Development presented report SHAPS/66 of the Head of Strategic Housing and Planning Services, which set out the Affordable Housing Supplementary Planning Document (SPD). The report summarised the changes made to the proposed document since its publication for consultation and an overview of the representations during the consultation.

It was noted that the SPDs was designed to aid the interpretation and implementation of the relevant policies within the adopted Crawley Borough Local Plan (Crawley 2030).

RESOLVED

That the Cabinet approves the adoption of the Affordable Housing Supplementary Planning Document as a Council planning policy document to be taken into account as a material planning consideration in the determination of relevant residential planning applications.

Reasons for the Recommendation

Following the adoption of the Crawley Borough Local Plan 2015-2030 in December 2015, it was recognised that a number of the new policies would benefit from expansion and explanation to ensure the Council helps facilitate the delivery of development and maintains an efficient and high quality development management process. Supplementary Planning Documents (SPDs) assist in supporting successful planning applications, clarifying policy requirements, and also providing examples of best practice and setting out the Council's aspirations which developers may be able to help deliver.

The Affordable Housing SPD has been produced to aid the interpretation of the Crawley Borough Local Plan Policies H3: Housing Mix and H4: Affordable and Low Cost Housing. Following public consultation, Cabinet approval is now sought to strengthen its use as a material planning consideration.

10. Civil Penalties, Rent Repayment Orders - The Housing and Planning Act 2016

The Cabinet Member for Housing presented report SHAP/61 of the Head of Strategic Housing and Planning Services which sought approval for the use of the civil penalties and rent repayment orders as laid out in the Housing and Planning Act 2016 as further tools to assist the Council in improving standards within the private rented sector.

The Cabinet was informed that legislation has come into force enabling local authorities to pursue civil penalties of up to £30,000 as an alternative to prosecution for a number of specified offences under the Housing Act 2004. In addition, the use of rent repayment orders has been extended to cover illegal eviction and other specified offences.

Members were pleased that those powers would enable the Council to further protect its residents as it gave the Council options as an alternative to a prosecution. It was confirmed that the new powers were not solely relating to landlords to houses of multiple occupation, but to any property in the private rented sector.

RESOLVED

That the Cabinet:

- 1) approves the use of the new powers allowing the Council to impose civil penalties and to apply for rent repayment orders, as summarised in Section 4.1 - 4.13 of report SHAP/61.
- 2) approves the proposed policy relating to the Council's use of these new powers as set out in Appendix 1 to report SHAP/61.

- 3) delegates authority to the Head of Strategic Housing and Planning Services in consultation with the Head of Legal and Democratic Services to agree the sum of civil penalties to be issued on a case by case basis in accordance with the approved policy.

Reasons for the Recommendations

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

11. Brownfield Land Register

The Cabinet Member for Planning and Economic Development presented SHAP/65 of the Head of Strategic Housing and Planning which set out that the Council was legally required to publish a Brownfield Land Register (BLR) before 31 December 2017 and review it at least annually thereafter. It was noted that the Register comprised of two parts (Part 1 and Part 2) within it and the main first part had to be produced in a prescribed manner, as shown within the report SHAP/65.

Part 1 must be published and reviewed at least annually according to the Regulations. The entry of sites on Part 2 of the Register was a discretionary, non-executive, function, subject to procedures similar to other types of planning permission. There was no intention for sites to be included in Part 2 of the Register at this stage.

It was explained that Part 1 was a list of all sites which were considered to meet the legislative criteria of being “suitable, available and achievable” for development. Whilst Part 2 of the Register will comprise only of those sites in Part 1 that the Local Planning Authority (LPA) has decided would be suitable for a grant of Permission in Principle.

The Cabinet was informed that the key sites identified within Part 1 of the proposed BLR had already been identified within the Council’s Local Plan. It was confirmed that the draft BLR had been out for consultation and that the responses were also included within the report.

RESOLVED

That the Cabinet

- 1) notes the representations and responses to the Consultation;
- 2) approves the Brownfield Land Register as set out in Appendix 1 for publication;
- 3) delegates to the Head of Strategic Housing and Planning in consultation with the Cabinet Member for Planning and Economic Development the revision and maintenance of Part 1 of the Brownfield Land Register, such revisions being limited to taking account of new planning permissions, or new allocations of land for housing made via the Local Plan review process.
- 4) recommends to Full Council that the Constitution be amended so that the following functions are the remit of the Planning Committee:

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- (i). Power to approve sites for entry into Part 2 of the Brownfield Land Register;
- (ii). Power to decline to approve sites for entry into Part 2 of the Brownfield Land Register;
- (iii). Power to determine applications for Permission in Principle;
- (iv). Power to determine applications for Technical Details Consent;

And that those functions (i)–(iv) be delegated to the Head of Economic and Environmental Services.

Reasons for the Recommendations

The recommended approach will enable the Council to comply with the requirement to publish a Brownfield Land Register by 31 December 2017, and to subsequently perform its functions regarding the Register, in a lawful and appropriate manner.

12. Quarterly Monitoring 2017/18 Quarter 2

The Leader presented report FIN/427 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 second quarter ending September 2017. It identified the main variations from the approved spending levels and any potential impact on future budgets.

The Leader commented he was pleased to be able to propose the one-off payment to all staff of £250.00 (pro-rata for part time staff) for all their hard work in this difficult time and also pleased that it would be in their December pay-packets in time for Christmas. The Cabinet echoed the Leaders comments, as did the Chief Executive, who thanked the Members on her staff's behalf for this extra payment.

RESOLVED

That Cabinet

- 1) notes the projected outturn for the year 2017/2018 as summarised in this report.
- 2) requests that each member of Corporate Management Team in consultation with the Head of Finance, Revenues and Benefits, use their virement delegations to make a one off payment to staff of £250.00 (pro-rata for part time staff) as outlined in Section 8 of this report.
- 3) Request that Full Council agree to allocate £8.0m of 1-4-1 receipts and approximately £7.5m of General Fund receipts for affordable housing on the Town Hall site development as outlined in paragraph 9.24 of this report.

Reasons for the Recommendations

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

13. Community Infrastructure Levy (CIL) - Delegation of Enforcement Powers

The Cabinet Member for Planning and Economic Development PES/262 presented the joint Report of the Head of Economic and Environmental Services and the Head of Legal and Democratic Services. The report sought approval for the delegation to officers duties and powers associated with the Community Infrastructure Levy (CIL) Regulatory Framework.

It was noted that the proposal would ensure that the Council could administer the levy efficiently and comprehensively within Crawley, especially in relation to the Council's responsibilities for collecting CIL liabilities and enforcing against non-payment of CIL. The Cabinet confirmed their endorsement of the proposals.

RESOLVED

That Cabinet

- 1) approves the exercise of the duties and powers set out in Appendix A (1-4) to this report PES/262, as included at Appendix A to these minutes, bedelegated to the Head of Economic and Environmental Services and that the exercise of duties and powers relating to the provision of land and or infrastructure in Kind as set out in Appendix A (5) be delegated to the Head of Economic and Environmental Services in consultation with the relevant Portfolio holders.
- 2) approve a limited power to accept a "land payment" or "infrastructure payment" be delegated to the Head of Economic and Environmental Services, in consultation with the Cabinet Member for Planning and Economic Development, subject to the defined limits as follows:
 - Land with a value of less than £200,000
 - Infrastructure with a value of less than £250,000

Further that it be delegated to the Head of Economic and Environmental Services in consultation with the Cabinet Member for Planning and Economic Development to agree the infrastructure that the council would be willing to except as an infrastructure payment and to publish these details on the Council's website. (In all other cases the decision will remain with the Cabinet).

- 3) approves the Policy on Surcharges and the Levy of late Payment Interest as set out in Appendix B of report PES/262
- 4) request that Full Council approve the proposed constitutional changes as set out Appendix A to these Minutes.

Reasons for Recommendations

The Introduction of the Community Infrastructure Levy (CIL) brings with it a number of new obligations, duties and powers for the Council. This includes responsibility for determining liability, serving notices, collecting funds and enforcing non-payment as set out in the Community Infrastructure Levy (CIL) Regulations 2010 as amended.

Whilst the current scheme of officer delegation for planning functions includes a wide range of provisions relating to the operation of the Planning and Development

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functions, it does not cover the specific activities set out in the CIL regulatory framework. To enable the levy to be administered effectively, efficiently and properly, delegation of a number of the Council's duties and powers to officers is recommended.

The vast majority of decisions relating to CIL will be of a routine administrative nature and these functions should be delegated to officers.

Regulation 73 of the CIL Regulations authorises the Council to accept a 'land payment' (an acquisition of land from a person liable to pay a CIL charge) or an 'infrastructure payment' (the provision of one or more items of infrastructure from a person liable to pay a CIL charge) in satisfaction of the whole or part of a CIL charge.

However, before an infrastructure payment can be accepted the Council must publish a document on its web site giving notice of its willingness to accept infrastructure payments and the document must also incorporate a policy statement setting out the infrastructure projects or types of infrastructure that the Council would be willing to accept.

There are a number of provisions in the CIL Regulations which gives the Council a power to impose a surcharge or levy late payment.

14. Exempt Information – Exclusion of the Public (Subject to Agenda Item 5)

RESOLVED

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

15. Acquisition of College Car Park Scheme - An Affordable Housing Opportunity

The Cabinet Member for Housing presented report CH/178 of the Head of Crawley Homes which sought approval to acquire, by way of a Conditional Purchase Agreement, the residential scheme that was to be built on the College Car Park site for the main purpose of Council-owned affordable housing.

Having explored other options to secure the scheme for affordable housing, the only remaining option was for the Council to consider acquiring the whole scheme. In the first instance it was intended to be owned and managed by Crawley Homes, utilising 30% funding from RTB 1-4-1 Receipts and 70% funding from the Housing Revenue Account (HRA), while also considering other tenure options, if deemed suitable.

The Cabinet noted the Overview and Scrutiny Commission's comments of support for the proposal, from its meeting on 27 November 2017.

RESOLVED

That Cabinet requests that Full Council approves

- 1) the allocation of funds from the Housing Revenue Account and Right-to Buy 1-4-1 Reserves as detailed in section 7 for the acquisition of the residential

scheme on the College Car Park site for the main purpose of Council-owned affordable housing, but with the flexibility to explore other tenure options as detailed in section 5.1 of the report.

- 2) the delegated authority to the Head of Crawley Homes, the Head of Finance, Revenues & Benefits and the Head of Legal & Democratic Services, in consultation with the Cabinet Member for Housing, to negotiate and agree the detailed terms of the Conditional Purchase Agreement and acquisition, and to consider the available tenure options as deemed necessary for financial or strategic reasons.

Reasons for the Recommendations

The delivery of new affordable housing remains a key priority for the Council. Given land supply constraints it is vital that the Council is in a position to respond promptly and, where appropriate, also positively to potential windfall opportunities in order to maximise affordable housing delivery.

The Council has an obligation to spend the RTB 1-4-1 Receipts within a prescribed period, and this scheme presents an immediate opportunity to commit a significant proportion of these reserves thereby mitigating the risk of returning these funds back to government with penalty interest.

This report intends to secure a significant windfall of at least 90 residential units, by way of a Conditional Purchase Agreement, primarily for Council-owned affordable housing to enable housing lost through Right-to-Buy to be replenished.

This scheme is otherwise likely to come forward as another Private Rented Scheme (PRS) in the town centre without any affordable housing.

16. Authority to Appoint a Contractor for 83-87 Three Bridges Road Crawley Development

The Cabinet Member for Housing presented report CH/176 of the Head of Crawley Homes, which sort approval for the authority to enter into a Design and Build Contract for the construction of approximately 14 new affordable residential units at 83-87 Three Bridges Road, Three Bridges, Crawley as part of the Council's own build housing programme. The report also sort approval for the appropriation of land at 83-87 Three Bridges Road, Crawley for planning purposes in order to facilitate its future development.

Following further explanation over the reasons for the change of use of the site for planning purposes, the Cabinet confirmed that they were in support of the proposal.

RESOLVED

That the Cabinet notes the report and:

- 1) approves the appointment of Contractor C under a single stage Design and Build Contract for the development at the 83-87 Three Bridges Road hostel site. The Contractor to work with the Council to undertake the detailed design and construction of the final scheme.
- 2) approves the appropriation of land at 83-87 Three Bridges Road, Crawley a hostel site that is currently held for housing purposes on the grounds that it is

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no longer required for those purposes and approves the appropriation of the land for planning purposes to facilitate the carrying out of the development of the site in accordance with Section 122(i) of the Local Government Act 1972 and Section 226 of the Town and Country Planning Act 1990.

- 3) delegates to the Head of Crawley Homes, in consultation with the Head of Strategic Housing and Planning, the Head of Finance, Revenues and Benefit, the Head of Legal and Democratic Services and the Cabinet Member for Housing the decision to appropriate the 83-87 Three Bridges Road hostel site from planning purposes to housing purposes, in accordance with Section 9 of the Housing Act 1985 and section 122(i) of the Local Government Act 1972, if necessary.

Reasons for the Recommendations

To provide housing for Crawley residents in need from the housing register.

To continue the delivery of dwellings funded from the HRA as part of HRA business plan and the Council's RTB Receipts (one-for-one) funding programme.

To enable the development of the site to proceed and be completed without the encumbrance of any third party rights.

Delegated authority for any future appropriation back to housing purposes from planning purposes gives the Council the flexibility to avoid any potential adverse accounting implications.

17. Multi-Functional Device (MFD) Tender Process

The Cabinet Member for Resources presented report PAT/029 of the Head of People and Technology which sought Cabinet delegated authority approval for the Council to undertake the award of a contract following a joint tender process with Horsham District Council and Mid Sussex District Council for the renewal of the Council's Multi-Functional Device (MFD) contract. It was noted that the contract will also provide the Council with further opportunity to call off additional Services covered under the Managed Print Services Contract at any time during the term of the contract.

In response to a question raised during the Cabinet's consideration, the Cabinet Member for Resources confirmed that the decision as to whether the Council would be either leasing, purchasing the MFD's machines or a combination of both, had not been decided currently. He explained that all options were open and the approach taken would be guided by the result of the procurement process, and what was in the best interest of the Council.

