

Crawley Borough Council

Agenda of the Full Council

To: The Mayor and Councillors

You are summoned to attend a meeting of the **Full Council** which will be held in **Council Chamber - Town Hall**, on **Wednesday, 3 April 2019** at **7.30 pm**

Nightline Telephone No. 07881 500 227



Head of Legal, Democracy and HR

Please contact Democratic Services if you have any queries regarding this agenda.
democratic.services@crawley.gov.uk

Published 26 March 2019

Duration of the Meeting

If the business of the meeting has not been completed within two and a half hours (normally 10.00 pm), then in accordance with Council Procedure Rule 2.2, the Mayor will require the meeting to consider if it wishes to continue for a period not exceeding 30 minutes. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

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

Part A Business (Open to the Public)

	Pages
1. Apologies for Absence	
To receive any 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. Communications	
To receive and consider any announcements or communications.	
4. Public Question Time	
To answer public questions under Council Procedure Rule 10. The questions must be on matters which are relevant to the functions of the Council, and should not include statements.	
One supplementary question from the questioner will be allowed.	
Up to 30 minutes is allocated to Public Question Time.	
5. Minutes	5 - 26
To approve as a correct record the minutes of the meeting of the Full Council held on 27 February 2019.	
6. Items for debate (Reserved Items)	
Prior to the introduction of the Minutes of the Cabinet, Overview and Scrutiny Commission and Committees (as contained in the Book of Minutes), Members will be given the opportunity to indicate on which items they wish to speak.	
These Reserved Items will then be the only matters to be the subject of a debate.	
7. Minutes of the Cabinet, Overview and Scrutiny Commission and Committees	27 - 58
1) To receive the minutes of the meetings of the Cabinet, Overview and Scrutiny Commission and Committees, as listed on page 27,	

and set out in the appendices to this item.

- 2) To adopt any of the recommendations to Full Council, which have not been reserved for debate and as listed on page 27, and set out in the appendices to this item.

8. Reserved Items

To deal with items reserved for debate including any recommendations, which have been identified by Members under Agenda Item 7.

Councillors who have reserved items for debate may speak on an item for no more than 5 minutes

9. Notice of Motion 1 – Helping Vulnerable Crawley Families Motion

59 - 60

To consider, in accordance with Council Procedure Rule 13, the following Notice of Motion to be moved by Councillor Lamb and seconded by Councillor Jones

10. Councillors' Written Questions

To answer Councillors' written questions under Council Procedure Rule 11.3.

11. Announcements by Cabinet Members

An opportunity for Cabinet Members to report verbally (if necessary) on issues relating to their Portfolio not covered elsewhere on the agenda.

12. Questions to Cabinet Members

To answer questions to Cabinet Members under Council Procedure Rule 11.2.

Up to 15 minutes is allocated for questions to Cabinet Member

13. Questions to Committee Chairs

To answer questions to Committee Chairs.

Up to 15 minutes is allocated for questions to Committee Chairs.

14. 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 Full Council

Wednesday, 27 February 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, A Pendlington, M W Pickett, B J Quinn, R Sharma, A C Skudder, B A Smith, P C Smith, M A Stone, K Sudan, J Tarrant, G Thomas, L Vitler and L Willcock

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
Karen Hayes	Head of Corporate Finance
Mez Matthews	Democratic Services Officer

Apologies for Absence:

Councillor C J Mullins and D M Peck

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 Council asked that their condolences be conveyed to Councillor Mullins and his family at this sad time.

The Mayor then provided the Full Council with a brief update of the Mayoral events. The Mayor thanked those Councillors and guests that attended his recent Mayor's Ball.

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3. Public Question Time

Questions asked in accordance with Council Procedure Rule 9 were as follows:

Questioner's Name	Name of Councillor Responding
Mr Ashraf - (<i>Langley Green</i>) Why had the Council decided to invest in the District Heat Network which was going to be run by natural gas as opposed to exploring or inviting other services such as hydrogen?	Councillor Lamb (<i>Leader of the Council</i>) The District Heat Network was looked into for quite some time and there was also some experience around using combined heat and power at K2 and how that had been enhanced by using natural gas. As technologies emerged the Council remained committed to investigation them, but at this time, when investing a lot of public money, the Council wanted to make sure that the technology it brought forward was completely safe.
<i>Supplementary Question</i> Hydrogen technology was thoroughly tried and tested, existed today and was very much in use. He had a concern that we continued to invest in natural gas when it was likely to be phased out in the near future.	Councillor Lamb (<i>Leader of the Council</i>) The officer who developed the proposal for the Council had now left the Local Authority to become a lead advisor for the Government on District Heat Networks so the District Heat Network was built very much around thoughts of sustainability.

4. Minutes

- a) The minutes of the meeting of the Full Council held on 12 December 2018 were approved as a correct record and signed by the Mayor subject to the following two changes.
 - i) that the words "on behalf of the Conservative Group" be deleted from the first line of the first paragraph of Minute 10 (Public Space Protection Order – Cabinet – 21 November 2018) on Page 24, and
 - ii) that the words "on behave of the Conservative Group" be deleted from the first line of the second paragraph of Minute 21 (District Heat Network (Recommendation 3) – Cabinet – 31 October 2018) on Page 31.
- b) The minutes of the meeting of the Extraordinary Full Council held on 23 January 2019 were approved as a correct record and signed by the Mayor.

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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:

Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Full Council, reserved for debate)
p.71	Overview and Scrutiny Commission, 4 February 2019, Minute 1 Conservative Group	Update on the Closure of Crawley's Crown Post Office	
p.78	Cabinet 6 February 2019 Minute 5 Labour Group and Conservative Group		Recommendation 1 2019/20 Budget and Council Tax
p.79 & p.86	Cabinet 6 February 2019 Minute 5 Labour Group		Recommendation 2 Notice of Precept 2019/20
p.80	Cabinet 6 February 2019 Minute 7 Conservative Group		Recommendation 4 Capital Strategy 2019/20

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:

- Planning Committee – 17 December 2018
- Overview and Scrutiny Commission – 7 January 2019
- Planning Committee – 21 January 2019
- Overview and Scrutiny Commission – 4 February 2019

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- Cabinet – 6 February 2019
- Notice of Precept 2019-2020
- Planning Committee – 11 February 2019

- 2) That the recommendations contained in the reports on the following matters, which had not been reserved for debate, be adopted:-

Treasury Management Strategy 2019/2020 – Cabinet – 6 February 2019 (Recommendation 3)

The Full Council considered report [FIN/464](#); of the Head of Corporate Finance, which had previously considered by the Cabinet on 6 February 2019 and at the Overview and Scrutiny Commission on 4 6 February 2019.

RESOLVED

That Full Council approves:

- a) the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5 of report [FIN/464](#);
- b) the Treasury Management Strategy contained within Section 6 of report [FIN/464](#);
- c) the Investment Strategy contained within Section 7, and the detailed criteria included in Appendix 3 of report [FIN/464](#)

Review of Statement of Licensing Policy made under the Licensing Act 2003 – Cabinet – 6 February 2019 (Recommendation 5)

The Full Council considered report [HCS/08](#) of the Head of Community Services which had previously considered by the Cabinet on 6 February 2019 and at the Overview and Scrutiny Commission on 4 6 February 2019.

RESOLVED

That Full Council approves the adoption of the proposed revised Statement of Licensing Policy 2019-2024 made under the Licensing Act 2003 (Appendix B to report [HCS/08](#)).

7. Update on the Closure of Crawley's Crown Post Office - Overview and Scrutiny Commission - 4 February 2019

Councillor Guidera explained his rationale for bringing forward this item. He commented he felt the Commission's decision was slightly different to what was stated within the minute being discussed. He felt that it was agreed to ask for a representative from WHSmith to attend the Commission along with a representative from the Post Office.

Councillors Irvine, Crow and Burrett also spoke on this item.

Councillor Cheshire as the Chair of the Commission, spoke last on the item and she stated she felt the minute was a fair reflection of the Commission's decision. However if there was a correction needed to the Commission's minutes it should be raised at the next Commission's meeting, as Full Council does not have the right to amend any minutes of a committee. She commented she would be happy to have a further discussion at the next Commission on the 11 March over inviting a WHSmith employee to attend the Commission, when the representative from Royal Mail was attending in June.

