

Crawley Borough Council

Minutes of Full Council

Wednesday, 3 April 2019 at 7.30 pm

Councillors Present:

C Portal Castro (Mayor)

T Rana (Deputy Mayor)

M L Ayling, A Belben, T G Belben, N J Boxall, B J Burgess, R G Burgess, R D Burrett, C A Cheshire, D Crow, C R Eade, R S Fiveash, F Guidera, I T Irvine, K L Jaggard, M G Jones, P K Lamb, R A Lanzer, T Lunnon, S Malik, K McCarthy, D M Peck, A Pendlington, M W Pickett, B J Quinn, R Sharma, A C Skudder, B A Smith, P C Smith, K Sudan, J Tarrant, G Thomas, L Vitler and L Willcock

Also in Attendance:

Mr Peter Nicolson

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal, Democracy and HR
Chris Pedlow	Democratic Services Manager
Ian Duke	Deputy Chief Executive
Heather Girling	Democratic Services Officer

Apologies for Absence:

Councillors C J Mullins and M A Stone

Two Minutes' Silence

The Mayor asked all present at the meeting to observe a two Minute's silence, as a mark of respect and sympathy for the victims and their families, who suffered as a result of the atrocities which took in New Zealand on 15 March 2019.

1. Disclosures of Interest

The disclosures of interests made by Councillors were set out in Appendix A to the minutes.

2. Communications

The Mayor, on behalf of the Full Council wished Councillors Boxall, Cheshire, Quinn, Skudder and Tarrant all the very best for the future as they would not be standing again as Borough Councillors. He thanked them all for their service to the Town. Councillors of both political groups took the opportunity to convey their thanks for the support provided and work undertaken throughout the years.

The Mayor then provided the Full Council with a brief update of the brief update of the Mayoral events he had attended since the last meeting including helping to present the restored George Hotel sign to Crawley Museum, attending Crawley Community Awards and meeting the Mayor of Madeira which helped to provide a greater understanding of the links between Crawley and Madeira together with highlighted many of the town's assets and achievements including Tilgate Park, the town centre and Manor Royal.

3. Public Question Time

There were no questions from the public.

4. Minutes

The minutes of the meeting of the Full Council held on 27 February 2018 were approved as a correct record and signed by the Mayor subject to the following two changes.

1. That the word "investigation" be deleted and replaced with the word 'investigate' in the initial response by Councillor Lamb to the Public Question, page 6 in Minute 3 (Public Question Time).

2. That the first table on page 15, Minute 8 (2019/20 Budget and Council Tax - (Recommendation 1) - Cabinet – 6 February 2019) be replaced with the table set out below as the line in grey below was incorrect in the minutes contained in the Agenda.

	2018/19 £'000s	2019/20 £'000s	2020/21 £'000s	2021/22 £'000s	Total £'000s
Existing Programme (agrees with Q3 elsewhere on this Agenda)	47,933	65,425	33,777	4,199	151,334
Housing Programmed repairs Adjustment to the Budget Required (Appendix 3(i))		600		9,030	9,630
Purchase of properties (Appendix 3(i))		320	-1,000	1,000	320
Town Hall – prelims (para 11.2)		3,000			3,000
Telford Place (para 11.3) – additional HRA borrowing				9,000	9,000
Purchase of Investment properties		7,000			7,000

<u>New Schemes</u>					
ICT Transformation		461			461
Purchase of Edinburgh House, Broadfield		3,500			3,500
Provision of New Integrated Housing database		75	400	67	542
	47,933	80,381	33,177	23,296	184,787
				184,787	47,933

5. Items for debate (Reserved Items)

Councillors indicated that they wished to speak on a number of items as set out in the following table:

Agenda Page no.	Committee/ Minute no. (and the Group reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Council, reserved for debate)
p.31	Governance Committee, 5 March 2019 Minute 4 <i>Labour Group</i>	Update Report on Standards, Including the Review of Local Government Ethical Standards by the Committee on Standards in Public Life	
p.49	Cabinet, 13 March 2019 Minute 7 <i>Labour Group and Conservative Group</i>	Social Mobility Scrutiny Panel Final Report	
p.52	Cabinet, 13 March 2019 Minute 7 <i>Conservative Group</i>	Irrecoverable Debts 2018/19	

6. Minutes of the Cabinet, Overview and Scrutiny Commission and Committees

- 1) Moved by Councillor Rana (as the Deputy Mayor):-

RESOLVED

That the following reports be received:

- Governance Committee – 5 March 2019
- Overview and Scrutiny Commission – 11 March 2019
- Planning Committee – 12 March 2019
- Cabinet – 13 March 2019

- Audit Committee – 19 March 2019
- 2) That the recommendations contained in the reports on the following matters, which had not been reserved for debate, be adopted:-

Constitutional Amendments for Development Consent Orders and Planning Performance Agreements – Governance Committee – 5 March 2019 (Recommendation 1)

The Full Council considered report PES/315 of the Head of Planning and Economy, which had previously considered Governance Committee on 5 March 2019.