RESOLVED

That the Cabinet notes the arrangements for the tender process and approve:

- 1) Granting delegated authority to the Head of People and Technology in consultation with the Cabinet Member for Resources to approve the award of the contract following the tender award process.
- 2) Authorise officers to consider using any of the additional managed print services available under this contract.

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Reasons for the Recommendations

The Council's first MFD contract commenced in 2010 following a full procurement exercise and had an expiry date of 2015. This has been renewed on an annual basis until the summer of 2017, whilst the requirements of the town hall redevelopment have been under review. The proposals for the new town hall are now at a stage where it is possible to specify the requirements for a new contract. Currently there is no formal MFD contract, but management arrangements have been extended until a new contract can be procured.

The current MFD fleet is 7 years old and is working beyond its life expectancy. In addition to this the limited functionality of the machines doesn't provide a fast and effective scanning process. This is now a key requirement as many services are moving to the council's system for electronic storage of records (EIM) in preparation for the move to a new town hall.

There is an opportunity to procure a new contract for this service and replace the existing fleet with new devices. Horsham District Council and Mid-Sussex District Council have similar contracts that have expired or are due to expire within the next 12 months. As the Councils contracts are reasonably well aligned, it was suggested that the three Councils undertake a joint procurement exercise for this requirement.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.10 pm

P K Lamb
Chair

APPENDIX A

Relation to Minute 13. Community Infrastructure Levy (CIL) - Delegation of Enforcement Powers

Delegation of Functions

1. Exercise the Council's duties and powers in relation to the enforcement of the Community Infrastructure Levy (CIL) as set out in the Planning Act 2008 and Community Infrastructure Levy Regulations 2010 as amended or any Regulations amending or replacing the same.

Delegated to the Head of Economic Development and Environmental Services and/or the Head of Legal and Democratic Services.

2. Exercise the Council's duties and powers in relation to the calculation of the chargeable amount and the determination of liability, in respect of the Community Infrastructure Levy (CIL) as set out in the Planning Act 2008 and Community Infrastructure Levy Regulations 2010 as amended or any Regulations amending or replacing the same.

Delegated to the Head of Economic Development and Environmental Services

3. Exercise the Council's duties and powers in respect of appeals relating to the Community Infrastructure Levy (CIL) as set out in the Planning Act 2008 and Community Infrastructure Levy Regulations 2010 as amended or any Regulations amending or replacing the same.

Delegated to the Head of Economic Development and Environmental Services

4. Exercise the Council's duties in relation to the assessment of claims for exemption and/or relief from the Community Infrastructure Levy (CIL), in accordance with any relevant policies adopted by the Council as set out in the Planning Act 2008 and Community Infrastructure Levy Regulations 2010 as amended or any Regulations amending or replacing the same.

Delegated to the Head Economic Development and Environmental Services

5. Exercise the Council's duties in relation to administration of CIL, including determination of applications to satisfy CIL through the provision of land and/or infrastructure in-kind, and completion of any associated agreements as set out in the Planning Act 2008 and Community Infrastructure Levy Regulations 2010 as amended or any Regulations amending or replacing the same.

Delegated to the Head of Economic Development and Environmental Services in consultation with relevant Portfolio holders.

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Crawley Borough Council

Report to Overview and Scrutiny Commission 8 January 2018

Report to Cabinet 10 January 2018

Disabled Facilities Grant Policy

Report of the Head of Strategic Housing & Planning Services – **SHAPS/67**

1. Purpose

- 1.1 A County wide project is underway to investigate more innovative ways of delivering Disabled Facilities Grants to better facilitate improving the health and well-being of people with disabilities and the make more use of additional resources becoming available.
- 1.2 This report seeks approval to adopt a more flexible approach which has been developed in partnership with West Sussex County Council and all the West Sussex Districts and Boroughs in using the Better Care Funding to enable people to live more independently within their own home.

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission (*if required*):

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:

- a) Approve the Policy approach set out in Section 6.2 of the Report
- b) To delegate authority to the Head of Strategic Housing & Planning Services, in consultation with the Cabinet Member for Housing to make any further amendments to the Policy required in response to the cross-county project outcomes.

3. Reasons for the Recommendations

- 3.1 To continue to respond in the most effective way to the needs of people with disabilities in enabling them to remain living well and independently in their own homes.
- 3.2 To make the most effective use of increased funding opportunities provided through the Better Care Fund for Crawley residents.

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4. Background

- 4.1 The Council is under a duty under The Housing Grants, Construction and Regeneration Act 1996 to provide Disabled Facilities Grants (DFGs) to assist people living in private sector housing to remain independent in their own home. These grants are not dependent on tenure and are available for owner-occupiers and for private and social rented properties excluding local authority owned stock.
- 4.2 These are a means tested grant for those over 18 while under 18s are eligible for a full grant. A national maximum cap of £30,000 is applied to grants for more significant adaptations such as structural works and property extensions but the majority of adaptations are for more minor works such as level access showers, ramps and stairlifts. Works must be necessary and appropriate to meet individual needs. This assessment is carried out by the West Sussex County Council (WSSC) Occupational Therapist service. Works must also be reasonable and practicable depending on the age and condition of the property.
- 4.3 DFGs are funded through the Better Care Fund administered by upper tier authorities (i.e. WSSC) and allocated on perceived need. Guidance for the administration of the Better Care Fund indicates that local authorities should think strategically about the application of funding and take a joined-up approach to improving outcomes across health, social care and housing.
- 4.4 In 2016 WSSC in partnership with all West Sussex Districts and Boroughs agreed to explore options to improve the DFG process. The project work involved reviewing the DFG delivery process with the aim of developing a single approach that can be adopted across West Sussex and enable maximum take-up of increased funding becoming available to the benefit of local residents.
- 4.5 The project work, coupled with the recent increase in available funding identified scope to use powers contained in the Regulatory Reform (Housing Assistance) Order 2002 to provide discretionary DFG assistance and the necessary approval process to adopt this approach is being implemented across West Sussex.

5. Description of Issue to be resolved

- 5.1 Informed by a cross-county project, approval to implement discretionary DFG assistance is being put in place across West Sussex.
- 5.2 This will enable a more flexible approach in supporting private sector residents with disabilities to live well and independently within their own homes.
- 5.3 The increased funding now available for DFGs enables a more strategic and flexible approach in meeting needs but requires each District and Borough across West Sussex to formally approve discretionary DFG assistance. The Council therefore needs to formally adopt this approach to ensure Crawley residents can benefit from these new flexibilities.

6. Information & Analysis Supporting Recommendation

- 6.1 The proposed Policy approach set out in Section 6.2 below has been developed in partnership with WSSC and all West Sussex District and Boroughs and is informed by the project work undertaken to date.

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6.2 Supplementing the existing mandatory DFG regime with the flexibilities detailed in the Table below will ensure the Council's approach remains consistent with the other West Sussex District and Boroughs.

Description	Conditions and narrative	Subject to Means Test	Amount Available	Reasoning and rationale behind working group's decisions
<p>Extended warrantees</p> <p>For all adaptations which require electrical installations such as through-floor lifts, stair lifts, etc.</p>	<p>To be provided for all adaptations regardless of tenure.</p> <p>Some Registered Housing Providers (RHP) take on responsibility for servicing and repairs once the standard 1 year warrantee expires and therefore extended warrantees will not be offered in these circumstances.</p> <p>Minimum 5 year warrantee with the option of extending at the end of the period.</p>	<p>Yes</p>	<p>Within the current maximum DFG £30,000</p>	<p>Gives families peace of mind and timely / stress free assistance if the adaptation should break down.</p> <p>Allows people to live well in their home for as long as possible.</p> <p>Helps to reduce repeat DFG applications for repair or replacement of adaptations.</p> <p>Consideration to be given to how customer can be supported once the warrantee expires.</p>
<p>Reduction in number of quotes</p> <p>Aim to use 1 quote where appropriate for common, simple adaptations such as stairlifts, ramps and lifts.</p>	<p>Two or more quotes to be sought for adaptations where a single contractor is carrying out work or multiple works expected to total over £10,000.</p>	<p>Yes</p>	<p>N/A</p>	<p>Reduce applicant waiting time for straight forward adaptations which can be completed quicker.</p> <p>Grant officers to use professional judgement and discretion.</p>
<p>Referrals from privately practicing Occupational Therapists</p>	<p>Mandatory DFG legislation states that Councils must consult social services.</p> <p>Standard letter to be used. Council to proceed with DFG if no response from the social services authority within 14 days.</p> <p>Letters to be sent by Council to Senior Practitioner OT at locality offices, not to Adult Care</p>	<p>Yes</p>	<p>Up to current maximum DFG £30,000</p>	<p>Customer has choice as to whether to appoint a private OT.</p> <p>Timely option for simple adaptations as not subject to social services authority waiting times.</p>

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	Point 2 (ACP2). Applicants must give consent for their personal details and the recommendation to be shared with WSCC as the social services authority.			
Direct Referrals WSCC to make direct referrals to Councils for adaptation via DFG if identified at initial assessment stage	Currently, ACP2 carry out initial assessments over the telephone with customers. If a shower or stairlift is indicated and the person does not have complex medical conditions, the referral will be made directly to the Council to proceed with the DFG. A standard referral form will be used by WSCC using an existing IT case management system. The adaptation to be reviewed by a WSCC OT/A once complete and any other needs addressed.	Yes	Up to current maximum DFG £30,000	Reduces waiting time for straight forward adaptations. Good relationships exist between WSCC and District and Boroughs which ensure that advice can be sought at any time throughout the process. Similarly, review of adaptation to be carried out once complete by OT/A. Grant officers are generally skilled and experienced in planning for simple shower adaptations. Contractors can recommend specific stairlifts to meet simple needs.

6.3 In addition to the proposed changes to mandatory DFGs as outlined, the proposal also includes to the adoption of 9 Discretionary DFGs as outlined in the table below. As before, the following proposals will only be considered for people who are eligible for a DFG (with the exception of Hospital Discharge Grants) and on the condition that the adaptation has been assessed as being necessary, appropriate, reasonable and practicable and supported by a WSCC Occupational Therapist (OT) or OT Assistant (OTA) under the supervision of a registered OT.

Description	Eligibility criteria & conditions	Subject to means test	Amount available	Reasoning and rationale behind working group's decisions
Partial waiver of contribution following means test	Eligible for DFG Assists every applicant with a contribution regardless of tenure.	Yes	Maximum waiver of first £5,000 of assessed contribution.	Most benefit will be for families in work but on a low income, those who have little to no disposable income or those paying off debt or with a poor credit history. Likelihood that this will help most people with smaller contributions to access necessary

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				adaptations.
<p>Help with assessed contribution following means test.</p>	<p>Based on WSCC “Financial Statement for Funding Towards Home Adaptations”.</p> <p>In cases where there is particular difficulty paying an assessed contribution, applicants will be given the opportunity to complete a financial statement of their income and outgoings which will be considered by the Council.</p> <p>Offered on a case by case basis at the discretion of the Council.</p>	<p>Yes - first £5000 of contribution to be waived</p>	<p>No maximum</p>	<p>Takes outgoings, debt repayments etc. into consideration and offered on a discretionary basis.</p> <p>Reduces risk of customer not proceeding with necessary adaptations because they cannot afford the assessed contribution.</p> <p>Single, timely and less complicated system for customers.</p>
<p>Funding in excess of current maximum mandatory grant of £30,000</p> <p>(replaces current Top Up process)</p>	<p>Eligible for the DFG and considered on a case by case basis</p> <p>A charge for the full amount will be placed on owner occupied property for a 10 year period</p> <p>Charges will not apply to Registered Housing Provider (RHP) or privately rented property. (This approach is consistent with the DFG Land Charge powers that were introduced in 2008).</p> <p>Condition that RHPs register the property as being adapted and offer it to other families in need of the adaptations, should the property become vacant.</p> <p>Councils to seek permission from members to offer further funding, on a case by case basis should total cost of works exceed £60,000</p>	<p>Yes - first £5000 of contribution to be waived</p>	<p>Up to a maximum of £30,000 (total of £60,000)</p>	<p>Single, timely and less complicated system for customers.</p> <p>Major adaptations which have been identified as essential to meet the disabled person and their family’s needs & once all other options (such as moving) have been considered.</p> <p>Good collaboration between Councils to ensure money is spent appropriately.</p>

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<p>Relocation Grant</p> <p>To support people when moving to more suitable accommodation is preferable to adaptations.</p>	<p>Eligible for DFG</p> <p>Available to owner occupiers and private tenants where it is not reasonable or practicable to adapt the property to meet the disabled person's assessed needs.</p> <p>Conditions:</p> <ul style="list-style-type: none"> - The proposed property must be confirmed as suitable by the Private Sector Housing Team and be assessed to meet the needs (or more easily adaptable to do so) of the disabled person by the social services authority OT. - Owner occupiers to commit to remain in the property for five years (not applicable for private tenants) 	<p>Yes - first £5000 of contribution to be waived</p>	<p>Maximum of £10,000 to cover costs arising from the following: estate agents fees (max 1.5% of property value), stamp duty (max £7,500), solicitors fees, valuation fees, mortgage arrangement fees, removal costs, necessary utility and service set up costs. Minor adaptations to enhance the property's suitability.</p>	<p>Assists disabled and vulnerable people to move to more suitable accommodation particularly where adaptations cannot be carried out or the property is over occupied.</p>
<p>Hospital Discharge Grants</p> <p>Support all vulnerable or disabled people being discharged from hospital</p>	<p>Available to all vulnerable or disabled people needing to be discharged from hospital, regardless of tenure.</p> <p>Conditions:-</p> <ul style="list-style-type: none"> - Referrals accepted from adult social care or hospital OT / physiotherapists , rehabilitation/intermediate care teams, discharge coordinator, or Patient Advice and Liaison Service (PALS) - Excludes packages of care funded by NHS continuing healthcare - Works to include but not restricted to: property clearance, deep 	<p>No</p>	<p>Maximum of £3000 (negotiable on a case by case basis dependent on type of works required)</p>	<p>Reduce delayed transfers of care where home is not suitable for discharge home from hospital.</p> <p>Reduce re-admissions to hospital.</p> <p>Acknowledges that inappropriate housing puts health and wellbeing at risk.</p>