8. 2019/20 Budget and Council Tax - (Recommendation 1) - Cabinet - 6 February 2019

The Leader of the Council presented the report [FIN/462](#) of the Head of Corporate Finance, which set out the Budget and level of Council Tax for the year 2019/20. It was noted that the report detailed each of the Revenue, Capital and Housing Revenue Accounts that combine together to formulate 'The Budget'. In proposing the level of Council Tax for the Financial Year 2019/20, each of those accounts identified had been considered. The combined proposal ensured that the Council had a balanced Budget. It was noted that the report had been considered by the Cabinet on 6 February 2019 and by the Overview and Scrutiny Commission at its meeting on 4 February 2019. In presenting The Budget to the Council Councillor Lamb also moved the Labour Amendment to the proposal (Recommendation 1), which was detailed in [item 16](#) of Supplemental Agenda for the meeting. Councillor Jones seconded that report and the Labour Amendment.

The Full Council was reminded that regulations required all Councils at their annual budget meetings to adopt the practice of recorded votes - that is, recording in the minutes of the meeting how each member present voted on any decision relating to the Annual Budget and Council Tax. This applied not only to substantive budget motions to agree the budget and setting council taxes, including precepts, but also on any amendments proposed.

The Leader of the Opposition, Councillor Duncan Crow addressed the meeting and made his budget speech which included presenting the Conservative Amendment to the Budget (Recommendation 1) which was detailed in [item 17](#) of Supplemental Agenda for the meeting. Councillor Lanzer seconded that Conservative Amendment. The Mayor then opened up the general debate on the proposed Budget report and both amendments to the Council with Councillor T. Belben, Burrett, Sudan, Jones, Lunnon, Lanzer, Irvine and Lamb, using his right to reply all spoke during debate.

At the conclusion of the discussion, Councillors expressed their thanks and appreciation for the work carried out by Karen Hayes (Head of Corporate Finance), the Finance Division generally and the Budget Advisory Group (BAG).

Following the conclusion of the debate, the Mayor invited the Head of Legal, Democracy and HR to commence the recorded voting process on the 2019/20 Budget and Council Tax and the related Amendments.

A recorded vote was then called on the Labour Amendment to Recommendation 1.

Voting in Favour: Councillors: Ayling, A Belben, T Belben, B Burgess, R Burgess, Burrett, Cheshire, Crow, Eade, Fiveash, Guidera, Irvine, Jaggard, Jones, Lamb, Lanzer, Lunnon, Malik, McCarthy, Pendlington, Pickett, Portal Castro, Quinn, Rana,

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Sharma, Skudder, B Smith, P Smith, Stone, Sudan, Tarrant, Thomas, Vitler and Willcock. (34)

Voting Against: Councillors: None (0)

Abstentions: Councillors: None (0)

The Mayor declared the Amendment was carried – votes in favour 34, and votes against 0 with 0 abstention.

A recorded vote was then called on the Conservative Amendment to Recommendation 1. (*Attached as Appendix B to these Minutes*)

Voting in Favour: Councillors: A Belben, T Belben, B Burgess, R Burgess, Burrett, Crow, Eade, Guidera, Jaggard, Lanzer, McCarthy, Pendlington, Stone, Tarrant, and Vitler. (15)

Voting Against: Councillors: Ayling, Cheshire, Fiveash, Irvine, Jones, Lamb, Lunnon, Malik, Pickett, Portal Castro, Quinn, Rana, Sharma, Skudder, B Smith, P Smith, Sudan, Thomas and Willcock. (19)

Abstentions: Councillors: None (0)

The Mayor declared the Amendment had fallen – votes in favour 15, and votes against 19 with 0 abstention.

A recorded vote was then called on the Substantive Recommendation 1 2019/20 Budget and Council Tax as amended

Voting in Favour: Councillors: Ayling, A Belben, T Belben, B Burgess, R Burgess, Burrett, Cheshire, Crow, Eade, Fiveash, Guidera, Irvine, Jaggard, Jones, Lamb, Lanzer, Lunnon, Malik, McCarthy, Pendlington, Pickett, Portal Castro, Quinn, Rana, Sharma, Skudder, B Smith, P Smith, Stone, Sudan, Tarrant, Thomas, Vitler and Willcock. (34)

Voting Against: Councillors: None (0)

Abstentions: Councillors: None (0)

The Mayor declared the Amendment was carried – votes in favour 34, and votes against 0 with 0 abstention.

RESOLVED

That the Full Council approves

- a) the proposed 2019/20 General Fund Budget including savings and growth as set out in section 6 and Appendix 1 and Appendix 2 of report [FIN/462](#),
- b) the proposed 2019/20 Housing Revenue Account Budget as set out in Section 10 and Appendix 3 of report [FIN/462](#),
- c) the 2018/19 to 2021/22 Capital Programme and funding as set out below, which includes an increase of £1m for Purchase of investment properties budget from £6m to £7m to be funded from useable capital receipts.

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	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
TOTAL	47,933	80,381	400	67	184,787

Funded by -					
Capital Receipts	5,018	21,416	8,279	990	35,703
Capital Reserve	0	25	0	0	25
1-4-1 Receipts	8,256	14,923	3,882	1,569	28,630
HRA revenue contribution	31,600	39,123	16,858	11,737	99,318
Section 106 contributions	578	1,087	308	0	1,973
Lottery/external funding	1,438	2,799	3,850	0	8,087
Revenue – replacement fund	143	702	0	0	845
Borrowing (HRA)	0	0	0	9,000	9,000
Better care fund (formally DFG's)	900	306	0	0	1206
TOTAL	47,933	80,381	33,177	23,296	184,787

- d) and agrees that the Council's share of Council Tax for 2019/20 be increased by 2.49% from £198.99 to £203.94 for a band D property as set out in paragraphs 5.5.1 and 13.3 of report [FIN/462](#),
- e) the Pay Policy Statement for 2019/2020 as outlined in paragraph 16.3 and Appendix 6 of report [FIN/462](#).
- f) that a new ring fenced reserve entitled 'Supported Accommodation', be set up which is to be funded from any additional Housing benefit subsidy paid to the

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Council on behalf of the residents in such accommodation* and any necessary further saving in 2019-20 arising from the ongoing refreshed transformation programme, further to those in Section 6.4 of the budget report [FIN/462](#).

9. Notice of Precept 2019/20 - (Recommendation 2)

Councillor Lamb presented the report that set out the Notice of Precept from the Police and Crime Commissioner for Sussex and West Sussex County Council, which combined with the previously agreed Crawley Borough Council precept to formulated the 2019/20 Council Tax Resolution for 2019/20.

Councillors Crow, Lunnon, Lanzer, Guidera and Jones also spoke on the Precept.

Moved by Councillor Lamb, seconded by Councillor P. Smith.

Following approval of the Council's Budget and Council Tax 2019/20 in Recommendation 1, and in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the names of the Councillors voting for and against Recommendation 2 were recorded as set out below:-

Voting in Favour: Councillors: Ayling, A Belben, T Belben, Boxall, B Burgess, R Burgess, Burrett, Cheshire, Crow, Eade, Fiveash, Guidera, Irvine, Jaggard, Jones, Lamb, Lanzer, Lunnon, Malik, McCarthy, Pendlington, Pickett, Portal Castro, Quinn, Rana, Sharma, Skudder, B Smith, P Smith, Stone, Sudan, Tarrant, Thomas, Vitler and Willcock. (35)

Voting Against: Councillors: None (0)

Abstentions: Councillors: None (0)

The Mayor declared the recommendation was carried – votes in favour 35, and votes against 0 with 0 abstention.

RESOLVED

1. That it be noted that on 19 December 2018 the Leader of the Council under delegated powers calculated the Council Tax Base 2019/20 for the whole Council area as **35,216.3** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
2. That the Council Tax requirement for the Council's own purposes for 2019/20 is calculated at £7,182,012.
3. That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:

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(a)	£121,161,481	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
(b)	£113,979,469	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£7,182,012	being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
(d)	£203.94	being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
(e)	£0	being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
(f)	£203.94	being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

4. That it be noted that the County Council and the Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2019/20 for each part of its area and for each of the categories of dwellings.

COUNCIL TAX SCHEDULE 2019/20

	CRAWLEY BOROUGH COUNCIL	WEST SUSSEX COUNTY COUNCIL	POLICE AND CRIME COMMISSIONER FOR SUSSEX	TOTAL
BAND A	135.96	922.38	126.61	1,184.95
BAND B	158.62	1,076.11	147.71	1,382.44

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BAND C	181.28	1,229.84	168.81	1,579.93
BAND D	203.94	1,383.57	189.91	1,777.42
BAND E	249.26	1,691.03	232.11	2,172.40
BAND F	294.58	1,998.49	274.31	2,567.38
BAND G	339.90	2,305.95	316.52	2,962.37
BAND H	407.88	2,767.14	379.82	3,554.84

6. That it be determined in accordance with Section 52ZB Local Government Finance Act 1992 that the Council 's basic amount of Council Tax for 2019/20 is NOT excessive in accordance with principles approved by the Secretary of State under Section 52ZC of the Act.