RESOLVED

That the Full Council to approve the following changes to the Constitution:

- a) An additional responsibility for decision making be allocated to the Planning Committee (with a presumption that the matter be recommended to Full Council unless timescales were prohibitive):
“Where a Written Representation is to be provided to a Development Consent Order Application Process, if the Council is a host authority”;
- b) That all other responses, decisions and actions during the Development Consent Order application process including The Examination are delegated to the Head of Economy and Planning;
- c) That the negotiation and completion of development consent obligations (Section 106 planning agreements) are delegated to the Head of Economy and Planning;
- d) That any subsequent responses to non-material and material changes are delegated to the Head of Economy and Planning;
- e) That decisions on the discharge of Requirements are delegated to the Head of Economy and Planning;
- f) That power to take enforcement action under Part 8 of The Planning Act 2008 is delegated to the Head of Economy and Planning and The Head of Legal, Democracy and HR;
- g) That Planning Performance Agreements are negotiated and agreed by the Head of Economy and Planning

Changes to the Constitution – Governance Committee – 5 March 2019 (Recommendation 2)

The Full Council considered report LDS/149 of the Head of Legal, Democracy and HR, which had previously considered Governance Committee on 5 March 2019.

RESOLVED

That the Full Council to approve the following changes to the Constitution:

<u>Function</u>	<u>Proposed amendment</u>	<u>Reason for amendment</u>
Part 3: Scheme of Delegation - Terms of Reference: General Conditions (Page 55) (Iain Pocknell)	Where appropriate: <ul style="list-style-type: none"> • Deleted wording is shown as crossed through • Additional wording is shown in bold Add the following wording to the beginning of the Scheme of Delegation - Terms of Reference: General Conditions: “Reference to any EU legislation will be taken to include any such transitional arrangements and/or legislation put in place in relation to Brexit”.	To ensure that officers’ powers are in place from 29 th March 2019 (intended date of Brexit).

7. Update Report on Standards, Including the Review of Local Government Ethical Standards by the Committee on Standards in Public Life - Governance Committee, 5 March 2019

Councillor Thomas, on behalf of the Labour Group, stated that the rationale for bringing forward this item. It was believed that it was a matter of public record that two complaints had been made against Councillors which had been upheld and sanctions applied. It was questioned whether sanctions were applied and adhered to by those whom against the complaints were made. In response Councillor Lunnon as Chair of the Governance Committee which oversees the standards process confirmed that a report had been provided on Councillors who had breached the code of conduct since the new system had been in place. This had been published in the council’s [Councillor’s Information Bulletin](#). Whilst Councillor Lunnon could not provide all the details he hoped that all Councillors would agree to the findings of the Independent Person given their balanced view and judgement.

8. Social Mobility Scrutiny Panel Final Report - Cabinet, 13 March 2019

Councillor Sudan, on behalf of the Labour Party, explained the rationale for bringing forward this item for debate. She thanked the Panel Members and officers for their work undertaken on scrutiny review which was acknowledged as having a broad scope. The Panel had focused on where it could add value to improve the life changes of those growing up in the town. It was hoped the recommendations addressed some of the concerns around the low level of social mobility and assisted in achieving success in whatever way it could be achieved for individuals.

Councillors Guidera, Thomas, Lanzer and P. Smith also spoke on the subject.

Councillor Lamb responded on this item adding that he had requested the Scrutiny Review following the Government’s Social Mobility Commission highlighted the

borough as the worst in the South East. He commended the work of the Panel and Officers, focusing on where the Council can add value and influence, with particular attention on where there has been impact on people's lives. It was recognised that the successful delivery of many of the recommendations would require co-operation, effort and effective communication between CBC, WSCC and the business and voluntary sector.

9. Irrecoverable Debts 2018/19 - Cabinet, 13 March 2019

Councillor Crow, on behalf of the Conservative Group, explained the rationale for bringing forward this item for debate. Councillor Crow expressed concern for the large amounts shown within the report and questioned what measures could be used earlier in the process.