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	cleaning, urgent home repairs, removal of hazards, repair of heating systems, and provision of emergency heating.			
<p>DFG Fees Grant</p> <p>Available when DFG does not proceed but preparatory work has been carried out</p>	<p>Eligible for DFG.</p> <p>To cover reasonable professional fees and associated charges such as private OT fees where engaged to advise on what works are required and specialist technical e.g. Structural Engineer fees, surveyor fees or similar to determine if a DFG project is feasible.</p>	<p>Yes (including children's cases)</p> <p>First £5000 of contribution to be waived</p>	<p>Maximum of £2,000</p>	<p>Encourages local surveyors / engineers to work with Councils.</p> <p>Encourages improved schemes to be considered, so better outcome for the disabled person.</p> <p>Does not financially disadvantage the disabled person if works cannot proceed.</p> <p>Single, less complicated system for customers.</p>
<p>Safe and warm homes grant.</p> <p>Assists disabled & vulnerable people, including those with dementia or a visual impairment to make changes which supports them to live in their own home with reduced risk and for longer.</p> <p>To help low income home owners and private tenants to quickly access financial assistance for a wide range of minor adaptations and repairs to reduce risks of accidents in the home</p>	<p>Eligible for DFG. For all disabled people regardless of tenure.</p> <p>Referrals accepted from WSCC OT/A, adult social care or hospital teams, hospital based OTs, advocates, voluntary and community sector.</p> <p>Excludes care packages</p> <p>Includes:- Repairs to all disabled equipment (excluding equipment provided by the West Sussex Community Equipment Service (CES))</p> <p>Minor equipment and adaptations where CES cannot provide assistance.</p> <p>Repairs to boilers and other heating systems.</p>	<p>Yes - first £5000 of contribution to be waived</p>	<p>Normally maximum of £5000</p> <p>Negotiable on a case by case basis dependent on type of works required. If works cost over £5000 then means test will be applied but first £5000 contribution will be waived.</p>	<p>Enables necessary works including repairs which have a direct positive impact on a disabled person's health.</p> <p>To help low income home owners and private tenants to quickly access financial assistance for a wide range of minor adaptations and repairs.</p> <p>To reduce risks of accidents in the home.</p>

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<p>Council Tax Reduction to be considered a DFG passport benefit</p>	<p>Eligible for DFG. Treat Council Tax Reduction as a passport benefit under a Discretionary DFG scheme.</p>	<p>No– applicants in receipt of this benefit will not be means tested.</p>	<p>Normally up to a maximum of £30,000</p>	<p>Anticipated to help the small number of people in sole receipt of this benefit to access necessary adaptations.</p>
<p>Tech Grant Technology enabled care e.g. life line, fall detectors, key safes – for purchasing equipment and monthly fee to connect with call centre (if required)</p>	<p>Eligible for DFG. Available to all disabled applicants regardless of tenure. For a period up to 5 years This assistance will only be available in cases where there is particular difficulty paying the monthly rental charges, applicants will be given the opportunity to complete a financial statement of their income and outgoings which will be considered by the Council. Based on WSCC “Financial Statement for Funding Towards Home Adaptations” Offered on a case by case basis at the discretion of the Council.</p>	<p>Yes</p>	<p>Maximum of £3000</p>	<p>Supports a technology based approach to keeping people safe and well in their homes.</p>

6.4 Given the dynamic nature of this work adjustments to this approach may be required as it is rolled out across the county. Approval is therefore sought for authority to be delegated to the Head of Strategic Housing and Planning Services, in consultation with the Cabinet Member for Housing, to make such amendments as may be required to ensure that Crawley residents continue to derive maximum benefit from funding flexibilities.

6.5 These proposals are borough wide and are supported by the Cabinet Member for Housing.

7. Implications

7.1 There are no direct financial implications for the Council as the funding for the proposed discretionary assistance will be through the Better Care Fund. Availability of all discretionary DFG assistance will be dependent on sufficient funding remaining available to enable the Council to provide mandatory DFGs.

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- 7.2 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gives Councils power to give discretionary assistance in addition to mandatory DFGs. The Order provides that the power to provide assistance is not exercisable until the Authority has adopted and published a Policy relating to the exercise of the power and the power must be exercised in accordance with Policy.
- 7.3 Whilst it is possible to meet any additional administrative or staffing resource implications associated with these proposals from the capital grant funding, it is anticipated that the efficiencies delivered through the project work will enable these to be absorbed.
- 7.4 The Council has a public sector equality duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity for those with „protected characteristics“ and those without them
 - Foster good relations between those with „protected characteristics“ and those without them.
- 7.5 The protected characteristics are: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. The proposed changes will not have a negative impact on those people with protected characteristics.

8. **Background Papers**

None

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Crawley Borough Council

**Report to Cabinet
10 January 2018**

Proposed Manor Royal Business Improvement District (BID) Renewal

Report of the Head of Economic and Environmental Services, **PES/266**

1. Purpose of the Report

- 1.1 Manor Royal Business Improvement District is nearing the end of its five year term (May 2018) and wishes to seek renewal for a further five years commencing 1st June 2018. The report sets out the background to the BID, the renewal process, financial implications and recommends that the Cabinet support the continuation of the BID for a further 5 Year term (2018- 2023).

2. Recommendations

- 2.1 The Cabinet is recommended to:

- a) Agree the proposal from the Manor Royal BID to support the renewal of the BID (BID 2) for a further five year term.
- b) Delegate authority to the Leader of the Council to vote in accordance with the Cabinet decision in relation to the Ballot to renew the BID for its own rated properties in the area.
- c) Agree that the Chief Executive as Returning Officer and Ballot holder should hold a Ballot for the Manor Royal BID Renewal proposal.
- d) Agree that the Head of Legal and Democratic Services be authorised to complete the necessary legal agreements required for the BID levy, operation together with any other necessary documents for the proposed BID renewal.
- e) Agree that the Council performs the role of billing authority for a further five years, collecting the BID levy on behalf of the Manor Royal BID, subject to the bid securing renewal.

3. Reasons for the Recommendations

- 3.1 Since the original Manor Royal BID Ballot permitted a maximum five year BID period to 31 May 2018, a renewal Ballot is therefore required amongst Manor Royal levy payers to determine whether the majority wish for the Manor Royal BID to continue for a further five years.
- 3.2 The BID Regulations require the Council as “billing authority” to instruct the “Ballot Holder” to hold the renewal ballot. The Ballot Holder is “the person the relevant billing authority has appointed under section 35 of the Representation of the People Act 1983 (a) as the Returning Officer for elections to that authority” – i.e. the Chief Executive.

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- 3.3 The Borough Council also needs to determine whether it wishes to undertake the role of billing authority, collecting the BID levy on behalf of the BID, subject to legal agreement.

4. Background

- 4.1 The Manor Royal Business District is hugely important not only to Crawley's business and employment base, but to West Sussex as a whole, the Gatwick Diamond and the broader economic sub-region. Alongside Gatwick Airport, it is the key reason why Crawley has the second highest job density in the country outside central London, contributing 25% of the County's economic output with its own unique economic centre of gravity in the South East.
- 4.2 A BID is a legal body which can come into being following a successful Ballot in which all eligible businesses have a vote on proposals to improve the District.
- 4.3 A Business Improvement District (BID) is a precisely defined geographical area where the businesses vote to invest collectively in local improvements to enhance their trading environment. The businesses pay a levy, which for Manor Royal is equivalent to 1% of the rateable value of their premises. They decide what they want the BID to do, they vote to create it and they run it by rules they agree. The legislative framework for the establishment of Business Improvements Districts (BIDs) is contained in the Local Government Act 2003 with the Regulations governing the BID process being the Business Improvement Districts (England) Regulations 2004.
- 4.4 The maximum period that a BID levy can be charged is five years, once the term is completed the BID will automatically cease unless it is renewed. There are almost 300 BIDs operating in town centres / business parks across the UK.

5. Description of Issue to be resolved

- 5.1 The original campaign to establish the Manor Royal BID was launched in 2012. In February 2013, the Cabinet agreed to support the establishment of the Manor Royal Improvement District (BID), culminating in a successful BID Ballot in April 2013, where the majority of prospective Manor Royal levy payers voted in favour of its creation.
- 5.2 The Manor Royal BID commenced on 1 June 2013 with the establishment of the Manor Royal BID Company (MRBD Limited), a not for profit BID Company, limited by guarantee. It is legally and operationally responsible to the businesses in the BID area and for all BID activities. The Cabinet Member for Planning and Economic Development is a member of the Company as the Council's representative.
- 5.3 The Council took responsibility for administering the first Manor Royal BID Ballot in April 2013 and since June 2013, the Council has performed the role of "Billing Authority", collecting the BID levy from Manor Royal businesses on behalf of the BID and passing those resources on to the BID. The Council is also required to provide billing information related to non-domestic ratepayers in the BID area to the BID.

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- 5.4 This report therefore seeks approval for the Council to perform the same duties as above in regard to the proposed BID renewal period 2018-2023.

6. Information & Analysis Supporting Recommendation

- 6.1 The Manor Royal BID has had a hugely positive impact in Manor Royal during its first five years and – alongside the Borough Council and West Sussex County Council – it has spearheaded the achievement of major improvements to the Business District. The following are highlights:

- All 23 broadband cabinets upgraded for faster fibre-based broadband;
- 2 new parks: Crawler’s Brook Peoples Park and The Terrace Pocket Park;
- 200 new signs installed, including new street name signs, directional / welcome signs;
- 1 new entranceway opened with the transformation of the Gateway 3 roundabout;
- 25 security cameras installed at entry points and strategic locations monitored by Sussex Police;
- 2 Manor Royal Business Rangers, working on day / night shifts to tackle ASB / business security issues;
- Brand new partnership with CBC on grounds maintenance, significantly uplifting the off road business environment;
- Major road resurfacing works successfully negotiated with and implemented through WSCC;
- 2 subways upgraded at Green Lane and Woolborough Lane;
- Over 50 events organised – attended by over 5,000 delegates;
- Launch of the dedicated Manor Royal jobs board;
- 380 Manor Royal business employees have attended 50 bespoke training events, saving MR businesses over £40,000;
- Manor Royal BID is a recipient of 3 awards (2 regional / 1 national), with an excellent reputation as one of the most effective BIDs in the country.
- In a survey of Manor Royal businesses conducted last year – 72% - a clear majority – favoured the continuation of the BID. At the recent MR showcase event, 92% supported a second BID term..

- 6.2 The Manor Royal BID will seek to build on its strong track record to date if it secures a 2nd five year period. Its principle delivery objectives for BID 2 are:

- Access to a dedicated full time maintenance team to uphold a high quality business environment;
- Further entranceway improvement schemes to transform the business environment - such as at Gateway 1 at the junction of Hazelwick flyover and Gatwick Road.
- Close partnership working with CBC and WSCC to ensure the Crawley Growth programme delivers the sustainable transport and business environment improvements sought by the MR businesses.
- Digital advertising boards across Manor Royal to promote sustainable transport and MR businesses.
- Consolidation of Manor Royal’s new security services; I) Business Rangers; II) 25 CCTV cameras;

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- PR, marketing and inward investment campaign, working with CBC, to promote Manor Royal and attract businesses / jobs;
 - Development and delivery of a projects pack to improve access to facilities / amenities in MR;
 - Additional winter maintenance / gritting service;
 - Subsidised training for MR businesses, working in partnership with Crawley College;
 - Dedicated jobs board, freely available for use by Manor Royal businesses.
 - Ongoing delivery of local “business to business” promotional events such as “Know your Neighbour” and “Manor Royal Matters”.
- 6.3 The Manor Royal BID has produced a new business plan proposal for its second five year period (Appendix B), which includes the above delivery priorities and which also explains the consultation it has undertaken to date, the revenue and expenditure cash flow estimates and the predicted budget in addition to the financial management arrangements.
- 6.4 It is proposed that for the 2nd BID period, levy payments will remain at 1% of the rateable value of the premises businesses occupy on all properties within the BID area with a rateable value of £12,000 per annum or more. A cap will be in place so that no individual property attracts a levy charge of more than £3,500 per annum. The levy charge will be payable annually based on the Valuation Agency’s 2017 ratings list from 1st February each year.
- 6.5 It is also proposed that the geographic coverage of the Manor Royal BID area is extended to include the County Oak area (Appendix A shows a map of the proposed BID 2 area).
- 6.6 The Annual BID levy income for the MR BID is expected to be on average approximately £520,000 per annum over the BID 2 period 2018-2023. On average 15% of this income will be spent on BID management and operations – including the MR BID Executive team - and the remaining 85% will be spent on project delivery. The BID is also committing to attracting a further £250,000 of third party income.
- 6.7 The Council’s rateable hereditaments within the proposed Manor Royal BID area are as follows:
- Block 2 Metcalf Way
 - Units A and C – The Depot – Metcalf Way
- 7. Proposed Timetable for Manor Royal BID Renewal Process - 2018**
- **10 January** - Cabinet approval sought to endorse Manor Royal BID 2 and for CBC to administer the Ballot.
 - **17 January** - Ballot holder (CBC) issues notice of ballot to publicise the ballot and sends the notice to prospective levy payers based on the agreed voters list. This will include explanations of the Ballot process and how voters can view information about the proposal.
 - **29 January** - Eligible businesses are sent their Ballot papers

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- **2 February** – First day of Ballot, businesses return their completed ballot papers by post
- **1 March** – Ballot closes (Ballot papers must be returned by 5pm)
- **2 March** – Count and declaration.
- **31 May** – End of BID 1
- **1 June** - Start of BID 2 (subject to a successful Ballot)

8. Implications

8.1 Staffing

The postal ballot, including the issue and collection of ballot papers, will be managed by the Council's Electoral Services Team, within existing resources.

8.2 Financial

As Billing Authority, the Council would have the right to charge the Manor Royal BID a Levy collection charge, in recognition of the resources incurred by the authority in collecting the levy and passing it on to the Manor Royal BID.