10. Capital Strategy 2019/20 (Recommendation 4) - Cabinet - 6 February 2019

The Full Council considered report [FIN/467](#) of the Head of Corporate Finance, which had been previously considered at the Cabinet on 6 February 2019 and by the Overview and Scrutiny Commission at its meeting on 4 February 2019.

Councillor Lamb presented the report, which was seconded by Councillor P Smith.

Councillor Guidera spoke on the item and its recommendation.

RESOLVED

That the Full Council approves the Capital Strategy 2019/20

11. Notice Of Motion 1- Motion On Reducing Plastic Waste

The Council considered the Notice of Motion 1 'Motion on Reducing Plastic Waste' as set out in the Full Council's agenda. The Motion was moved and presented by Councillor Thomas and seconded and supported by Councillor P. Smith.

During the debate on the Motion Councillors, McCarthy, B Burgess, Sharma, Irvine, P. Smith, R Burgess all spoke in support. Councillor Thomas also used his right to reply to speak at the end of the debate.

RESOLVED

Crawley Borough Council notes that:

- The European Parliament voted by a huge majority (571 to 53) in 2018 for a complete ban on a range of single use plastics (such as plastic cutlery and plates, cotton buds and straws) by 2021 and a 25% reduction in plastic use where no current alternative exists such as burger boxes and sandwich wrappers.

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And notes with concern that:

- Hundreds of millions of tons of new plastic is made every year, much of which is for single use such as plastic bags, straws and food packaging. In many cases there are practicable alternatives available that area either re-useable or compostable.
- The Ellen MacArthur Foundation, which promotes the transition to a 'Circular Economy' has estimated that by weight there could be more plastic in the oceans than fish by 2050.
- 'Almost 80 per cent of the 8.3 billion metric tonnes of plastic produced over the past 70 years has been discarded into landfill or the environment, including the ocean.' Sir David Attenborough
- Plastic in the rivers and seas leads to rubbish on beaches and riverbanks, as well as entanglement, death through ingestion, toxic transfer and, once degraded into microplastics, contamination of the animal and human food chains with negative effects on health.

Crawley Borough Council welcomes:

- The European Parliament ban in 2018
- The current consultation on Deposit Return Schemes and the significant reduction in plastic waste that such schemes have achieved in Germany, Sweden and Denmark.
- The success of the 'plastic bag levy' introduced which has led to an 85% reduction in disposable bag usage in England and 9 billion fewer bags per year going into landfill or waste treatment.
- The introduction of a ban on products containing microbeads as a way of reducing the likelihood of such products getting into the oceans and harming marine life.

Crawley Borough Council agrees that the Borough will make every effort to reduce plastic waste specifically by:

- Undertaking an audit of single use plastics used by this Local Authority and all CBC commissioned services, replacing them with sustainable or re-useable alternatives wherever possible.
- Ensuring, where possible, that all future council commissioning exercises eliminate the use of single use plastics, replacing them with sustainable or re-useable alternatives where practicable.
- Informing members of the public in its online and written communications of the importance of reducing plastic waste.
- Using its membership of the West Sussex Waste Partnership to improve opportunities to recycle materials wherever possible.
- Calling on all supermarkets in the borough to reduce the use of plastic food wrappings.
- Calling on local supermarkets to consider introducing a 'plastic free aisle' on a trial basis,
- Working collaboratively with businesses, other public bodies and representative organisations such as NHS Crawley Commissioning Group, County Mall, Manor Royal Business Improvement Partnership and the Town Centre Partnership to reduce the amount of plastic waste produced.
- Exploring all options to reduce single-use plastic water bottle waste in Crawley such as:
 - Encouraging community water-refill schemes
 - Improving free access to tap water in local businesses and organisations including cafes and restaurants
 - Ending the sale of plastic bottled water on council-managed premises.
 - Promoting Apps to help consumers to locate free tap water

- Installing free water fountains in high footfall areas including children's playgrounds.

12. Notice Of Motion 2 - Motion On Supporting The Government's Resources And Waste Strategy

The Council considered the Notice of Motion 2 'Motion on Supporting the Government's Resources and Waste Strategy' as set out in the Full Council's agenda. The Motion was moved and presented by Councillor Crow and seconded and supported by Councillor Jaggard. Councillor Crow in presenting the Motion commented on the Labour Amendment that he would accept the amendment and as such it became the substantive Motion.

During the debate on the Substantive Motion Councillors, Lamb, B Burgess, Burrett, Thomas, Cheshire, P. Smith, and Jaggard all spoke. Councillor Crow used his right to reply to speak at the end of the debate.

RESOLVED

In December 2018 the government launched their Resources and Waste Strategy, which sets out how government will:

- ensure producers pay the full net costs of disposal or recycling of packaging they place on the market by extending producer responsibility – up from just 10% now
- review producer responsibility schemes for items that can be harder or costly to recycle including cars, electrical goods, batteries and explore extending it to textiles, fishing gear, vehicle tyres, certain materials from construction and demolition, and bulky waste such as mattresses, furniture and carpets
- introduce a consistent set of recyclable materials collected from all households and businesses, and consistent labelling on packaging so consumers know what they can recycle, to drive-up recycling rates
- ensure weekly collections of food waste, which is often smelly and unpleasant, for every household – restoring weekly collections in some local authorities. This will be subject to consultation which will also consider free garden waste collections for households with gardens, to reduce greenhouse gas emissions from landfill
- introduce a deposit return scheme, subject to consultation, to increase the recycling of single-use drinks containers including bottles, cans, and disposable cups filled at the point of sale
- explore mandatory guarantees and extended warranties on products, to encourage manufacturers to design products that last longer and drive up the levels of repair and re-use
- introduce annual reporting of food surplus and waste by food businesses. Should progress be insufficient, consult on introducing mandatory targets for food waste prevention
- clamp-down on illegal movements of waste at home and abroad by introducing compulsory electronic tracking of waste, and tougher penalties for rogue waste crime operators if they mislabel their waste to dodge tax rules.

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This Council welcomes the strategy which focusses on the environmentally friendly waste principles of Reduce, Reuse and Recycle, and resolves to:

1. Continue to work constructively with central government, West Sussex County Council and other District and Borough Councils to implement the government's waste strategy.
2. Continue to support the three principles to reduce waste in order of priority: Reduce, Reuse and Recycle.
3. Continue to work to improve the amount of household waste that is recycled rather than going to landfill.
4. Set up a cross-party member working group at an appropriate time, to look at options to improve household waste collections and to reduce waste going to landfill, with consideration given to a dedicated food waste collection.

13. Duration of the Meeting (Guillotine)

As the business had not been completed within the scheduled 2 hours 30 minutes a vote on continuation, and in line with Council Procedure Rule 2.2, was held. The Mayor required the Full Council to consider if it wished to continue with the meeting.

Having put it to the vote, the Council agreed that the meeting be continued for an additional period not exceeding 30 minutes.

14. 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)	Number of New Homes built in Crawley including the number of permitted development builds and the number that were social rented housing

Questioner	Councillor Crow
Addressed to	Leader of the Council
Subject(s)	Estimated cost for each polling station for the scheduled 2019 Borough Council elections

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15. Announcements by Cabinet Members

Cabinet Member	Subject
<i>Councillor Jones – (Cabinet Member for Housing)</i>	<p>Confirmed the development that would take place on the remaining land next to Breezehurst Drive (on the former Bewbush Leisure Centre site) to provide up to 80 properties with a 50:50 split of houses / flats with all of the properties being owned by Crawley Homes on a 50:50 affordable rent / shared ownership basis to help maximise grant potential. Final proposals would come before a future meeting of the Planning Committee. The requirement for a 5-year minimum connection would continue to apply to the allocation of Council housing.</p> <p>Announced that the Budget agreed at tonight's Full Council meeting would, subject to a successful purchase, allow the Council to purchase Edinburgh House (Broadfield) and add to the Council's housing stock. It was a privilege to be the Cabinet Member for Housing in a year which had seen significant results in the efforts to turn housing targets into a reality and he thanked the officers involved.</p>
<i>Councillor Lamb (Leader of the Council)</i>	<p>He had received a response from the Government Minister responsible for Post Offices regarding the relocation of Crawley Post Office to WHSmith which had advised that the Government would have no intervention in either strategy or the location of a particular post office.</p>
<i>Councillor Thomas – (Cabinet Member for Environmental Services and Sustainability)</i>	<p>He had recently spent the morning with a Community Warden in the Town Centre following issues which had been raised, particularly at a meeting of the Overview and Scrutiny Commission. He had been impressed with the Warden's diplomacy, knowledge of the vicinity, issues affecting the area and those frequenting the space. The Warden took appropriate action when they witnessed the littering of cigarette butts. Councillor Thomas had noticed very few cigarette butts in the area on his visit, and was of the view that the littering of chewing gum was an issue in the Town Centre. There were ongoing discussions about how to remove such chewing gum, but he was aware that the options were both expensive and labour intensive.</p>