Councillors Tina Belben also spoke on the subject.

Councillor Lamb responded on this item and mentioned that it was a known fact that retail was a struggling industry and whilst items unfortunately occasionally had to be written off the council had one of the best recovery rates in the country.

10. Notice of Motion 1- Helping Vulnerable Crawley Families Motion

The Council considered the Notice of Motion 1 'Helping Vulnerable Crawley Families Motion' as set out in the Full Council's agenda. The Motion was moved and presented by Councillor Lamb and seconded and supported by Councillor Jones.

During the debate on the Motion Councillors Thomas, Quinn, Cheshire, and Sudan all spoke in support. Councillor Lamb also used his right to reply to speak at the end of the debate.

RESOLVED

Crawley Borough Council notes:

- That since 2012, 'Think Family' has provided key worker support to vulnerable families to prevent families breaking down and children being taken into care.
- That between 2012 and 2020 it is projected over 5,000 families will have made significant and sustained progress, many based here in Crawley.
- That the West Sussex County Council report 'Evaluating The Impact of The National Troubled Families Initiative (Think Family)' of May 2018 concluded that all the data showed that Think Family clearly 'improves sustainable outcomes.'
- That on the financial cost alone, the costs of preventing family breakdown are far smaller for the public sector as a whole than allowing the collapse of vulnerable families and the multi-agency costs created. The human cost is greater still.

Crawley Borough Council further notes:

- That West Sussex County Council has recently approved £4.9m to be cut from 'Integrated Prevention and Earliest Help', the budget Think Family is funded from.

- That public services require money to function.

Crawley Borough Council calls upon:

- West Sussex County Council to commit to maintaining Think Family funding, enabling vulnerable Crawley families to stay together.

11. Councillors' Written Questions

Councillors' written questions, together with the answers, were published in advance of the start of the Meeting. The questions were as follows:-

Questioner Councillor Crow
Addressed to Cabinet Member for Planning and Economic Development
Subject(s) Expenditure and allocation of Section 106 monies

Questioner Councillor Eade
Addressed to Cabinet Member for Planning and Economic Development
Subject(s) Vandalism of the water feature in Queens Square

Questioner Councillor Crow
Addressed to Cabinet Member for Housing
Subject(s) Impact of the Spare Room Subsidy – *It was noted that the published response missed out the years referenced (2014 – 2018).*

12. Announcements by Cabinet Members

Cabinet Member	Subject
Councillor Thomas – <i>(Cabinet Member for Environmental Services and Sustainability).</i>	Informed the Full Council that the names of new streets and houses in Phase 2c of Forge Wood would be named in honour of those in Lowfield Heath that lost their lives in the First World War. The individuals were commemorated on the Roll of Honour which previously existed in the St Michael and All Angels Church at Lowfield Heath, part of the countryside closest to Forge Wood.

13. Questions to Cabinet Members

Name of Councillor asking Question	Name of Cabinet Member Responding
<i>Councillor Quinn to the Cabinet Member for Environmental Services and Sustainability</i>	<i>Councillor Thomas (Cabinet Member for Environmental Services and Sustainability)</i>
How many Fixed Penalty Notices have been issued in Queens Square?	Since 25 March 2019 there have been 13 fixed penalty notices issued. If individuals pay within a certain time the

	<p>amount is reduced otherwise full amount is £80</p>
<p><i>Councillor Jaggard to the Leader of the Council</i></p> <p>Whilst researching on the internet there are a couple of publicly available documents (Construction Enquirer May 2018 and Commercial News Media June 2018), which state that the council is in partnership with Westrock for a £150m mixed use centre development. Bearing in mind the public have been informed on numerous occasions that the town hall part will be free, please can the Cabinet Member confirm how much of the £150m is going to be paid for by residents?</p> <p>Additionally it mentions that the redevelopment building contract will not be subject to open tender and has been awarded directly to a company called Haywards Heath Investments which is an offshore company based in Madeira. Can we be reassured that the absence of competition is not going to cost us more than is necessary?</p>	<p><i>Councillor Lamb – (Leader of the Council)</i></p> <p>I wouldn't believe everything you read on the internet. In terms of the exclusivity agreement, all documents have been signed in line with all council written policies. I do resent your attempts to bring incorrect figures into the public domain.</p>
<p><i>Councillor Irvine to the Cabinet Member for Planning and Economic Development</i></p> <p>Could the Cabinet Member comment on the amount of private investment that has taken place in Queens Square since the work has taken place there?</p>	<p><i>Councillor P Smith – (Cabinet Member for Planning and Economic Development)</i></p> <p>The infrastructure investment in Queens Square has been somewhat intangible to measure. However the total cost of the Queens Square regeneration was £3.2m whereas the investment return has been approximately £31m. 11 businesses have invested into the town with 141 additional jobs being provided in Queens Square. The Square has also attracted additional footfall and visitors.</p>
<p><i>Councillor Burrett to the Leader of the Council (in the absence of the Cabinet Member for Wellbeing)</i></p> <p>There is currently a large play area in Grattons Park which serves numerous residents. This play area was built in 2006 but has not been</p>	<p><i>Councillor Lamb – (Leader of the Council).</i></p> <p>I am quite happy to look at the play area. We are looking to upgrade all play areas but there is a list of priority areas. There is also S106 money coming in, that could be used for play areas.</p>