This charge is proposed at 3% of the total value of the BID levy collected, which accords with the BID regulations. According to calculations by the BID a total of £78,061 is projected to be secured by the Council over the period 2018-23 via this levy collection charge – an average of £15,612 per annum.

The 2004 Regulations require the Council to pay for the Ballot. The postal ballot process, managed through the Electoral Services Team is estimated to cost £1,000 and this will be absorbed within existing resources. The cost would only be recoverable in the event of a very low turnout of votes supporting the BID Renewal.

8.3 Legal

The legislative framework under which Business Improvement Districts are established, renewed and governed is contained in Part 4 of the Local Government Act 2003. The establishment and operation of a Business Improvement District is also subject to the BID (England) Regulations 2004. This requires that prior to becoming operational, prospective BIDs must be subject to a Ballot of all eligible BID levy payers. A BID is legally permitted to exist if the majority of BID levy payers vote in favour.

For the BID to proceed to another term, more than 50% of those who vote must vote "YES". Of those YES votes, the total rateable value must be higher, when added together, than the rateable value of those who voted "NO".

In the event that the result of the Ballot is negative, the BID will cease on 31st May 2018.

In the event of a "YES" vote, the Council will pay an annual levy of £2,410.

The Council only has the power to veto a BID proposal if it is contrary to formally adopted and published Council policies. The Renewal proposal is in line with Council policies and priorities and therefore this report recommends

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formal Cabinet endorsement. It can then only operate for a maximum of five years, before being subject to a further Ballot.

Following a successful BID ballot in April 2013, the Manor Royal BID secured a five year operational period, which is due to expire on 31st May 2018. To continue into a second five year period and not automatically cease, the Manor Royal BID must be subject to a further Ballot of Manor Royal levy payers to determine whether the majority favour continuation of the BID.

Subject to a BID renewal vote by Manor Royal BID levy payers, the billing and collection of the BID levy will be undertaken by the Borough Council's Revenues and Benefits Team, for which a detailed Operating Agreement with the Manor Royal BID will required to be negotiated and signed off, setting out the levy criteria, any exemptions and details of collection.

The Head of Legal and Democratic Services will negotiate the BID Operating Agreement with the Manor Royal BID and therefore the confirmation of the Borough Council's role as levy collector is subject to legal agreement.

8.4 Consultation

To help inform the case for BID renewal, the Manor Royal BID has undertaken the following consultation actions:

- Manor Royal BID Survey, responded to by almost 30% of businesses.
- Manor Royal Showcase event (Nov 2017), attended by over 100 delegates where BID 2 priorities were discussed and opinions provided via electronic voting pads.
- Manor Royal Transport Study, which included employee surveys and business consultation.
- Presentations at public events including Know Your Neighbourhood Expo 2017, attended by over 100 companies.
- Face to face meetings and interviews and gathering of views submitted directly to the BID during the normal course of business.
- Manor Royal BID has consulted Crawley Borough Council

The Manor Royal BID launched its Business Plan Prospectus 2018-23 at the Manor Royal showcase event in November and is widely circulated copies of the Business Plan to levy payers for comment and feedback.

8.5 Equalities

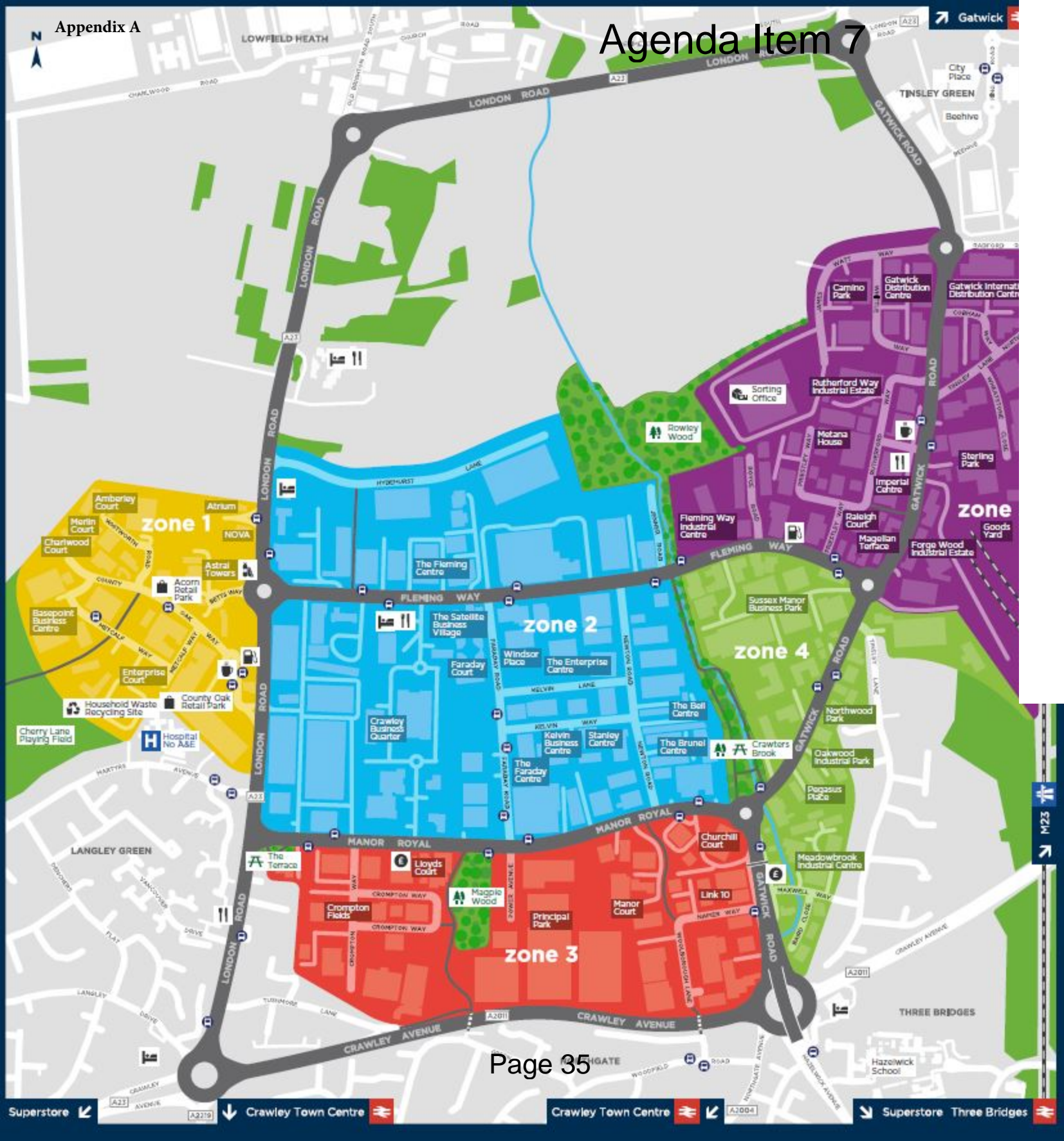
Subject to renewal, the Manor Royal BID will ensure that all project initiatives undertaken by the BID take account of equalities and access requirements.

9. **Background Papers**

None

Contact Officer:

Clem Smith, Head of Economic & Environmental Services Tel: 01293 438567



“5 years. 4 Objectives. 1 Manor Royal.”



Manor Royal Business Improvement District (BID)

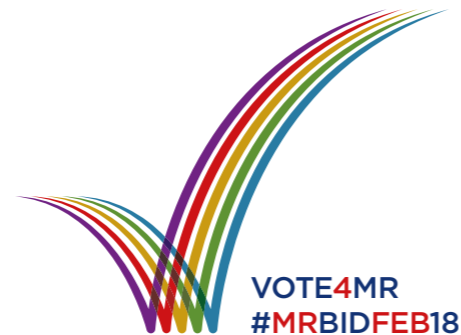
Business Plan Prospectus (2018-2023)



The benefits of renewing the Manor Royal BID

Voting **“YES”** to renew the Manor Royal BID will provide the mandate to create a package of investment over a five year term (2018-2023) that will deliver the following benefits:

- > Improved infrastructure
- > Attracting additional investment
- > Action on transport and parking issues
- > Better standards of maintenance and security
- > Access to free and subsidised services for business and staff
- > Strategic-level representation of Manor Royal to key stakeholders and decision makers
- > Safeguarding and capitalising on the improvements and momentum already gained
- > Active involvement in projects and policy matters to get the best deal for Manor Royal
- > A tailored programme of locally delivered events and training
- > Promotion of Manor Royal and Manor Royal businesses
- > Regular and dedicated PR and communications
- > Dedicated point of contact and representative voice
- > High levels of satisfaction and pride in Manor Royal



Foreword

Today the Manor Royal Business District is a very different place to the one we were all working and trading in a few years ago. There are more businesses, fewer empty sites and vacant buildings and masses of developments planned and underway.

We have gone from a place criticised for being “out of date” to one that wins awards. We have gone from a place where only 13% of businesses said they were satisfied to one where satisfaction levels regularly register 80% and higher.

The Manor Royal BID has been a big part of that and in many cases been the driving force and deliverer of those changes. From broadband, roads, security and infrastructure to new services, events, initiatives and staff benefits – the Manor Royal BID has been at the centre of it all.

My concern is that these improvements will be lost without the BID. More than that, without the BID we can't take Manor Royal to the next level, we will lose our collective ability to influence and we will not be able to deliver the projects outlined in this document.

As in the first BID, we have an opportunity now to make a positive difference for our businesses and staff. I urge you to read the Business Plan and hope you are as enthusiastic about it as I am and hope you will join me by voting in favour of the Manor Royal BID in February 2018.

Trevor Williams
Manor Royal BID, Chair

*A
Message
from the
chairman*



Executive Summary

An overview of the Manor Royal BID Business Plan 2018 -2023

A track record of delivery

Since its creation, the Manor Royal BID has built-up a track record of achievement.

Guided by the original Business Plan, the Manor Royal BID has delivered a range of new and additional services, projects and infrastructure improvements for the benefit of Manor Royal based businesses and staff in line with its vision “to improve the trading and working environment of Manor Royal”.

A vote to renew the BID

Having completed its first five year term, businesses must vote to extend the BID for a further five years in a renewal ballot taking place in February 2018, which will allow this new Business Plan to be delivered.

A new plan and new projects

This Business Plan has been developed only after extensive research and consultation. A successful renewal would see the Manor Royal BID continue to deliver those services, projects and initiatives already valued by businesses and extend the remit of the BID but without increasing costs.

The levy rate - the contribution businesses would be expected to make annually for five years - will remain at 1% of the rateable value of the property occupied for those properties with a rateable value of £12,000 or more, but capped so that no single property would be liable for more than £3,500 per annum.

Providing additionality and continuity

The Manor Royal BID adheres to the principal of “additionality” which means that what it delivers is in addition to and on top of what any other organisation currently delivers or will deliver. The Manor Royal BID is also the only organisation whose sole interest is the success of Manor Royal and, most importantly, is run by and for Manor Royal companies.

A clear vision supported by four strategic objectives

The vision for the Manor Royal BID is “For Manor Royal to be widely regarded as the place where companies and people choose to be for the strength of its business community and the quality of its trading and working environment.”

Objective 1: Promote and influence

Promote Manor Royal Business District to secure investment and retain businesses, promote local companies and represent the interests of the business district at a strategic level with private and public sector partners.

Objective 2: Trade and Save

Provide opportunities for companies to trade with each other and benefit from subsidised or free services.

Objective 3: Infrastructure and Facilities

Ensure the infrastructure and facilities on offer meet expectations associated with a premier business destination so that businesses can function, staff are satisfied and visitors are impressed.

Objective 4: Manage and Maintain

Deliver enhanced levels of maintenance, public realm and security throughout the business district.

Details of the projects associated with each objective are set out in the relevant section of the Business Plan along with details of how the Manor Royal BID will be managed and run.

Your BID, your Vote, your Choice

If businesses vote to renew the BID this will allow for a fund of circa £2.6m to be generated over a five year period, plus any additional funds the BID team secure from other parties.

A vote to renew the Manor Royal BID is the only way to ensure the additional services, projects and benefits outlined in this document are delivered.

The BID area

Map of the proposed BID area

Did you know?

Before the BID 31% of businesses were **dissatisfied** with Manor Royal as a place to do business. **Now it's just 3%**



- > Baird Close
- > Betts Way
- > Cobham Way
- > County Oak Lane
- > County Oak Way
- > Crompton Way
- > Faraday Road
- > Fleming Way
- > Gatwick Road
- > Hydehurst Lane
- > James Watt Way
- > Jenner Road
- > Kelvin Lane
- > Kelvin Way
- > Manor Royal
- > Maxwell Way
- > Metcalf Way
- > Napier Way
- > Newton Road
- > Priestley Way
- > Royce Road
- > Rutherford Way
- > Tinsley Lane
- > Tinsley Lane North
- > Wheatstone Close
- > Whittle Way
- > Whitworth Road
- > Woolborough Lane

Napier Way

Zone 3

(*) The BID area includes any and all of the smaller business areas and parks located off these roads that are located within the boundary of the defined BID area, even if they are not listed above including County Oak Retail Park and Acorn Retail Park.

What a BID is and why we need one

What is a BID?

A Business Improvement District (BID) is a precisely defined geographical area where the businesses vote to invest collectively in local improvements to enhance their trading environment.

The businesses decide what they want the BID to do, they vote to create it and they run it by the rules they agree.

BIDs were enabled by Parliament through the Business Improvement Districts (England) Regulations in 2004. This legislation was based on the experience of successful BID activity in America, and originally Canada where they have been operating since the 1960s.

BIDs have to comply with these regulations but are designed to allow businesses to create them to meet their needs and to operate how they want them to. BIDs can only be created for a maximum of five years through a vote (a ballot). In order for a BID to carry on businesses must vote in a renewal ballot every five years.

There are now almost 300 BIDs operating in town centres and business parks throughout the United Kingdom and Ireland.

More information about BIDs is available from British BIDs at www.britishbids.info

Why we need a BID in Manor Royal

The reason businesses voted to create the Manor Royal BID in 2013 was because the business district needed to improve in a number of ways and there was no one else with the necessary means to deliver them.

Independent research highlighted that Manor Royal had struggled to keep pace with other areas and that the business community itself was uncoordinated in ways that weren't helpful.