16. Questions to Cabinet Members

Name of Councillor asking Question	Name of Cabinet Member Responding
<p><i>Councillor Crow to the Cabinet Member for Environmental Services and Sustainability</i></p> <p>Were we any further forward with a strategy for toilets in the Town Centre, and in that, had consideration been given to opening toilets on a Sunday?</p>	<p><i>Councillor Thomas – (Cabinet Member for Environmental Services and Sustainability)</i></p> <p>Although the provision for toilets in the Town Centre was discussed at each Portfolio Briefing, there were difficulties regarding finance (eg. expenditure on public toilets did not fit in the Capital Criteria). The toilets in Ifield Drive were now closed and it was unlikely that they would reopen. The toilets in The Boulevard, although well used, were in need of renovation, the cost of which would be significant. He was hopeful that a decision on toilet provision would be taken in the next few months. He would have discussions regarding Sunday openings.</p>
<p><i>Councillor Jaggard to the Cabinet Member for Environmental Services and Sustainability</i></p> <p>The Government publication <i>The Heat Network's Delivery Unit 2018</i> cited the forecast capital cost for Crawley's District Heat Network at £7.48m. How was the balance (following the Government grant) going to be funded; how much would it cost Council Tax payers; what was the payback time before it broke even; and would the equipment be worn out before the payback date?</p>	<p><i>Councillor Thomas – (Cabinet Member for Environmental Services and Sustainability)</i></p> <p>He had been told specifically that reference to the £7.48m was incorrect. He had not seen the publication in question. He invited all Councillors to the seminar on the District Heat Network which would take place at 6.30pm on 28 February 2019, where the consultants would be in attendance.</p>
<p><i>Councillor Lunnon to the Leader of the Council</i></p> <p>In light of the recent earthquake, climate change and Crawley's proximity to Gatwick Airport, there was an increased likelihood of emergencies occurring within the Borough. When was the last time Crawley either enacted or practiced a multi-agency emergency drill?</p>	<p><i>Councillor Lamb – (Leader of the Council)</i></p> <p>There was a general strategy for dealing with such emergencies/crises. The Council did not play a coordinating role but provided support on the ground such as evacuation facilities and, under the Civil Contingencies Act, it was the Chief Executive who held that responsibility. The next multi-agency test would take</p>

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	<p>place in the Spring and, although the the exact date was not to hand, he would inform Councillor Lunnon once he had obtained the information. The Strategy and emergency plans worked well and remained in place should the need for them to be used occur.</p>
<p><i>Councillor Stone to the Cabinet Member for Planning and Economic Development</i></p> <p>Apart from the Community Wardens what was being done to enforce Queens Square as a no cycling zone?</p>	<p><i>Councillor P Smith – (Cabinet Member for Planning and Economic Development)</i></p> <p>It was necessary to do everything the Council could to stop people riding bicycles in Queens Square. There was not any no-cycling signage actually in Queens Square to avoid clutter. The proposed improved cycle facilities would enable people to cycle to the Town Centre, park their bicycles and then walk. The Community Wardens proactively enforced the zone and Councillor Smith encouraged those present to dissuade people from riding their bicycles in Queens Square.</p>
<p><i>Councillor Guidera to the Leader of the Council (in the absence of the Cabinet Member for Wellbeing)</i></p> <p>Members of Councillor Guidera’s family had worked at the ice rink which had been situated in Goffs Park. Overwhelming feedback from users of the ice rink as well as those who had worked there was that Goffs Park was not the ideal location due to its location, insufficient parking and lack of lighting along the pathway at night. Had the rink been located in a more suitable location it could have been a huge success.</p> <p>Why was Goffs Park suggested rather than Southgate Playing Fields (which was a more central and sustainable location), and could he get agreement that Southgate Playing Fields was a more suitable location so that it could be proactively pursued for the future?</p>	<p><i>Councillor Lamb – (Leader of the Council – in the absence of the Cabinet Member for Wellbeing)</i></p> <p>Various sites had been considered, taking into account each site’s suitability and proximity to the Town Centre. Southgate Playing Fields had not been available at the time of booking and, when a change in circumstances had led to it becoming available, there had been insufficient time to relocate the ice rink to Southgate Playing Fields. A de-brief meeting was due to be held with the ice rink operator in the coming week and the location, including alternative options, would be discussed at that meeting.</p>

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<p><i>Councillor B Burgess to the Leader of the Council</i></p> <p>Creasys Drive Adventure Playground was currently closed as a precaution after staff were threatened and would remain closed until the situation had been resolved. How were staff, following their ordeal, and could an update on the situation be provided?</p> <p><i>Supplementary Question</i></p> <p>Were those staff member currently being paid whilst the site was closed.</p>	<p><i>Councillor Lamb – (Leader of the Council)</i></p> <p>The Police were currently involved and he was limited on the information he could share. The safety of staff was taken very seriously. The situation was under review and security improvements were being investigated.</p> <p>Yes they were.</p>
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17. Questions to Committee Chairs

Name of Councillor asking Question	Name of Committee Chair Responding
<p><i>Councillor Crow to the Chair of the Licensing Committee</i></p> <p>Could an update be provided on the consultation for the livery for taxi drivers in Crawley and what was the timetable for resolving the matter?</p>	<p><i>Councillor Pickett – (Chair of the Licensing Committee).</i></p> <p>The Licensing Committee had not yet considered the matter as the consultant's report had not been made available. The Licensing Committee scheduled to take place next week was likely to be postponed due to a lack of items for discussion. Councillor Pickett would discuss the matter with the relevant Licensing Officer tomorrow and ascertain whether the consultant's report had not been received and whether that was the reason for postponing the most recent Licensing Committee.</p>

Closure of Meeting

With the business of the Full Council concluded, the Chair declared the meeting closed at 10.22 pm

C Portal Castro (Mayor)
Mayor

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Appendix A - Declarations of Interests

Disclosures of Interest received from Councillors in advance of the meeting

Councillor	Item	Meeting and Minute	Type and Nature of Disclosure
Councillor P C Smith	CR/2018/0473/FUL - Diamond Point, Fleming Way, Northgate, Crawley	Planning Committee 17 December 2018 –Minute 4, page 55	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.
Councillor P C Smith	CR/2018/0713/NC C - Former TSB Trustcard, County Oak Way (Minute 6)	Planning Committee 17 December 2018 –Minute 4, page 57	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.
Councillor R D Burrett	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission – 7 January 2019 – Minute 9 page 63	Personal and Non- Prejudicial Interest as a Member of West Sussex County Council; Personal and Non- Prejudicial Interest as a trustee of Crawley Open House
Councillor R A Lanzer	Allocating Monies Collected Through Community Infrastructure Levy – Infrastructure Business Plan 2019/20	Overview and Scrutiny Commission 4 February 2019 – Minute 8, page 73	Personal and Non- Prejudicial Interest as a Member of West Sussex County Council
Councillor S Malik	Impact and Implementation of the Deregulation Act 2015	Overview and Scrutiny Commission 4 February 2019 – Minute 8, page 75	Personal Interest – Hackney Carriage and Private Hire Driver

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Councillor R A Lanzer	Cabinet Member Discussion with the Cabinet Member for Environmental Services and Sustainability	Overview and Scrutiny Commission 4 February 2019 – Minute 8, page 75	Personal and Non-Prejudicial Interest as a Member of West Sussex County Council
Councillor R D Burrett	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission – 4 February 2019 – Minute 12, page 76	Personal and Non-Prejudicial Interest as a Member of West Sussex County Council
Councillor N Boxall	2019/20 Budget and Council Tax and associated Amendments	Cabinet – 6 February 2019 – Minute 5, page 78	Personal and Prejudicial Interest as a trustee of Crawley Open House
Councillor R D Burrett	2019/20 Budget and Council Tax and associated Amendments	Cabinet – 6 February 2019 – Minute 5, page 78	Personal and Non-Prejudicial Interest as a trustee of Crawley Open House
Councillor R D Burrett	2019/20 Budget and Council Tax and Notice of Percept	Cabinet – 6 February 2019 – Minute 5, page 78	Personal and Non-Prejudicial Interest as a Deputy Leader of West Sussex County Council
Councillor D Crow	2019/20 Budget and Council Tax and Notice of Percept	Cabinet – 6 February 2019 – Minute 5, page 78	Personal and Non-Prejudicial Interest as a Member of West Sussex County Council
Councillor R A Lanzer	2019/20 Budget and Council Tax and Notice of Percept	Cabinet – 6 February 2019 – Minute 5, page 78 and	Personal and Non-Prejudicial Interest as a Member of West Sussex County Council
Councillor G Thomas	2019/20 Budget and Council Tax and associated Amendments	Cabinet – 6 February 2019 – Minute 5, page 78	Personal and Non-Prejudicial Interest as a serves on Crawley Open House Management Committee