<p>refurbished and is not currently on the development programme. Given the large number of the population that it covers and given equity across the town with other play areas being upgraded, would the Cabinet Member please look at the refurbishment programme and upgrading any of the equipment in line with other major neighbourhood play areas across the town?</p>	
<p><i>Councillor Crow to the Cabinet Member for Environmental Services and Sustainability</i></p> <p>We saw a press release issued regarding the reintroduction of fining for littering offences.</p> <p>If this had been brought in earlier following pressure, do you think this would have assisted in the reduction of litter?</p> <p>Would a press release be issued should the fixed penalty notices be revoked?</p>	<p><i>Councillor Thomas – (Cabinet Member for Environmental Services and Sustainability).</i></p> <p>The fixed penalty notices were introduced followed an evidence based exercise over a few months which it transpired that there was an increase in the amount of litter being dropped.</p>
<p><i>Councillor Guidera to the Cabinet Member for Planning and Economic Development</i></p> <p>The Goffs Park housing development is fantastic but it does run very close to St Wilfred’s school and there is a lack of traffic enforcement. Please can we have more consideration of the parking when looking at these applications?</p>	<p><i>Councillor Peter Smith – (Cabinet Member for Planning and Economic Development)</i></p> <p>I believe you were at the Planning Committee where this application was discussed. There was a Highways Officer present and I believe issues were raised. Planning law is followed. WSCC Highways come to their conclusions and are responsible for traffic flows. When the site is finished it would be appropriate to review and that would be down to the operator of the site and WSCC Highways and I would urge you to raise it with both of them.</p>

14. Questions to Committee Chairs

Name of Councillor asking Question	Name of Committee Chair Responding
<p><i>Councillor Peck to the Chair of the Planning Committee.</i></p> <p>On 13 February a letter was sent to NCP following a refusal at Planning Committee to refuse signage at Crosskeys Car Park. NCP were given 28 days to remove the signage. Just before the deadline NCP submitted a pre application providing them another 28 days. After this 28 days pre application period NCP submitted a full application which would give them a further 28 days to determine whether the signage is to be allowed or not.</p> <p>What is being done to stop NCP abusing Planning rules by erecting or installing street furniture without permission? Does Councillor Irvine agree with me that Crawley residents that are using NCP car parks deserve a better level of service and the owners of the car parks should be notified of the breaches as this car park is now known to be in administration and could cause harm should NCP be refused signage for the second time which could have financial implications?</p>	<p><i>Councillor Irvine – (Chair of the Planning Committee)</i></p> <p>Thank you for raising this item. I will feedback your concerns to the Planning Department and ask them to reply.</p> <p><i>Councillor Peter Smith – (Cabinet Member for Planning and Economic Development)</i></p> <p>I can assure you that the administration of the council's Planning Policy by Development Management is totally in accordance with the rules of the law. They are working very closely with NCP to resolve with issues and you are aware we have already rejected one application. At all times Development Management works fairly on behalf of residents and applicants.</p>
<p><i>Councillor McCarthy to the Chair of Licensing Committee</i></p> <p>Regarding the consultation on the taxi livery, to you appreciate the frustrations of the local taxi industry and apparent lack of progress? What actions are being taken to resolve this matter and when is the report expected to come to Licensing Committee?</p>	<p><i>Councillor Pickett – (Chair of the Licensing Committee)</i></p> <p>The next Licensing Committee is on 5 June and I understand that is when the report will be presented. In the meantime I understand a copy will be circulated to all license holders within the town so they can comment further on the report. I haven't seen it.</p>