Things have improved significantly since the creation of the BID but some of the same challenges remain. In some respects the challenge is even greater. Specifically, there is still no other organisation or mechanism that will generate the necessary funds or whose sole purpose is to ensure Manor Royal succeeds.

Manor Royal is a very different place now to what it was but there is no room for complacency.

Many of the improvements experienced in Manor Royal in recent years have been delivered by or involved the Manor Royal BID. If we want to keep these and build on them it is essential to retain the BID as the influential "voice" of Manor Royal and the self-determining organisation for business-led delivery because no one else is going to do it.



"Being part of the BID has allowed B&CE to be at the heart of the decisions that impact the area we call our home. Recent examples have been the provision of outside space, low cost training for staff and involvement in the transport study commissioned specifically to attract funding for local transport improvements. The BID continues to have a tangible impact on the success of the local business community."

Zoe Wright
Director of People & Premises, B and CE

A proven track record

A record of success - highlights from the first BID term

Since its creation in June 2013 the Manor Royal BID has been about delivering on the objectives of its first Business Plan. The BID now has a track record of delivering on its promise.



Recipient of 3 awards (two regional, one national), 1 commendation by the Landscape Institute and short-listed for 2 other national industry awards



Launch of the **dedicated Manor Royal Jobs Board** providing free and unlimited job postings



Over 500 hours of free to access conservation based volunteering organised with Sussex Wildlife Trust



9,000 users of the easit transport initiative each **saving £480 per annum** (on average)



50,000 copies of the quarterly Manor Royal News magazine published to promote the business district and its companies



76 registered companies using easit enjoying a collective saving on membership of **£75,000 per year**



45 activations of the Manor Royal BID winter gritting service since its inception in year three, covering those areas not otherwise treated. This equates to **225 kilometres of additional gritting**



Significant road resurfacing works negotiated and carried out on Manor Royal road, Fleming Way, Gatwick Road, Faraday Road, County Oak Way, London Road A23 and Gatwick Road Parade



25 security cameras installed at entry points and strategic locations monitored by Sussex Police



Over 60 monthly eBulletins issued providing Manor Royal companies with the latest news and information



380 employees have attended over **50 bespoke Manor Royal BID discounted training events** saving Manor Royal companies over **£40,000**¹



200 new signs installed including new street name signs, directional signs, welcome signs and lamp post banners



Over 50 events have been organised attended by over **5,000 delegates**



Over £1million attracted in additional funding to **BID projects**



All 23 broadband cabinets upgraded for faster fibre-based broadband



1 new entranceway opened, 1 more at planning and a newly designed **footbridge re-opened**



2 new parks opened: Crawler's Brook People's Park and The Terrace Pocket Park



2 subways upgraded: Green Lane and Woolborough Lane subways

¹ Figures do not count those training events delivered in the final year of the BID likely to be a further 30 sessions.

Our Journey

The Manor Royal BID has delivered many new and additional services, projects, improvements and events. It's impossible to capture them all. Here are some selected highlights of the story so far.

December 2013

November/Dec 2013

July 2013

June 2013

4. Broadband & security measures

Contracts are signed and work packages agreed to introduce fibre broadband infrastructure to everywhere in Manor Royal and to work with Sussex Police to improve security, including introducing security cameras.

3. Better roads

Road repairs are fast-tracked by at least two years due to BID lobbying and close working with West Sussex County Council.

2. First BID event

Virgin Atlantic host first Manor Royal BID event at which the partners and benefits programme is launched and key announcements on the first projects are made.

1. BID starts

February 2014

April-June 2014

April - June 2014

July - Sept 2014

April - June 2014

June - August 2016

September 2016

September 2016

October 2016

November 2016

January 2017

January 2017

February 2018 and beyond

September 2015

12. Faster broadband

Faster broadband project completed.

April - June 2015

11. Subway upgrade

Woolborough Lane subway upgrade completed.

January - March 2015

10. New website & directory

Website is re-vamped and new business directory is launched CCTV infrastructure is installed.

November 2014

9. People's Park opens

Crawter's Brook People's Park is officially opened by HRH The Duke of Gloucester.

July - Sept 2014

8. Broadband and awards

First fibre broadband cabinets go-live. Manor Royal wins South East in Bloom BID category.

April - June 2014

7. Using influence

£600,000 grant secured for CCTV and facilities. Manor Royal BID responds to runway proposals and writes to Government concerning Permitted Development Rights.

April-June 2014

6. Know Your Neighbour

First HR Forum and Manor Royal football tournament take place. The first Manor Royal Projects Pack is unveiled at Know Your Neighbour Expo setting out designs for new facilities, signage, entranceways and other interventions.

Feb 2014

5. Park work begins

Work begins on Crawter's Brook People's Park.

Sept - Oct 2015

13. Awards & training

Crawter's Brook People's Park receives South East in Bloom award. Bespoke Manor Royal Training programme is launched. Planning permission granted for Gateway 3 and signage projects.

November 2015

14. National BID recognition

Crawter's Brook People's Park wins national British BIDs Project award.

Nov - Dec 2015

15. Manor Royal Matters

First Manor Royal Matters conference takes place. Gatwick Road Parade parking restriction comes into force. Additional winter maintenance service launched. Signage manufacturers appointed.

May 2016

16. Signage project completed

June - August 2016

17. Better infrastructure

Green Lane subway upgrade is completed. Gatwick Rd North is resurfaced. New Hawth partnership. Gateway 3 works begin. Transport Study begins.

September 2016

18. Gateway 3 structure

Practical completion of works at Betts Way.

September 2016

19. Better security

Security camera project officially completed. Agreement signed with Sussex Police. Information Pack published. Grey (hard) and Green (soft) infrastructure audits published.

October 2016

20. Footbridge opens

Re-designed Gatwick Road Footbridge re-opened.

June 2017

28. Cheaper energy

Re-Energise Manor Royal (on-site energy generation feasibility project) starts with £500,000 EU grant.

May 2017

27. More new services

Dedicated Manor Royal Jobs Board is launched providing free and unlimited job postings. Waste & Recycling Service launched and insurance partner announced.

April 2017

26. New Pocket Park

The Terrace Pocket Park is officially opened.

April 2017

25. BID breaks £1m

BID writes to Government about Business Rates review and breaks the £1m mark from additional investment attracted for Manor Royal projects.

March 2017

24. Better maintenance

Additional Grounds Maintenance Team appointed.

January 2017

23. Transport and Gateway

Transport Study Final Report published. Gateway 1 (Gatwick Road) upgrade planning application submitted.

January 2017

22. Terrace work begins

Work begins on construction of The Terrace Pocket Park

November 2016

21. More recognition

Crawter's Brook People's Park "highly commended" by the Landscape Institute.

July 2017

29. Economic work starts

Economic Impact Study to assess Manor Royal's present and potential future contribution to the economy begins.

September 2017

30. New Ranger service

Launch of the dedicated Business Ranger (day time and night time) Service to provide additional security and reassurance and to identify and resolve problems more quickly.

September 2017

31. Improved cyclepath

Upgraded cyclepath connecting Ifield Station to Metcalf Way is opened.

October 2017

32. Going digital, getting smoother

Planning application submitted for 6 digital display boards and advertising screens. County Oak Way re-surfaced.

November 2017

33. BID2 Launch

Launch of Manor Royal BID2 (2018-23) Business Plan, including the Manor Royal Projects Pack and Economic Impact Study.

Feb18 and beyond

34. February 2018 and beyond

Businesses vote in the Manor Royal BID Renewal ballot. Only a positive "yes" vote will allow the journey to continue until 2023.

* This timeline does not include the delivery of free to attend events and seminars organised by the BID that take place throughout each and every year including; the Manor Royal Know Your Neighbour EXPO, Manor Royal Matters Conference, Manor Royal Showcase, Annual General Meeting, Manor Royal Training Programme, quarterly HR People Forums, Christmas Celebration events, Annual 6-a-side football tournament, team building and volunteering events, Crawley STEMfest launch & Manor Royal Comedy Night and other one-off events.

The Research

Informed by YOU

Fundamental to how the Manor Royal BID operates is the opinion of businesses. To inform the renewal process, a variety of methods have been used to ensure the widest possible participation and feedback about what the priorities ought to be and how the BID levy fund ought to be invested.

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An evidence-based approach

To formulate this Business Plan the Manor Royal BID has drawn on a number of sources of information, including:

- > Manor Royal BID Survey (2016) to which almost 30% of businesses responded.
- > Manor Royal Showcase event (2017) where BID 2 priorities were discussed and opinion cast using electronic voting pads. Attended by over 100 delegates representing 66 companies.
- > Manor Royal Transport Study (2016) which included employee surveys and business consultation.
- > Manor Royal Economic Impact Study (2017) an independent economic assessment by leading economic development, planning and regeneration consultants, Lichfields, to assess performance, weaknesses and gaps.
- > Presentations at public events including Know Your Neighbour Expo (2017) attended by over 100 companies.
- > Coverage in Manor Royal News magazine, monthly eBulletins and online inviting comment.
- > Other studies including the Manor Royal Grey (Hard) and Green (Soft) infrastructure audits (2016).
- > Face-to-face meetings and interviews as well as gathering views submitted directly to the BID during the normal course of business.



VOTE4MR
#MRBIDFEB18

“With our Depot based in Manor Royal, we are BID members as well as providers of bus services to employees all over Manor Royal and the surrounding areas. We have found the BID to offer great opportunities to promote our services and the highly proactive stance they take to get stuck into the local issues that matter most, mean that we consider the Manor Royal BID to be one of our most valued partnerships. We hope you will join us by voting ‘yes’ to support BID2.”

Patrick Warner
Business Development Manager
Metrobus

The results

Represent, promote and inform

93% of businesses valued the role the BID plays in representing Manor Royal at a strategic level, which has delivered increased levels of investment to the area and influenced the plans and policies that directly impact Manor Royal. Keeping companies informed, promoting businesses and helping to reduce costs also featured highly.

Valued projects

84% of businesses regarded delivering even faster broadband as either “very” or “quite” important. 93% wanted to see better standards of maintenance. Efforts to improve the major entranceways into Manor Royal was rated as important by 78% of businesses. Improving the business directory scored highly (74%) and 64% wanted to see more ways to connect businesses.

Addressing the priority issues

When businesses were asked directly about their priorities, a number of trends emerged. First among them were the quality of the roads and footpaths and transport related issues. Five of the top ten issues fall into one of these two areas.

Maintenance, street scene and tidiness also feature prominently and are dealt with in the “Manage and Maintain” objective. Over half of respondents highlight facilities as an issue and 28% mentioned broadband speeds. Night time security is a priority for over a third of Manor Royal companies.

These findings were borne out by the verbatim comments provided, of which there were over 270.

At the Manor Royal Showcase (2016) voting by delegates using electronic voting pads indicated that 59% felt the standards of appearance and maintenance were issues closely followed by a need to take action on parking and transport (52%) with the need for better facilities (45%) and opportunities to meet (33%) also ranking highly.

Improving levels of satisfaction and support for the principle of a second term BID

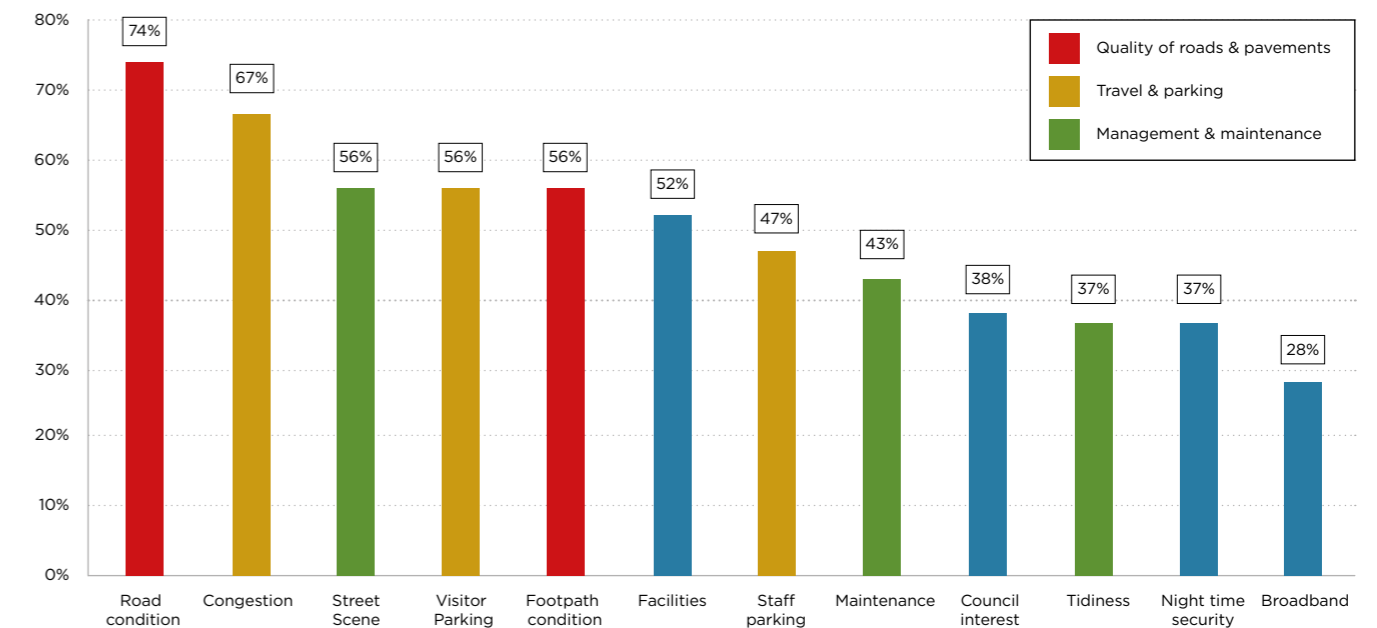
On the important matter of satisfaction with Manor Royal as a place to do business the survey results indicated that 97% were either “satisfied” or “very satisfied” and 54% feeling it had improved in the previous year. A more consistent level of reported satisfaction is provided by the Showcase results gathered year on year where roughly 60% indicate they are “satisfied” or “very satisfied” with negligible amounts reporting dissatisfaction (2-3%).