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Councillor G Thomas	CR/2018/0273/FUL - Gatwick Airport Station, South Terminal, Gatwick	Planning Committee 11 February 2019 – Minute 6, page 91	Personal Interest and Non- Prejudicial Interest – Council representative on the Gatwick Airport Consultative Committee (GATCOM)
Councillor F Guidera	Councillors' Written Questions	Full Council – 27 February 2019 Agenda item 11	Personal Interest and Non- Prejudicial Interest as a member of his family worked at the Ice Rink
All Officers attending this meeting of the Full Council.	2019/20 Budget and Council Tax	Cabinet – 6 February 2019 – Minute 5, page 78	Personal Interest, as Officers of the Council in relation to the Pay Policy Statement.

Appendix B

Full Council 27 February 2019

CONSERVATIVE AMENDMENT TO RECOMMENDATION 1 2019/20 BUDGET AND COUNCIL TAX *(Minute 5 Page 78, Cabinet, 6 February 2019)*

Mover Councillor Crow and Seconder Councillor Lanzer.

The Conservative Group is proposing the following amendment that will not affect the General Fund Budget for 2019/2020 as set out in the February 2019 Cabinet Report.

- To setup an additional reserve of £150,000 for Homelessness Support using part of the £905,361 that is proposed for the transfer to the Business rates Equalisation Reserve. (The £905,631 was to replenish the use of the reserve in 2017/18). This will reduce the transfer to reserve to £755,631.

The projected retained rates as shown in the second table in paragraph 5.2 of the report.

If some or all of the Homelessness Support reserve is not required then the balance will be transferred to the business rates equalisation reserve.

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Agenda Item 7

The List of minutes of the meetings of the Cabinet, Overview and Scrutiny Commission and Committees are set out in the following

Appendix

7 a) Governance Committee – 5 March 2019 (*page 29*)

Recommendation 1 – (*Minute 3, page 30*)

- *Constitutional Amendments for Development Consent Orders and Planning Performance Agreements*

Recommendation 2 – (*Minute 6, page 33*)

- *Changes to the Constitution*

7 b) Overview and Scrutiny Commission – 11 March 2019 (*page 35*)

7 c) Planning Committee – 12 March 2019 (*page 41*)

7 d) Cabinet – 13 March 2019 (*page 47*)

7 e) Audit Committee – 19 March 2019 (*page 55*)

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Crawley Borough Council

Minutes of Governance Committee

Tuesday, 5 March 2019 at 7.00 pm

Councillors Present:

T Lunnon (Chair)

R D Burrett (Vice-Chair)

D Crow, C R Eade, R S Fiveash, M G Jones, P K Lamb, R A Lanzer, K McCarthy,
B J Quinn and K Sudan

Also in Attendance:

Mr P Nicolson (Appointed Independent Person)

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal, Democracy and HR
Sallie Lappage	Forward Planning Manager
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Governance Committee held on 14 January 2019 were approved as a correct record and signed by the Chair subject to the following amendment to Minute 3 (Polling District Review: Final Proposals):

That reference made to "Forge Wood Ward" in both the second and third paragraphs be deleted and replaced with "Pound Hill North and Forge Wood Ward".

3. Constitutional Amendments for Development Consent Orders and Planning Performance Agreements

The Committee considered report PES/315 of the Head of Planning and Economy which proposed amendments to the Constitution to secure appropriate delegations for decision-making on responses to any Development Consent Order (DCO) applications, and to enter into Planning Performance Agreements (PPAs). The proposed changes were required to ensure that the Council was in a position to make

timely responses in accordance with strict statutory timescale and to secure additional resources should Gatwick Airport bring forward a DCO application.

Several queries were raised by Committee Members. In response to those questions the Forward Planning Manager and/or Group Manager (Development Management) clarified that completing the S106 Planning Agreement in time for an Examination would not prejudice the outcome of the Planning Inspectorate's decision. The Committee was also advised that PPAs, although not currently used by this Council, were common practice in other Local Authorities. Those PPAs typically included a clause which stated that the Agreement did not guarantee approval of the application.

The Committee noted that when providing a written representation on a DCO application, the Planning Committee could take matters into account which it usually could not when it considered a standard planning application, however the Committee would need to ensure that any representation was based on fact and that a balanced opinion was provided. A Committee Member queried whether Councillors considering DCOs could be subject to a 'whip', and it was agreed that the Head of Legal, Democracy and HR would look into the matter.

A Committee Member suggested that decision making regarding written representations in relation to a DCO application should be the responsibility of the Full Council and not the Planning Committee as set out in the recommendation of the report. The Forward Planning Manager advised that Guidance specifically stated that the timetable set by the Planning Inspectorate would not be dictated by a Council's Committee cycle. Taking that Guidance into account, there would not always be sufficient time for the matter to be considered at a meeting of the Full Council, whereas the Planning Committee met on a more regular basis. Following a detailed debate, it was agreed that the function for written representations be allocated to the Planning Committee, but that there be a presumption that the matter be recommended to the Full Council unless that was not feasible given the Planning Inspectorate's timetable. Following a vote, the Committee agreed to that the recommendation be amended accordingly.

RESOLVED

RECOMMENDATION 1

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

1. 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";
2. 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;
3. That the negotiation and completion of development consent obligations (Section 106 planning agreements) are delegated to the Head of Economy and Planning;

4. That any subsequent responses to non-material and material changes are delegated to the Head of Economy and Planning;
5. That decisions on the discharge of Requirements are delegated to the Head of Economy and Planning;
6. 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;
7. That Planning Performance Agreements are negotiated and agreed by the Head of Economy and Planning

4. Update Report on Standards, Including the Review of Local Government Ethical Standards by the Committee on Standards in Public Life

The Committee considered report LDS/145 of the Monitoring Officer (Head of Legal, Democracy and HR) which provided the Committee with background information on the Council's adopted Code of Conduct for Councillors and Standards Arrangements for dealing with written allegations that a Councillor had breached the Code of Conduct. An update of Code of Conduct complaints was also provided. In addition, the report summarised the recently published report by the Committee on Standards in Public Life (CSIPL) on its review of current arrangements of Local Government Ethical Standards.

The Head of Legal, Democracy and HR advised the Committee that the report before them provided a summary of the CSIPL's lengthy report and that it was intended that a more comprehensive report would be brought before the June meeting of the Governance Committee. The Committee noted that this Council already complied with a number of the CSIPL's key recommendations and best practice recommendations (included in paragraph 3.16 and Appendix B of report LDS/145) as Crawley's Code of Conduct reflected the broader 2007 Model Code. It was also noted that Codes of Conduct could vary considerably across Local Authorities in both content and length. Although the necessity for a further report was questioned, the Committee agreed that such a report should be brought before the Committee for its consideration, even if it stated that this Council's Standards Arrangements already reflect the CSIPL's recommendation, as such a report would provide assurance. The Committee noted that most other Local Authorities were considering a report on the outcome of the Review from the CSIPL.

The Committee discussed several of the key recommendations posed by the CSIPL. Particular attention was paid to the CSIPL's recommendation that the sanction system be strengthened, allowing Local Authorities to suspend Councillors without allowances for up to six months, with suspended Councillors having a right of appeal to the Local Government Ombudsman for investigation. The majority of the Committee were in favour of this recommendation as it was of the opinion that the sanctions a Local Authority could currently impose following a breach of the Code were not sufficient.

The Committee considered the level of transparency within its current Standards regime. Following comments from the Committee, the Head of Legal, Democracy and HR informed the Committee that under the Council's current Standards Arrangements

the name of a Councillor who was the subject of a complaint was not published either when the complaint was upheld or when it was not. She advised the Committee that it had the option to amend these Arrangements and an in-depth discussion then took place on anonymity and publication of complaints.