<p><i>Councillor Crow to the Chair of Licensing Committee</i></p> <p>Following on from Councillor McCarthy's question, is the June Licensing meeting when Councillors will first see the report?</p>	<p><i>Councillor Pickett – (Chair of the Licensing Committee)</i></p> <p>I don't know to be honest. The report was first sent to Counsel to seek advice as to its reporting route. We only received the advice yesterday but Counsel advised that it should come back to the Committee as it instigated the reporting process.</p>
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Closure of Meeting

Before closing the meeting the Mayor invited all Councillors, family and friends to an event at The Knight (formally The White Knight pub) on Worth Road, Pound Hill on Saturday 18 May. £5 entry fee on behalf of 'The Forget Me Nots' Charity.

With the business of the Full Council concluded, the Chair declared the meeting closed at 9.12 pm

C Portal Castro (Mayor)
Mayor

Appendix A Declarations of Interest.

Councillor	Item	Meeting and Minute	Type and Nature of Disclosure
Councillor F Guidera	Employment & Skills Programme 2019-2024	Overview and Scrutiny Commission, 11 March 2019 Minute 4, page 36	Personal Interest – Recent employment with company who has contract with the Work and Health Programme
Councillor P Smith	Employment & Skills Programme 2019-2024	Overview and Scrutiny Commission, 11 March 2019 Minute 4, page 36	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.
Councillor R Burrett	Social Mobility Scrutiny Panel Final Report	Overview and Scrutiny Commission, 11 March 2019 Minute 5, page 37	Personal and Non-Prejudicial Interest as Cabinet Member for Education and Skills at West Sussex County Council
Councillor D Crow	Social Mobility Scrutiny Panel Final Report	Overview and Scrutiny Commission, 11 March 2019 Minute 5, page 37	Personal Interest – Member of WSCC
Councillor R Lanzer	Social Mobility Scrutiny Panel Final Report	Overview and Scrutiny Commission, 11 March 2019 Minute 5, page 37	Personal Interest – Member of WSCC
Councillor M Jones	Social Mobility Scrutiny Panel Final Report	Overview and Scrutiny Commission, 11 March 2019 Minute 5, page 37	Personal Interest – Member of WSCC
Councillor R Burrett	Social Mobility Scrutiny Panel Final Report	Cabinet 13 March 2019 Minute 7, page 4	Personal and Non-Prejudicial Interest as Cabinet Member for Education and Skills at West Sussex County Council

Councillor G Thomas	CR/2018/0079/FUL Car Park, The Broadway and St Johns Hall, High Street (South of Cross Keys), Northgate, Crawley	Planning Committee 12 March 2019 Minute 4, page 42	Personal Interest – Was a Council nominated member on the Central Crawley Conservation Area Advisory Committee, who had submitted a representation in relation to the application. He did not recall attending a meeting where the application had been discussed.
Councillor G Thomas	CR/2018/0546/OUT 3-7 Pegler Way, West Green, Crawley.	Planning Committee 12 March 2019 Minute 4, page 42	Personal Interest – Was a Council nominated member on the Central Crawley Conservation Area Advisory Committee, who had submitted a representation in relation to the application. He did not recall attending a meeting where the application had been discussed.
Councillor P Smith	Employment & Skills Programme 2019-2024	Cabinet 13 March 2019 Minute 6, page 48	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.
Councillor I Irvine	Fraud and Investigation Team Report	Audit Committee 19 March 2019 Minute 3, page 56	Personal Interest – he had received a Council Tax Single Person Discount data match letter
Councillor M Jones	Notice Of Motion 1 – Helping Vulnerable Crawley Families Motion	Full Council, 3 April 2019, Agenda item 9, page 59	Personal Interest – Member of WSCC
Councillor R Burrett	Notice Of Motion 1 – Helping Vulnerable Crawley Families Motion	Full Council, 3 April 2019, Agenda item 9, page 59	Personal Interest – Member of WSCC and Non-Prejudicial Interest

Councillor R Lanzer	Notice Of Motion 1 – Helping Vulnerable Crawley Families Motion	Full Council, 3 April 2019, Agenda item 9, page 59	Personal and Prejudicial Interest – Member of WSCC Cabinet.
Councillor F Guidera	Questions to Cabinet Members	Full Council, 3 April 2019, Agenda item 12.	Personal Interest – Family member attends St. Wilfred's