From the survey 72% claim to be supportive of the BID with 19% undecided. At the Showcase event (2017) 92% believed a second term BID ought to be pursued.

These findings have informed this Business Plan and the case for renewing the Manor Royal BID.

Priorities identified by Manor Royal businesses

Source: Manor Royal BID Survey, 2016



Agenda Item 7

Vision, objectives & deliverables

(Projects & services)

“For Manor Royal to be widely regarded as the place where companies and people choose to be for the strength of its business community and the quality of its trading and working environment.”

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How our vision to improve Manor Royal relates to our strategic objectives and specific actions that together contribute to a better trading and working environment.

Vision

The stated vision for the business district area is:

“For Manor Royal to be widely regarded as the place where companies and people choose to be for the strength of its business community and the quality of its trading and working environment.”

This vision captures a future for Manor Royal that works for businesses and staff through a shared commitment to collaborate to deliver that vision where the BID provides the necessary momentum, energy and drive. Based on this vision the central purpose of the BID is to:

“Improve the trading and working environment of Manor Royal.”

Objectives

The Manor Royal BID will act on four objectives in support of our vision.

Objective 1: Promote and influence

Promote Manor Royal Business District to secure investment and retain businesses, promote local companies and represent the interests of the business district at a strategic level with private and public sector partners.

The Manor Royal BID will:

- > Promote Manor Royal as a premier business location
- > Represent your views as we work with policymakers to deliver a healthy environment for businesses to succeed on Manor Royal
- > Influence economic development activities as they impact on Manor Royal
- > Attract additional investment to fund new projects for the benefit of all
- > Provide a dedicated point of contact for enquiries from business, staff and investors
- > Communicate effectively with stakeholders via public relations, marketing, events and digital channels
- > Liaise with public partners, including local authorities, the Police and Gatwick Airport

Objective 2: Trade and Save

Provide opportunities for companies to trade with each other and benefit from subsidised or free services.

The Manor Royal BID will deliver:

- > A tailored programme of exclusive and free events
- > Subsidised staff travel initiatives, including easit membership
- > Subsidised and free services, eg. Business Watch, Volunteering, Waste & Recycling etc.
- > Schemes to deliver savings on business overheads
- > High quality, subsidised training programme
- > Free to use dedicated Manor Royal Jobs Board
- > Manor Royal News magazine produced quarterly and eBulletins produced monthly
- > New, dedicated and bespoke Business Directory
- > Negotiated staff benefits

Objective 3: Infrastructure and Facilities

Ensure the infrastructure and facilities on offer meet expectations associated with a premier business destination so that businesses can function, staff are satisfied and visitors are impressed.

The Manor Royal BID will deliver:

- > New programme of infrastructure improvements, including major entranceways and area enhancements
- > Travel, transport and parking improvements
- > Investigate the potential to generate energy on-site from renewable sources
- > Lobby and help to deliver new facilities for staff to meet, rest and enjoy
- > Even faster broadband
- > New digital outdoor media signs managed by the BID for use by Manor Royal companies

Objective 4: Manage and Maintain

Deliver enhanced levels of maintenance, public realm and security throughout the business district.

The Manor Royal BID will deliver:

- > Enhanced levels of additional maintenance provided by a dedicated Maintenance Team
- > Improved day and night security
- > Dedicated Manor Royal Business Ranger service
- > Road and footpath improvements
- > Maintenance of the signs, parks and assets for which the BID is responsible
- > Maintenance of the area-wide security cameras with Sussex Police
- > Additional winter maintenance and gritting service



“The Manor Royal BID adds value by allowing us to operate as a collective group of companies working together to make the business district a better place to work in for companies and their employees. The BID is making a difference. Without the BID we would lose momentum and the great projects that have been undertaken would be a thing of the past.”

Tony Maynard
Facilities Manager,
CGG

Agenda Item 7

BID2 (2018-2023) in Pictures

Some of the projects and services a renewed Manor Royal BID will deliver.

1. Digital advertising boards at strategic locations managed by the BID

2. Dedicated full-time maintenance team

3. Improved entranceways

4. Regular programme of exclusive and free events

5. Business Rangers providing day and night cover

6. Transport improvements as part of a £multi-million programme

7. Area-wide of 25 security cameras (CCTV/ANPR)

8. Subsidised training and bespoke staff and business offers

9. PR and marketing to boost trade and promote Manor Royal

10. Additional winter maintenance / gritting service

11. Dedicated and free to use jobs board

12. Delivery of the projects pack to improve facilities and public realm

What it will cost An agreed set of rules

Every BID has to establish its own levy rules. Reference has been made to the use of the 'Industry Criteria and Guidance Notes' (source: British BIDs 2017) in developing the rules which will apply to the Manor Royal BID.

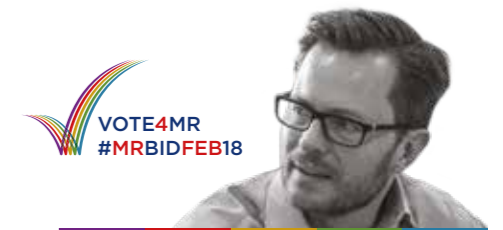
Levy payments will be calculated at 1% of the rateable value of the premises businesses occupy on all properties in the BID area with a rateable value of £12,000 or more. A cap will be in place so that no individual property attracts a levy charge of more than £3,500.

The levy charge will be payable annually based on the Valuation Office Agency's 2017 ratings list on 1st February each year.

With a 1% levy, the indicative costs to a business would be:

Rateable Value	Annual levy	This equates to Weekly	This equates to daily
Less than £12,000	£ -	£ -	£ -
£12,000	£120	£2.31	£0.33
£15,000	£150	£2.88	£0.41
£20,000	£200	£3.85	£0.55
£30,000	£300	£5.77	£0.82
£50,000	£500	£9.62	£1.37
£100,000	£1,000	£19.23	£2.74
£150,000	£1,500	£28.85	£4.11
£250,000	£2,500	£48.08	£6.85
£350,000 plus	£3,500	£67.31	£9.59

You can check the rateable value of your property at www.voa.gov.uk



"I'm backing the BID because by working together in this way we are getting results. The Manor Royal BID has delivered beyond expectations during the last 5 years and is looking positively to build on this. The BID levy is small compared to the vast improvement in the area examples of which are a better environment, security, cheaper travel and well maintained roads."

Michael Deacon-Jackson
FTD Johns

The Budget

The Manor Royal BID 5 year budget: 2018 - 2023

	Year 1	Year 2	Year 3	Year 4	Year 5	Full Term
INCOME						
Annual BID Levy Income (1)	£499,510	£509,500	£519,690	£530,084	£540,686	£2,599,470
Surplus from BID1	£10,000	£ -	£ -	£ -	£ -	£ 10,000
Other income	£50,000	£51,000	£52,020	£53,060	£54,122	£260,202
TOTAL INCOME	£559,510	£560,500	£571,710	£583,144	£594,807	£2,869,672
OPERATING EXPENDITURE						
Central running costs (2)	£52,695	£53,749	£54,824	£55,921	£57,039	£274,229
Levy collection charge	£15,000	£15,300	£15,606	£15,918	£16,236	£78,061
Renewal Fund	£7,500	£7,650	£7,803	£7,959	£8,118	£39,030
TOTAL OPERATING EXPENDITURE	£75,195	£76,699	£78,233	£79,798	£81,394	£391,320
PROJECT EXPENDITURE						
Objective 1: Promote and influence	£54,546	£55,637	£56,750	£57,885	£59,043	£283,861
Objective 2: Trade and save	£53,296	£54,362	£55,449	£56,558	£57,690	£277,356
Objective 3: Infrastructure and facilities	£116,600	£108,732	£110,907	£113,125	£115,387	£564,751
Objective 4: Manage and maintain	£249,846	£254,843	£259,940	£265,139	£270,442	£1,300,210
Contingency	£10,000	£10,200	£10,404	£10,612	£10,824	£52,040
TOTAL PROJECT EXPENDITURE	£484,289	£483,775	£493,450	£503,319	£513,386	£2,478,218
Surplus (3)	£26	£26	£27	£27	£28	£134

Notes:

1. Includes an allowance for bad debts
2. Central running costs include staff admin costs, office costs and fixed overheads
3. In addition to this surplus the BID has a retained surplus of £50,000 as a reserve
4. All income and expenditure figures have been increased by 2% year-on-year to allow for inflation although inflation on BID Levy Income is at the discretion of the Board and may not necessarily be applied

Additional Income

The Manor Royal BID is committed to attracting additional funding other than that provided by the businesses through the BID Levy. A modest additional income generation target has been set. If the BID is more successful in attracting additional funds this will be allocated to projects consistent with this plan and its stated objectives.

Application of funds

The BID funds are ring-fenced and will be controlled by participating businesses via the BID Company and used in accordance with this plan.

Accountable

The BID Company will produce monthly management accounts and financial forecasts. Appointed auditors will produce end-of-year accounts, made available publicly to all and these will be filed at Companies House in the normal way.

Monitoring performance

Did you know?

97% of levy paying businesses report being either "satisfied" or "very satisfied" with Manor Royal as a place to do business compared to just 13% before the BID

The performance of the BID will be monitored and publicly reported in the following ways:

- > A detailed Annual Report produced for each AGM and published online.
- > Accounts independently audited, presented at each AGM and published online.
- > A levy leaflet distributed to every business describing at the start of each year how funds were invested in the previous year and how they will be invested in the next financial year. Again this will be published online.
- > Regular public meetings where the BID Team and Directors will be present and available.
- > Regular surveys, including a mid-term review, to measure business and staff satisfaction.
- > As far as possible to accommodate interest from those who wish to be involved in the operation of the BID.
- > Regular reporting online and in other communications, including monthly eBulletins and quarterly printed magazine.

Direct performance measures

Typical key performance measures monitored by the BID include:

WHAT	HOW
Levels of satisfaction among businesses and staff	Surveys
Projects delivered	Public reporting of projects delivered
Businesses and staff attending events	Event monitoring
Businesses and staff benefiting from activities	Review of engagement and savings from training, transport (easit users), business watch etc.
Additional investment generated (additional to levy)	Annual Audited Accounts / Annual Report
"Mood" scores	Quantifiable measures consistently gathered on BID activities e.g via electronic voting at Annual Showcase
Service specific performance indicators e.g. relating to additional maintenance team, Business Rangers, winter gritting, job board usage and savings etc	These are agreed measures related to BID services which are discrete, service-specific measures.

Indirect performance measures

A number of measures will be monitored by the BID to assess the overall performance of Manor Royal as an area. These measures are influenced by external factors as well as BID actions so cannot be directly attributed to the BID. However, they are strategically and operationally useful to assess wider performance and to inform our place shaping and influencing role.

WHAT	HOW
Site availability	Local knowledge and site monitoring
Levels of occupancy	Empty properties data
Crime statistics	Sussex Police reported crime statistics
Measures of productivity	Objectively obtained measures of GVA

Governance

A not-for-profit company run by businesses

The Manor Royal BID Company (MRBD Limited) is a not-for-profit BID Company, limited by guarantee. It will be legally and operationally responsible to the businesses in the BID area for all BID activities and will act on their behalf.

The structure of the BID will be a Board responsible for governance, a Management Group responsible for coordinating activity and delivery, and Project Teams to develop the individual projects.

The Board will be elected by the members of the Manor Royal BID Company, drawn from those paying a levy in the area and made up of a representative cross-section of the businesses.

The main role of the Board is to safeguard the interests of levy payers, ensuring that the business operates in line with the BID Business Plan, is professional and offers consistent value for money in line with its targets.

All levy payers shall be entitled to be members of the BID Company. There will be an Annual General Meeting at which all members are invited to attend and vote and at which Directors will be retired by rotation and new Directors elected in accordance with the articles of the company.



"I'm voting Yes for the renewal of the BID because we can now positively influence changes in our local area. Improvements to the roads, lighting on the cycle paths & new signage have made it easier for our team & our tenants to access our business centre safely & comfortably. Being able to give our tenants access to discounted training courses, networking events & other avenues of business support is exceptionally valuable & would be sorely missed if they were no longer available. Manor Royal has improved greatly since the introduction of the BID."

Stephanie George
Centre Manager,
Basepoint Centre

Meet the Board

The Board

The Manor Royal BID Company (MRBD Limited) is a non-profit company limited by guarantee set up to run the BID. It is led by a Board of Directors drawn from member businesses who are elected at the Annual General Meeting by fellow members of the BID Company that all levy paying businesses can freely join. Members of the Board give their time on a voluntary basis.

The Articles of the BID Company allow for Board membership of up to nine individuals. Each year a third of the Board is required to stand-down but can stand for re-election.

The Management Group and Project Teams

Other Manor Royal companies, partners and stakeholders are involved in the running of the BID either as part of the Management Team, which has operational responsibilities, or in one of a number of BID Project Teams. This structure provides good representation of Manor Royal by size, sector and geography as well as ensuring probity and good decision making. The involvement of Manor Royal companies is welcomed and encouraged.



Trevor Williams
Thales UK
BID Director and Chair



Keith Pordum
Bon Appetit
BID Director & Vice Chair



Anthony Maynard
CGG
BID Director



Jeremy Taylor
Gatwick Diamond Business
BID Director



Markus Wood
Avensys
BID Director



Zoe Wright
B&CE
The People's Pension
BID Director



Michael Deacon-Jackson
FTD Johns
BID Director



Paul Searle
P&H Motorcycles
BID Director



Cllr Peter Smith
Crawley Borough Council
BID Director
(Local Authority)

The Ballot

How the voting works

The “lifetime” or “term” of the BID is prescribed by the Regulations and is set at no more than 5 years. It is possible for a BID to be extended by proposing a new Business Plan at the end of the current BID term, with a renewal ballot taking place in much the same way as the initial one.

The ballot takes the form of a 28 day postal ballot. For the BID to go ahead two requirements must be met:

1. More than 50% of business ratepayers who vote have to vote ‘yes’.
2. Those that vote “yes” have to represent more than 50% of the combined ‘rateable values’ of those who vote.