Whilst some Committee Members were of the opinion that the Monitoring Officer should give further consideration to the Council's current policy regarding publication and anonymity and that more information be provided within the June report, other Committee Members were of the view that the Council's Standards Arrangements should be amended immediately to make public a record of any upheld complaint. Following a vote it was agreed that Standards Arrangements be amended immediately and that, a record be made public of any complaint upheld under the current Code of Conduct, with the Head of Legal, Democracy and HR consulting with other Local Authorities so to ensure that this Council's approach was proportional. The Committee also requested that the Head of Legal, Democracy and HR provide a steer in the June report regarding the possibility of publicising complaints which had been found to be vexatious.

Following the Committee's conclusions the Appointed Independent Person addressed the meeting having observed (but not contributed) to the discussion. He advised the Committee that he believed good Standards was the bedrock of any Local Authority. He was aware of issues at other Local Authorities and advised that Councillor conduct at Crawley was very good by comparison with this being evident in the lack of complaints which had been made in recent years and the decrease in vexatious complaints made. He stated that the aim of Standards was to ensure that every Councillor acted in accordance with the Code of Conduct and that any Councillor who fell short was brought to account. He informed the Committee that in his opinion, and that of the Monitoring Officer, the aim of any Standards regime was firstly to correct any 'wrongdoing' and then to make sure that the behaviour/action did not occur again. He urged the Committee to think carefully about how to proceed.

RESOLVED

1. That report LDS/145 be noted.
2. That the Council's Standards Arrangements be amended immediately to make public a record of any upheld complaint under the current Code of Conduct.
3. That the Monitoring Officer be requested to submit a further report to the Governance Committee in June for it to consider the implementation of the Best Practice recommendations as set out in the Committee on Standards in Public Life's report on its review of Local Government Ethical Standards.

5. Review of Provisions Relating to Call-In and Urgency

The Committee was advised that there had been one case, during the period since the last report, where an item had been protected from the Call-In Procedure on the grounds of urgency as provided for in Scrutiny Procedure Rule 14(k). The Committee was of the opinion that, as the item in question had been considered by Full Council and therefore all Councillors had been given the opportunity to express their views on the matter, no changes to the provisions relating to Call-In and Urgency were necessary.

RESOLVED

That no change to the provisions relating to Call-In and Urgency are necessary at this stage.

6. Changes to the Constitution

The Committee considered report LDS/149 of the Head of Legal, Democracy and HR which proposed changes to the Constitution and noted that the change proposed would ensure that officers' powers remained in place from the intended date of Brexit on 29 March 2019. The Committee agreed that the word "mean" be replaced with "include" in the proposed change.

RESOLVED

RECOMMENDATION 2

That the Full Council be RECOMMENDED to amendment the Constitution proposed in Appendix 1 to these minutes be agreed.

7. Constitutional Review Working Group Update

Councillor Lamb, as Chair of the Constitution Review Working Group, provided a verbal update on the comprehensive review of the Constitution which had been established by the Committee at its meeting on 15 March 2017 (report LDS/126 refers).

Councillor Lamb advised the Committee that comments from the Working Group on Tranche 2 had been received by Democratic Services and was therefore considered 'agreed'. Councillor Lamb had also made comments on Tranche 3 and Democratic Services were in the process of working through those comments before the documents were emailed to the Working Group in the near future for its views. Tranche 4, which was envisaged to be the final tranche, was currently being completed by Democratic Services with a view to sending it out to Councillor Lamb for comments before circulating it to the Working Group.

RESOLVED

That the update provided by the Chair of the Constitution Review Working Group be noted.

Closure of Meeting

With the business of the Governance Committee concluded, the Chair declared the meeting closed at 8.15 pm

T LUNNON
Chair

Appendix 1: 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).

Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 11 March 2019 at 7.00 pm

Councillors Present:

C A Cheshire (Chair)

T G Belben (Vice-Chair)

M L Ayling, R G Burgess, D Crow, F Guidera, I T Irvine, R A Lanzer, S Malik,
A Pendlington, M W Pickett, K Sudan and L Willcock

Also in Attendance:

Councillor P C Smith and M A Stone

Officers Present:

Ian Duke	Deputy Chief Executive
Heather Girling	Democratic Services Officer
Clem Smith	Head of Economy and Planning

1. Disclosures of Interest and Whipping Declarations

The following disclosures were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor F Guidera	Employment & Skills Programme 2019-2024 (Minute 4)	Personal Interest – Recent employment with company who has contract with the Work and Health Programme
Councillor P C Smith	Employment & Skills Programme 2019-2024 (Minute 4)	Personal Interest – A Local Authority Director of the Manor Royal Business Improvement District
Councillor D Crow	Social Mobility Scrutiny Panel Final Report (Minute 5)	Personal Interest – Member of WSCC
Councillor R A Lanzer	Social Mobility Scrutiny Panel Final Report (Minute 5)	Personal Interest – Member of WSCC

2. Minutes

The minutes of the meeting of the Commission held on [4 February 2019](#) were approved as a correct record and signed by the Chair, subject to it being noted (with particular reference to item 5 - 2019/20 Budget and Council Tax) where there was a lack of commentary by the Commission and in this instance 'no resolution' undertaken to support the budget. Whilst custom and practice for the council (and other authorities), it was noted to consider for future items.

3. Public Question Time

No questions from the public were asked.

4. Employment & Skills Programme 2019-2024

The Commission considered report [PES/313](#) with the Cabinet Member for Planning and Economic Development and the Head of Economy and Planning. The report provided a progress update since the original publication of the Employment & Skills Plan 2016-21 and sought approval of the draft, revised Employment & Skills Programme 2019-2024.

During the discussion, the following points were expressed:

- Confirmation was provided regarding Employ Crawley, which operates differently from a private sector agency providing customers ensures customers can access one to one support from a single point of contact, advice about finding work and how to secure jobs, direct from employers. It was noted that customers have individual needs and Employ Crawley assists with providing access to unique workshops and courses.
- Support for the Town Centre Skills Academy Status designated by the Construction Industry Training Board (CITB) for a range of regeneration schemes coming forward across the town centre. The benefits of the partnership arrangements between the council, construction providers and Crawley College were recognised, together with the advantages of Employ Crawley being able to refer residents to the construction opportunities.
- Support for the consolidation of training provision for professional services at Crawley College which would strength relationships between the college and town centre employers.
- It was felt it would be beneficial to bring educational establishments and businesses together as this may assist in combatting some silo working.
- Acknowledgement that there was a limited budget available to deliver the programme and this was a long term challenge. It was paramount to deliver essential and achievable projects with existing funds.
- There was strong support for both the successful STEMfest programme and the Big Bang fair.
- It was noted it would be imperative that each aspect of the programme should be measured to gauge its progress including successes and failures.
- Full support for the scheme however it was suggested that it would be beneficial for the Commission to receive an annual progress report.

RESOLVED

That the Commission agreed to fully support the recommendations to the Cabinet.

5. Social Mobility Scrutiny Panel Final Report

The Commission considered report [OSC/276](#) of the Chair of the Social Mobility Scrutiny Panel, Councillor K Sudan.

The Social Mobility Scrutiny Panel was established to “investigate the state of social mobility within the borough and practical steps which can be taken to ensure that a child’s outcomes are no longer capped “by those of their parents”. Its purpose was to analyse, review and understand a local (and national where appropriate) perspective on the extent of the problem, together with the main challenges in delivering greater social mobility and finally recommend practical steps that can be taken by Crawley Borough Council, and other relevant organisations, to improve the “life chances” of those growing up in the town. The review focused on where the Council could add value and influence.

Councillors made the following comments:

- Whilst there was support for the report and appreciation of the Panel’s work, it was felt there were certain inconsistencies regarding some of the recommendations in terms of adding value or how these could be measured. To clarify, further information was provided in relation to alternative provision education for pupils up to age 16 who do not attend mainstream school, together the Fair Access and Exclusions Team that provide support. There was a view that investing into an extended service post 16 in the interim would prevent intervention from other services and funding commitments in the future.
- Acknowledgement that a response should be made to the Social Mobility Commission on how the social mobility index could be improved. It was recognised that data can be collected and analysed in multiple ways. Many people succeed in life through different ventures (without going to university for example). (Note - [‘How to overcome local skills gaps and meet local skills needs in Crawley’](#) may provide one suitable reference).
- It was noted that organisations that are Social Mobility Employers through Social Mobility Foundation act as benchmarks for others.
- Support for improved careers advice, especially combined with the Junior Citizen Scheme. It was noted that recruitment agencies use screening processes with a reliance on only the qualified candidates moving on to the next round.
- Recognition that it was about ensuring all individuals were aware of the choices available to them, whilst having the option to fulfil their objectives and “life chances” if they so wished.
- Strong support that “success” was individually determined, and not necessarily linked to monetary value, educational attainment, occupation, living conditions or being socially mobile. In some cases, ‘success’ could simply be linked to “being content”.