If these two requirements are met, the Business Plan is activated. In accordance with the agreed rules of the BID Company, those businesses in the BID area who meet the criteria will be required to pay the levy each year for five years, regardless of whether or not they voted or how they voted.

The ballot will be administered by Crawley Borough Council’s Electoral Services Team in strict accordance with the BID Regulations (2004).

Who can vote

Those businesses that pay rates on a property within the BID area with a rateable value of £12,000 or more will be entitled to vote. If they occupy more than one such property they will be entitled to more than one vote.

Details of the levy criteria can be found in the full Business Plan Proposal at www.manorroyal.org

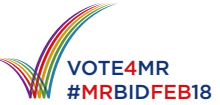


“FASTSIGNS will definitely be voting yes in the BID ballot as it has made such a difference to the area in so many ways. For us as a business there are many noticeable changes. The communication on what’s happening in the BID area is superb and cosmetically Manor Royal looks much smarter and more welcoming. It is definitely easier for visitors to navigate the area now”

Melanie Martinez
Fastsigns

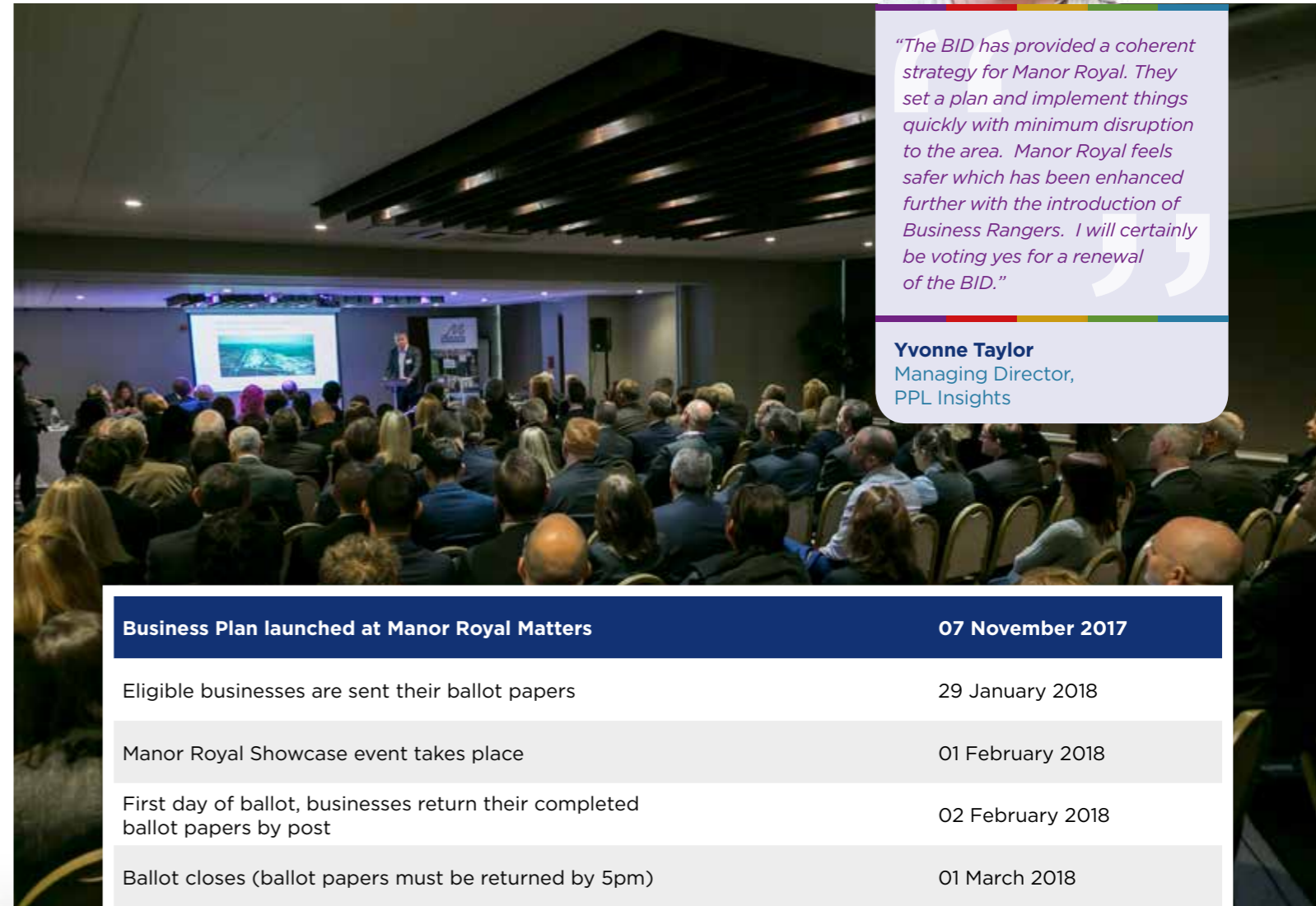


The timetable



“The BID has provided a coherent strategy for Manor Royal. They set a plan and implement things quickly with minimum disruption to the area. Manor Royal feels safer which has been enhanced further with the introduction of Business Rangers. I will certainly be voting yes for a renewal of the BID.”

Yvonne Taylor
Managing Director,
PPL Insights



Business Plan launched at Manor Royal Matters 07 November 2017

Eligible businesses are sent their ballot papers	29 January 2018
Manor Royal Showcase event takes place	01 February 2018
First day of ballot, businesses return their completed ballot papers by post	02 February 2018
Ballot closes (ballot papers must be returned by 5pm)	01 March 2018
Count and declaration	02 March 2018
End of BID1	31 May 2018
Start of BID2	01 June 2018



Did you know?

The **BID** worked with West Sussex County Council and Crawley Borough Council to secure a **£14.6m from the Coast-to-Capital Local Enterprise Partnership** to address **transport issues**.

Testimonials

Thank you for taking the time to read this Business Plan.

"The investment in ANPR and CCTV coverage around the Manor Royal is a major contribution to safety and security. It is a very powerful tool for investigating crime and cannot be understated. Many other business districts simply do not have the same security and the vision of the Manor Royal BID."

Paul Palmer
ANPR Manager,
Surrey Police and Sussex Police
Operations Command

"Manor Royal BID brings a degree of cohesiveness and common cause. Just being able to talk to other local businesses about issues that are affecting them would be reason enough to renew Manor Royal BID but the infrastructure projects (from the signage to improved broadband) make even more invaluable. I'll certainly be voting 'Yes' to renew the BID for another term."

Jack Bedell-Pearce
Managing Director,
4D Data Centres Ltd

"The BID has played an invaluable role in enabling West Sussex County Council to understand the aspirations and challenges of Manor Royal businesses. This has enabled us to work together to great effect to deliver a number of improvements including Broadband and Highways projects as well as influencing the development of key programmes like the £60m Crawley Growth Programme."

Louise Goldsmith
Leader,
West Sussex County Council

"The BID is a critical partner to Crawley College and has been instrumental in bringing together discussions and actions around local skills needs and gaps. Without the BID we would lose the opportunity to offer bespoke and discounted courses to Manor Royal businesses and the opportunity to engage, listen and react to business needs through one effective channel."

Julie Kapsalis
Managing Director,
Crawley College

"It is important we keep this momentum going with another 5 years of the BID to achieve the same vast amount that was achieved in the first 5 years. Without the BID we would lose the impetus and sense of neighbourhood drive that I have seen happen these past few years."

Oliver Ellingham
Owner,
Lok'nStore

"We are strongly in favour of the BID being renewed as we have benefited from the work that the BID has done to improve the landscape, security and signage around Manor Royal. The opportunities to network at BID events has also helped us to raise our profile and make links with local businesses."

Martha Burnige
Trustee,
The Gatwick School

"Manor Royal has huge economic significance for Crawley area and the wider Coast to Capital region. The Manor Royal BID is critical in providing strong leadership to represent and promote this to businesses, key partners and policy makers. Without the BID there would be significant challenges in addressing the priorities of the district and opportunities for coordinated initiatives would be lost."

Jonathon Sharrock
Chief Executive,
Coast to Capital

"By giving businesses a collective voice the BID has kept the focus on Manor Royal at a time when local authorities are having to make tough spending choices and ensured that the district has received the investment it needs to go on growing. If Manor Royal is to continue to find solutions and weather the storm of current economic uncertainties, it needs a strong collective voice for the district with the revenue to back it up."

Cllr Peter Lamb
Leader of Crawley
Borough Council

"Since we celebrated our first birthday on Manor Royal on 31st October 2017, I have been very interested to see all the different projects that the Manor Royal BID are working on. For example the transport study to highlight traffic congestion and implement possible solutions, the CCTV coverage and most recently the launch of our new Business Rangers. There is no doubt that without the ongoing work of the BID, Manor Royal would not be the environment that we enjoy today."

Nicola Blake
Marketing Manager,
Creative Funding Solutions

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We hope you can see how seriously the Manor Royal BID takes its responsibilities and how it has to date delivered on its promise “to improve the trading and working environment of Manor Royal”.

We cannot be complacent about the progress that has been made. Progress that could not have been made without businesses working together in the way they have since 2013.

The potential for the second term of the BID beginning in June 2018 is even more exciting.

That depends solely on each positive vote cast at the ballot in February 2018 which would allow for us to continue the journey that we have only really just begun to help create an even better place for our businesses, staff and visitors.



Should you have any questions about the Manor Royal BID and this Business Plan, please contact the BID Office:

Manor Royal BID
Unit 38 Basepoint Business Centre
Metcalf Way
Manor Royal Business District
Crawley
West Sussex
RH11 7XX

www.manorroyal.org
steve@manorroyal.org
01293 813 866



Crawley Borough Council

**Report to Cabinet
10 January 2018**

Procurement Shared Service – Future Delivery Model

Report of the Head of Partnership Services – *HPS/11*

1. Purpose

- 1.1 The Council's Procurement Service has operated jointly with Horsham and Mid Sussex District Council's since 2010. This report seeks approval for a shared service model to be implemented for four years from April 1st 2018 with Crawley acting as the lead authority, providing services under an Inter-Authority Agreement on behalf of Horsham and Mid Sussex District Councils.

2. Recommendations

- 2.1 The Cabinet is recommended to:
- a) Approve that Crawley Borough Council become lead authority and provide procurement services on behalf of Horsham District Council and Mid Sussex District Council from 1st April 2018.
 - b) Agree to the cost sharing arrangements as set out in paragraph 6.3
 - c) Agree to the provision of procurement services under an Inter-Authority Agreement for a minimum period of four years commencing on 1st April 2018 to 31st March 2022.
 - d) Agree to accept a delegation from Horsham District Council and Mid Sussex District Council of their procurement functions under Section 101 of the Local Government Act 1972.
 - e) Delegate authority to the Head of Legal and Democratic Services to agree the terms of the Inter-Authority Agreement which reflects the principles outlined in the report.

3. Reasons for the Recommendations

- 3.1 The current joint working arrangement with Horsham District Council and Mid Sussex Council is due for renewal on 31st March 2018 and therefore there is a need for Members to agree how procurement services will be provided in the future.

4. Background

- 4.1 On 6th April 2010 Crawley, Horsham and Mid Sussex entered into a joint working partnership which saw existing procurement resources forming one team and being shared across the three authorities. Both Crawley and Horsham continued to manage and employ their own procurement staff and retained their own procurement budgets. The benefits of joint working were to create greater capacity within the team to support the increasing work programme demands, developing skills and knowledge amongst the team, making cashable savings through more collaborative procurement projects

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and making efficiencies by avoiding duplication and creating common policies and procedures.

- 4.2 Since then the service has delivered numerous projects and contributed to savings of in excess of £3,826,000.00¹. These projects include EU tenders, local tenders and accessing framework agreements, leading on collaborative procurement projects and a wide range of policy, legislative and strategic projects which benefit each of the authorities for example working with SMEs and local suppliers to educate them on procurement processes via training events and Meet the Buyers, and developing policies on key areas such as Social Value and Employment and Skills in procurement.
- 4.3 The team are responsible for developing the internal Procurement rules and guidance documentation that meets the requirements of EU legislation, undertaking spend analysis to identify future opportunities and areas of risk, and delivering training across the councils. The team also perform a contract management role for a number of collaborative corporate contracts and support departments in the management of key contracts as and when required.
- 4.4 The Joint Procurement Board, governs the shared procurement service via an informal Agreement and is made up of a representative from each of the authorities. Horsham District Council became the 'lead' authority taking responsibility for the payments made between the authorities and acting as IT lead. Both Horsham and Crawley provide desk space for the team who work between the two sites. The teams' presence at Mid Sussex is on an ad hoc basis as and when required for attendance at meetings.
- 4.5 The current structure of the team consists of a Procurement Manager, two Procurement Officers and a Project Support Officer. Two of the staff are permanent and employed by Crawley Borough Council and the other two staff are employed by Horsham District Council on temporary contracts. Benchmarked against other comparable procurement teams, the number of staff within the shared services is generally comparable or less.
- 4.6 The Budget for 17/18 was set at £194,912.57. The current payment mechanism is a percentage split with Crawley and Horsham both paying 35% of the costs and Mid Sussex 30%.

5. Description of Issue to be resolved

- 5.1 When the joint working partnership was set up in 2010 it was considered that in the long term the desirable position would be to have one authority acting as lead, employing all staff and providing procurement services on behalf of the other two authorities as it was felt that this would create efficiencies, avoid duplication and gives equality to staff. However it has never been achieved, although recognised that if the opportunity ever presented itself then it would be explored further.
- 5.2 With existing service provision due for review and renewal on 31st March 2018 and with two of the staff employed by Horsham District Council being on temporary contracts it is an opportune time to make decisions on the future delivery of procurement services. Horsham's temporary Procurement Officer left the Council on 22nd December 2017 when the post became vacant. The Project Support Officer's contract ends in June 2018. The other two staff (Procurement Manager and

¹ These savings are based on either one-off savings compared with budget or estimated cost. For contracts longer than one year the saving is for year 1 only. There was a period of time during 2015/16 where savings were not recorded and whilst we have gone back to find this information there are likely to be some savings missing from this figure.

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Procurement Officer) are employed by Crawley Borough Council on a permanent basis allowing Crawley to explore becoming the lead authority.

6. Information & Analysis Supporting Recommendation

- 6.1 The proposed future arrangement would see Horsham and Mid Sussex Councils delegate the provision of procurement services to Crawley Borough Council under a formal Inter-Authority Agreement. Both Horsham and Mid Sussex would pay an agreed annual contract sum to Crawley based on a percentage split of the total cost of delivering the service. Any saving (or overspend) on the budget will be split between the authorities. The Inter-Authority Agreement would be drawn up to ensure that any potential risks are shared, for example, redundancy, pensions, exceptional costs etc.
- 6.2 The delivery model and governance arrangements would remain as the current model with a senior officer from each of the authorities forming a Joint Procurement Board which oversees the work programme and monitors progress.
- 6.3 The Budget would continue to be calculated on the percentage split of the costs between each of the authorities with Crawley and Horsham paying 35% of the costs and Mid Sussex 30%. This will be reviewed after two years.
- 6.4 The recommendation would make management of the provision less complex, easier to communicate and benefits from ensuring performance management, appraisals, training and development are consistent across the team. Budget management and monitoring will also be easier, avoids duplication, and will require less input from each of the authorities finance teams working out recharges and rebates.
- 6.5 Both Horsham and Mid Sussex Councils are in support of this recommendation.

7. Implications

- 7.1 Whilst the Horsham Project Support Officer is employed on a temporary contract their role will in effect continue albeit being employed by a different authority so their role would be entitled to TUPE transfer to Crawley. This post will be made permanent. HR teams in both Crawley and Horsham have been consulted on this. The Horsham Procurement Officer post which became vacant in December 2017 will be advertised and directly employed by Crawley on a permanent basis.
- 7.2 On a day to day basis little else will change under the arrangement. There will still be a requirement to have both Crawley and Horsham IT infrastructure and desk space in order to support these authorities effectively. The team will work with the IT departments to develop a more effective and streamlined technical solution for the team.
- 7.3 A provisional Budget for 2018/19 based on this model shows that the additional cost of Crawley leading the arrangement is an estimated £2,200 in comparison to maintaining the current arrangement. This additional cost is shared between the three authorities and can be met from existing budgets. If agreed, it is recommended that this Shared Services Model becomes effective from 1st April 2018 for a 4 year period.
- 7.4 A shared service model is where one organisation assumes responsibility for running services for others. The Legal implications arising from this proposal is that both Horsham and Mid Sussex Councils will need to agree to delegate their procurement functions to Crawley under Section 101 of the Local Government Act 1972 and relevant Executive Functions Regulations.

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- 7.5 There would be a TUPE transfer of staff to Crawley as outlined in the report.
- 7.6 The Inter-Authority Agreement will cover such matters as governance, operational matter, financial and terminations matters. There are no other implications arising from the report.

8. **Background Papers**

None

Report author and contact officer:

Nigel Sheehan, *Head of Partnership Services* 01293 438728

Crawley Borough Council

**Report to Cabinet
10th January 2018**

Improvement and Efficiency Social Enterprise (iESE)

Report of the Head of Legal and Democratic Services: LDS/134

1. Purpose

- 1.1 To consider and authorise the Council to become a member of the Improvement and Efficiency Social Enterprise (iESE Ltd) a company limited by guarantee and to approve the nomination of a representative from the Council to act as Non-Executive Director of the company and/or a voting delegate at the Annual General Meeting of the company.

2. Recommendations

- 2.1 It is recommended that the Cabinet:

- (1) Agrees that Crawley Borough Council should become a member of the Improvement and Efficiency Social Enterprise (iESE) Limited.
- (2) Delegates authority to the Chief Executive in consultation with the Leader of the Council to approve and execute any documentation necessary to give effect to recommendation 2.1(1) above.
- (3) To approve the appointment of the Leader of the Council as a Non-Executive Director of iESE and the Chief Executive be appointed as the Council's Officer Representative to iESE Limited.
- (4) Supports the commissioning of work for the Council by way of high level Customer Focus Wheel Assessment.

3. Reasons for the Recommendations

- 3.1 The Council has been invited to join iESE and like many other Local authorities who have joined the Company will benefit from the expertise provided by the organisation for service delivery improvements.

4. Background

- 4.1 Improvement and Efficiency South East originally operated as one of the regional Improvement and Efficiency Partnerships (RIEPS). These partnerships were funded by central government with the objective of identifying, fostering and delivering improvements and efficiencies across the public sector. Funding of RIEPS ceased as part of the austerity measures however their work was continued under the

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umbrella of an independent company Improvement and Efficiency Social Enterprise (iESE) with the same objectives and purpose.

- 4.2 iESE became a social enterprise in 2012, it is a non-profit distributing company limited by guarantee which has an overarching objective to advance the improvement and/or efficiency of public bodies across the UK. The new generation sector led improvement hubs within iESE are uniquely positioned and bring a large range of experience and good practice in relation to how to run efficient and improve local public services to the Customer. They have access to a large range of data across the country and subject matter experts, which would benefit Crawley in relation to the transformation of our services. iESE provide a good alternative to accessing private sector specialist advice for certain types of work and as a social enterprise, all surpluses are invested back into work to improve wider public services.

5. Proposal

- 5.1 There is an opportunity for Crawley Borough Council to become a member of the company. Members are entitled to appoint a Non-Executive Director of the company. A copy of the iESE brochure is attached at Appendix 1. This provides details together with terms and conditions for becoming a member of the company.
- 5.2 Being a member will involve each Council guaranteeing the Company to a limit of one pound if the Company becomes insolvent. The Company is owned by its members.
- 5.3 It is considered that being a member of the Company will provide benefits to the Council. After joining the Company the Council would like to commission iESE to undertake a piece of work in terms of carrying out a high level Customer Focus Wheel Assessment. This will be similar to a mini peer review and will provide a focus on external customers.
- 5.4 The Council would be required to enter into a members' agreement governing the relationship between itself and the company. The members' agreement covers the following aspects of the relationship:
- Management of the company;
 - Preparation, execution and monitoring of a business plan;
 - Provision of accounts for admission of new members;
 - Admission of new members;
 - Termination of the relationship;
 - Disputes involving the relationship.
- 5.5 It is proposed that the Leader of the Council be nominated to act as a Non-Executive Director and voting delegate of the Company on behalf of the Council. This appointment will be noted at the next Annual Council meeting.

6. Financial Implications

- 6.1 There are no financial implications for the Council arising from joining iESE other than entering into a limited liability guarantee. However there will be a separate cost for individual work commissioned by the Council. The proposed cost for the High Level Customer Focus Wheel Assessment will be a maximum of £14,000, which can be accommodated from the transformation budget.

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- 6.2 The liability for each member is limited to one pound which contributes to the assets of the Company in the event of it being wound up while the Council is a member or within one year after the Council ceases to be a member.
- 6.3 Members are not committed to using the services of iESE. They are, however, required to give consideration to services provided by iESE before deciding whether or not to procure such services elsewhere and to this effect there is a risk that the Council's procurement activities could be constrained. The Company's principal services include:
- Corporate Challenge
 - Shared Services
 - Procurement Services
 - Waste Services
 - Social Care Services
- 6.4 A member may withdraw membership of the company by giving three months' notice to the company in writing.

7. Legal Implications

- 7.1 Becoming a member of iESE is a low risk since the main obligation of membership is to pay one pound in the event of insolvency.
- 7.2 The legal implications of the members agreement (which we would be required to enter into by signing a deed of adherence) are that we have to consider the iESE as a supplier but this principally means that the Council has to consider iESE as a supplier both CBC and iESE recognise that these requirements do not override the Council's procurement rules or the law.
- 7.3 The members' agreement also states that the person appointed as a director must have authority to bind the Council in terms of voting at meetings of the Company. A member of the Cabinet can of course bind the Council by taking a decision in accordance with their portfolio responsibilities. It is unlikely that there will be any need for such decisions to be taken at formal iESE meetings and that the purpose of the provision is that the Council appointed director has authority to vote at meetings of the Company

8. Other Implications

- 8.1 There are no other implications associated with this report including equality and diversity implications.

9. Background Papers

None.

Report Author and Contact Officer: Ann-Maria Brown,
Head of Legal and Democratic Services
01293 438292

THIS DEED is made on 20

BY

of (the "Covenator")

in favour of the persons whose names are set out in the schedule to this deed and is **SUPPLEMENTAL** to the Members' Agreement dated 3rd of June 2015 made by (1) Eastbourne Borough Council, (2) South Hams District Council, (3) West Devon Borough Council, (4) Norwich City Council, (5) Wiltshire Council, (6) Aylesbury Vale District Council, (7) Borough Council of King's Lynn & West Norfolk, (8) Bournemouth Borough Council, (9) Hinckley & Bosworth Borough Council, (10) Isle of Wight Council, (11) Lewes District Council, (11) Sandhurst Town Council, (12) Bracknell Forest Council, (13) Shepway District Council, (14) iESE Limited (company number 07716988, (15) iESE Transformation Ltd (company number 08884826) (the "Members' Agreement")

THIS DEED WITNESSES as follows:

The Covenator hereby applies for membership in the company iESE Transformation Ltd with company number 8884826 and registered office 37 St Margaret's Street, CANTERBURY, Kent, CT1 2TU.

The Covenator confirms that it has been given and read a copy of the Members' Agreement and subject to its application for membership being approved, covenants with each person named in the schedule to this deed to perform and be bound by all the terms of the Members' Agreement, as if the Covenator were a Member who is Party to the Members' Agreement.

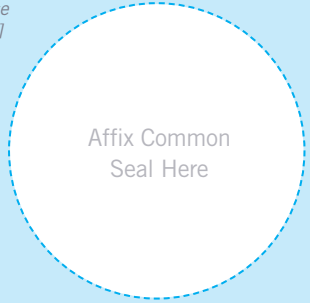
This deed is governed by the laws of England and Wales.

IN WITNESS WHEREOF this deed has been executed by the Covenator and is intended to be and is hereby delivered on the date first above written.

[Parties to Members' Agreement including those who have executed earlier deeds of adherence.]

THE COMMON SEAL of The Covenator was affixed to this deed in the presence of:

Authorised signatory
Authorised signatory



Application Form Terms and Conditions

Full terms and conditions are set out in the Members Agreement. Where conflict arises between the terms in this Deed of Adherence and the Members agreement then the Members Agreement shall prevail.

- Members must be a public body and contracting authority
- Members are not required to use the services of iESE Transformation Limited
- Members will take due consideration of the services provided by iESE Transformation Limited before deciding whether or not to procure such services
- When your membership is accepted you accept a limited liability of £1
- Membership is not transferable and ceases when the public body ceases to exist
- A Member may terminate membership by giving 3 months notice in writing
- A general meeting does not require the members' representatives to be in the same place
- Directors of the company are responsible for the management of the company and may exercise all the powers of the company subject to reserved matters
- Members may by special resolution direct the Directors to take or not to take specific actions
- The following matters are Reserved Matters and require Member Consent other than where specifically included within the Business Plan:
 - Varying in any respect the articles of the Company.
 - Passing any resolution for its winding up or presenting any petition for its administration (unless it has become insolvent).
 - Adopting or amending the Business Plan in respect of each Financial Year.
 - Amalgamating or merging with any other company or business undertaking.
 - Agreeing the remuneration of a Member appointed Director of the Company.
 - Reviewing and setting the maximum number of Members who can be admitted to the Company membership.
 - Terminating a person's membership on the grounds of the person being inactive (i.e. because that person has not used the support of the Company for 12 months or more).

Transforming Together



Become a member of iESE to review, remodel and reinvent public services



Contact us on 08434 878025, Email enquiries@iese.org.uk or visit iese.org.uk to find out more.



iESE Transformation Membership – making our services even more accessible

When iESE works with you to save your authority money and improve its services it also transfers its skills to your authority's staff. Not only does this mean that you can sustain your transformation, it also means that you can become a part of iESE and help other authorities transform.

iESE is the public sector's transformation partner. Our sole purpose is to review, remodel and reinvent local public services. With councils throughout the UK having used us to transform their services and police, fire, health and central government organisations also having worked with us, our knowledge and expertise is being shared with thousands every single day.

By working with iESE you can be assured that the transformation that results will be an innovative, sustainable and forward-thinking way of working. Our effective results already speak for themselves with

us saving councils over £1Billion and for every £1 that is invested in iESE at least £5 in cashable savings or new income is generated.

From the outset, our research told us that making the current model of services more efficient was not enough. To be sustainable but also to create thriving communities we knew that we needed to reinvent local public services. We have a track record of researching, testing and implementing innovative firsts that transform the sector – innovation is in our DNA. By researching new ways of working, we're developing tomorrow's solutions with our customers and

Owned, led and governed by councils, we are a not-for-profit social enterprise, here to help public bodies throughout the UK deliver improved services at lower cost. Our highly skilled team can help you deliver ground breaking money-saving solutions to almost any public service.

making the business as usual. Our insight and fresh thinking, allied to our delivery experience, will not only give you a clearer picture of tomorrow's challenges but also practical solutions to meet them.

As a part of the sector we know that the public bodies we work with need to be a part of their transformation for it to be sustainable. We pride ourselves on building your capacity not dependency. Our very experienced team is supplemented by a network of subject matter experts that enable us to support all types of public body and transform all aspects of public service, from leadership and corporate

management to both back office and frontline services. But you will be a part of the team as we do things with you and not to you. Our approach ensures that you can sustain your transformation and become a part of our transformation network.

Become a member today to be part of iESE's innovative transformation network.

By becoming an owner, you have the benefit of accessing our services without the need for the usual procurement bureaucracy reducing the cost of transformation to us and to our owners.



Deed of Adherence and Membership Application Form

To become a member please complete this form
Please use BLOCK CAPITALS

Public Body:
"The Covenantor"

Address:
"Covenantor Address"

Town/City:

County:

Post Code:

Nominated representative:

Title: Mr: Mrs: Miss: Ms: Other:

First Name:

Surname:

Daytime phone:

Mobile phone:

Email Address:

Please sign overleaf, detach and return to:
iESE, Robert Denholm House, Bletchingley Road,
Nutfield, Surrey. RH1 4HW.



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