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet.

6. Cabinet Member Discussion with the Cabinet Member for Planning and Economic Development

The Commission noted the update given by Councillor Peter Smith and questioned him on a variety of issues relating to his [portfolio](#).

The following topics were discussed:

- With reference made to the Three Bridges corridor and improvement scheme, it was confirmed that the Eastern Access point still remained within the programme and that work was still progressing. It was anticipated that a report would be produced for Cabinet in June.
- Regarding Conservation Areas there were currently 11 conservation areas within the town designated because they were areas of special architectural or historic interest. Councillor Smith was keen to see the preservation of heritage.
- Support for encouraging the promotion of cycling. The Crawley Growth Programme has assisted in improving some cycle routes but it was acknowledged that alternative options were required to transform additional routes within the town.
- Discussions took place around the potential for a Town Centre BID and the improvements and benefits this could bring for businesses, employees and the area.
- Whilst the position has resulted in successfully being able to bring the Crawley Growth Programme together, the function also brought with it interesting challenges.

RESOLVED

That the Overview and Scrutiny Commission thanked Councillor Peter Smith for attending and for the informative discussion that had ensued.

7. Chair's Update on the Relocation of Crawley's Crown Post Office

At the Full Council meeting on 12 December 2018, the Council considered a notice of motion on the closure of Crawley's Crown Post Office. As part of this, it called upon the Overview and Scrutiny Committee to scrutinise the issue. The Chair has since invited representatives to attend a meeting of the Commission to provide an opportunity to gain an understanding of the impact of the changes.

The Chair updated the Commission that following this representatives from Post Office Ltd have agreed to attend a meeting of the OSC in June. This later attendance will allow a better reflection on the relocation and allow the Commission Members the opportunity to scrutinise in sufficient detail.

Whilst some Members felt delegates from WHSmith should be invited to attend the meeting of the Commission to convey their experience, other Members felt that the consultation and decision notice was coordinated by Post Office Ltd and consequently the information could be communicated by those already invited representatives.

The Chair called for a vote on whether to invite WHSmith to attend the meeting of the Commission. With the vote being 6 for the proposal, 6 against the proposal and 1 abstention, the Chair used their casting vote, which was against for the proposal.

The proposal (to invite WHSmith to attend the meeting of the Commission) was therefore lost.

RESOLVED

That the Commission noted the update provided by the Chair and acknowledged that Post Office Ltd representatives would be attending a meeting of the Commission in June.

8. Forward Plan - and Provisional List of Reports for the Commission's following Meetings

The Commission confirmed the following reports:

24 June 2019

Treasury Management Outturn 2018-2019
Three Bridges Improvement Scheme Final Design
Energy Services Company (ESCo) Set Up & Governance – District Heat Network

23 September 2019

Budget Strategy 2020/21 – 2024/25

25 November 2019

Treasury Management Mid-Year Review 2019/2020

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.17 pm

C A Cheshire
Chair

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Crawley Borough Council

Minutes of Planning Committee

Tuesday, 12 March 2019 at 7.30 pm

Councillors Present:

I T Irvine (Chair)

R S Fiveash (Vice-Chair)

M L Ayling, A Belben, B J Burgess, K L Jaggard, S Malik, T Rana, P C Smith, M A Stone, K Sudan, J Tarrant and G Thomas

Also in Attendance:

Councillor M W Pickett

Officers Present:

Roger Brownings	Democratic Services Officer
Kevin Carr	Legal Services Manager
Jean McPherson	Group Manager (Development Management)
Hamish Walke	Principal Planning Officer

Apologies for Absence:

Councillor N J Boxall and L Vitler

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Thomas	CR/2018/0079/FUL Car Park, The Broadway and St Johns Hall, High Street (South of Cross Keys), Northgate, Crawley (Minute 4)	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 Thomas	CR/2018/0546/OUT 3-7 Pegler Way, West Green, Crawley (Minute 6)	Personal Interest – Was a Council nominated member on the Central Crawley Conservation Area Advisory Committee, who had submitted a response in relation to the application. He did not recall attending a meeting where the application had been discussed.
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2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillors A Belben, Irvine, Malik, P Smith, Sudan and Thomas had been lobbied regarding application CR/2018/0079/FUL.

3. Minutes

The minutes of the meeting of the Planning Committee held on 11 February 2019 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2018/0079/FUL - Car park, The Broadway and St Johns Hall, High Street (South of Cross Keys), Northgate, Crawley

The Committee considered report PES/291 (a) of the Head of Economy and Planning which proposed as follows:

Demolition of the existing church hall for the construction of ground floor retail/community space/apartments with apartments above (total 34 dwellings).

Councillors A Belben, B J Burgess, Jaggard, P C Smith, Stone, Sudan, Tarrant and Thomas declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, whilst also providing the Committee with the following update:

Since the publication of the report, the applicants had agreed in principle to a commuted sum towards affordable housing of not less than £83,195 which was the minimum amount recommended by the independent viability appraisal. However, the report modelling suggested a contribution sum of up to £202,000 could be delivered and therefore assuming the officer recommendation was endorsed by the Committee and in the event of the lodging of any planning appeal, further discussions and negotiation on the final amount would be needed to secure a final contribution based on the varying assumptions in the report and to agree a contribution in between these two amounts in order for that figure to be incorporated into any S106 agreement.

Mr James Simpson (the Agent for the application) addressed the meeting in support of the application.

The Committee then considered the application. The Committee was strongly of the view that overall the amount of development proposed would result in overdevelopment of this site due to the scale and massing of the building. Members generally considered that there had been a failure to address: (i) the negative impacts on neighbouring properties and existing site features, and (ii) the inadequacy of the

accommodation provided to create a suitable environment and to meet operational needs, and (iii) it was felt there was a greater need to understand the site context. The Committee voted unanimously that the application be refused.

RESOLVED

Refuse, for the reasons listed in report PES/291 (a).

5. Planning Application CR/2018/0693/FUL - R/O 5-9 Southgate Road, Southgate, Crawley

The Committee considered report PES/291 (c) of the Head of Economy and Planning which proposed as follows:

Creation of a new access road between numbers 5 and 7 Southgate Road and construction of three detached dwellings on land to the rear of 5 - 9 Southgate Road (amended description and amended plans submitted).

Councillors A Belben, Jaggard, Stone and Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application.

Mr David Eaton, Mr Paul Aabryn and Councillor Pickett (Ward Councillor for Southgate) addressed the Committee in objection to the application. Those objections, relating to such issues as increased traffic, parking, pollution and impact on a neighbouring property and street scene, reflected many of the concerns raised on both the consultation regarding the original application and on the re-consultation regarding the revised scheme, as detailed in the report.

The Committee then considered the application. The Committee discussed the issues arising, including the comments raised by the speakers. In response to issues raised the Principal Planning Officer:

- Considered it unlikely that there would be additional street lighting for only three dwellings as proposed.
- Indicated that in terms of any impact on air quality, the number of cars using the proposed access road was likely to be very limited and intermittent.
- Confirmed that he was not aware whether the proposed access road would be named. This was not a planning matter.
- Indicated that WSCC Highways Authority would not be adopting the proposed access road.
- Confirmed that in terms of the width of the road (where it narrowed slightly from 4.2 metres to 3.0 metres between the side elevations of 5 and 7 Southgate Road), and with regard to highway / access matters generally, no objections had been raised by the Highways Authority.
- Confirmed that there were no windows proposed in any side elevations of the dwellings proposed.
- Explained that in terms of No. 16C Stonefield Close, although the proposal would have some impact on the side windows of 16C, the typical urban nature of the proposed relationship, the existing obscure glazing and alternative windows to most habitable rooms for light and outlook and, at ground floor level, the existing timber boundary fence, all serve to mitigate the impact. It

was not considered that refusal was justified on the grounds of impact upon No. 16C.

- Clarified that the required 2 metre distance between any two dwellings was the minimum distance to avoid a terracing impact, rather than address neighbouring amenity.
- Confirmed that the proposed house at the rear of No. 9 Southgate Road would be 4.5 metres (single storey garage side wall) from No. 16C Stonefield Close at ground floor level. The main two storey side elevation would be 7.5 metres away from No. 16C.
- Confirmed that the gardens were of sufficient size for new tree planting to take place within the site. The Arboricultural Implications Report submitted by the Applicant suggested some beech hedging, which Officers could pursue further on receipt of the respective Landscaping Scheme.

The Committee continued to consider carefully the concerns raised and the application information.

RESOLVED

Permit, subject to:

1. The completion of a Section 106 agreement to secure a £76,440 contribution towards the off-site provision of affordable housing.
2. The conditions set out in report PES/291 (c).

6. Planning Application CR/2018/0546/OUT - 3-7 Pegler Way, West Green, Crawley

The Committee considered report PES/291 (b) of the Head of Economy and Planning which proposed as follows:

Outline application (access, appearance, layout & scale) for demolition of existing commercial buildings and erection of a 6-storey residential building consisting of 10 no. 1 bed flats and 14 no. 2 bed flats.

Councillors Jaggard, P C Smith, Stone, Sudan, Tarrant and Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application.

Mr David Ross (the Agent for the application) addressed the meeting in support of the application.

The Committee then considered the application. Members indicated that whilst the area in and around the application site was in need of development and the principle of residential development was acceptable, they could not support this proposal, due to its prominent siting, size, massing, layout, building footprint and poor design on a constrained site, and its poor relationship with the adjoining sites, and would constitute overdevelopment resulting in a cramped form of scheme which would be out of keeping with, and harmful to, the visual amenities and character of the area. It was acknowledged that the scheme proposed would unduly restrict the development potential of adjoining land to the north and south. The Committee voted unanimously that the application be refused.

RESOLVED

Refuse, for the reasons listed in report PES/291 (b).

7. Planning Application CR/2018/0861/TPO - Roadside off Leicester Court, Newbury Road, Pound Hill, Crawley

The Committee considered report PES/291 (d) of the Head of Economy and Planning which proposed as follows:

G1 sycamores - remove trees (tag nos. 0867, 0868, 0865, 0866, 0870, 0871, 0872, 0878) to allow remaining trees to develop fully.

Councillors A Belben, Jaggard and Tarrant declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application. In response to an issue raised, the Group Manager (Development Management) indicated that in terms of wildlife, sufficient tree cover would remain on the application site, whilst the remaining trees would have space for further growth and would fill out accordingly.

RESOLVED

Consent, subject to the conditions set out in report PES/291 (d).

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.05 pm

I T IRVINE
Chair

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Crawley Borough Council

Minutes of Cabinet

Wednesday, 13 March 2019 at 7.30 pm

Councillors Present:

P K Lamb (Chair)	Leader of the Council
M G Jones	Cabinet Member for Housing
A C Skudder	Cabinet Member for Resources
B A Smith	Cabinet Member for Public Protection and Community Engagement
P C Smith	Cabinet Member for Planning and Economic Development and Deputy Leader
G Thomas	Cabinet Member for Environmental Services and Sustainability

Also in Attendance:

Councillor T G Belben, D Crow and K Sudan

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal, Democracy and HR
Chris Pedlow	Democratic Services Manager
Clem Smith	Head of Economy and Planning

Apologies for Absence:

Councillor C J Mullins

1. Disclosures of Interest

The following disclosure of interests was made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor P Smith	Employment & Skills Programme 2019-2024 (Minute 6)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.

Councillor
P Smith

Proposed Article 4 Directions
for Main Employment Areas
(Minute 8)

Personal Interest – a Local
Authority Director of the Manor
Royal Business Improvement
District.

2. Minutes

The minutes of the meeting of the Cabinet held on 6 February 2019 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, Democracy and HR reported that no representations had been received in respect of agenda item 13: *Watercourse and Drainage Management Services Contract*.

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. Employment and Skills Programme 2019-2024

The Cabinet Member for planning and Economic Development presented report [PES/313](#) of the Head of Economy and Planning, which provided an update on the success of the original Employment and Skills Programme, which was started in 2016, including Employ Crawley, Town Centre Skills Academy, Crawley Developer and Partner Charter, Crawley STEMfest and that the Council has employed nine apprenticeships during the period. It was noted that Employ Crawley was seen as one of the greatest successes with over 300 residents having received support interventions. The report also presented the proposed programme going forward to 2024, including the creation of the building/ construction Skills Academy.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 11 March 2019, including the Commission support for the Employment and Skills Programme, especially the links with Crawley College over devising professional skills courses and the promotion of the Apprentice schemes across the Borough.

Councillors Lamb Skudder and Thomas also spoke as part of the discussion on the report.

RESOLVED

The Cabinet

- a) approves the draft Employment and Skills Programme 2019-2024 shown in Appendix A to report [PES/313](#)
- b) delegates authority to the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development to (generic delegations 5 and 7 will be used to enact this recommendation):
 - i) the final Employment and Skills Programme 2019-2024, noting and considering any responses or representations received during the present period of stakeholder consultation;
 - ii) the regular update the Employment and Skills Programme 2019-2024 to take into account the delivery details of the individual projects listed within it, as they come forward;

Reasons for the Recommendations

This report seeks Cabinet approval of the draft, revised Employment and Skills Programme 2019-2024.

7. Social Mobility Scrutiny Panel Final Report

The Chair of Social Mobility Scrutiny Panel, presented report [OSC/276](#), which contains the Social Mobility Scrutiny Panel's findings from their review into social mobility within Crawley. Councillor Sudan informed the Cabinet that the review was set up following Crawley being ranked as the worst in the South East, for social mobility by the Government's Social Mobility Commission. The Panel focused on three areas of social mobility, education, housing and employment and across its five meetings considered evidence from Head teachers, the Cabinet Member for Education and Skills at West Sussex CC, individuals from Open House and officers from the Council's Housing and Economy and Planning divisions, along with other quantitative evidence.

The key findings arising from the reviews included the need for the continuation of the Alternative Provision Service for those past the age of 16 to cover those people still in full time education, the expansion of Employ Crawley following its initial success, and where possible a 'tenure blind' approach to housing design.

Councillor T Belben presented the Overview and Scrutiny Commission's comments of support and their endorsement of the Panel's findings.

In considering the report the Councillors P. Smith, Thomas and Lamb all spoke as part of the discussion on the Panel's report. Councillor P. Smith commented that he as the Cabinet Member that was responsible for many of the areas covered by the review, that he was happy to endorse and enact the Panel recommendation that were related to his remit.

RESOLVED

The Cabinet approves:

- a) General; put forward suggestions to the Social Mobility Commission on how the social mobility index can be further improved e.g. including information about residents who have relocated out of the local authority area following periods of further education.
- b) Housing; continue to support the Council's commitment to building social housing.
- c) Housing; that consideration be given to a 'tenure blind' approach to housing design wherever possible.
- d) Employment; recognise and continue to support the good work that is taking place with the Council's Employment and Skills Plan.
- e) Employment; that, as part of the Employment and Skills Plan, consideration be given for bringing training providers together to embark upon a solution for adult learning and re-training (adult education).
- f) Employment; that, as part of the Employment and Skills Plan, further work be undertaken with the 'Information and Advice Group' (IAG) to engage with junior children and careers advice, particularly on how to access pathways.
- g) Employment; that, as part of the Employment and Skills Plan, support additional funding opportunities to expand Employ Crawley.
- h) Employment; that the Head of Legal, Democracy and HR, on behalf of the Council, give consideration to the Council becoming a Social Mobility Employer through the Social Mobility Foundation.
- i) Education; that the Leader, on behalf of the Council, request WSCC to further consider that the Alternative Provision Service continues past the age of 16.
- j) Education; that the Leader, on behalf of the Council, request WSCC to further consider that the Access and Exclusion Team resources could be involved at an earlier stage.
- k) Education; that consideration be given to incorporating careers advice into the Junior Citizen Scheme run by the Council.
- l) Education; that the Council continues to support the 'Be the Change' initiative.
- m) Education; that the Council continues to support Crawley College in building closer co-operation with local employers, to help develop skills pathways into better paid jobs for more Crawley residents.
- n) Education; that further promotion should take place with regards to Free School Meals (FSM), as this benefits both pupils and schools. Schools receive additional funding from the government for each child registered for FSM.

Reasons for the Recommendations

To address some of the concerns around the low level of social mobility within the town. These are practical steps that can be taken by the Council, and other relevant organisations, to improve the life chances of those growing up in Crawley.

8. Proposed Article 4 Directions for Main Employment Areas

The Cabinet Member for Planning and Economic Development presented report [PES/314](#) of the Head of Economy and Planning, which detailed the proposal to issue

Article 4 Directions on four key employment areas within the Borough, namely: Lowfield Heath, Maidenbower Business Park, Tilgate Forest Business Centre and the majority of the Three Bridges corridor (including Denvale Trade Park, Stephenson Way, Spindle Way). It was noted the Council had previously placed an Article 4 Direction for the Manor Royal due to it being the main employment area within the Borough.

The purpose of the use of the Article was to protect offices and other employment hubs, from being converted to housing by permitted development. It was stated that the problem with the use of permitted development was, firstly that no planning requirements such as minimum floor space conditions, bin stores, or infrastructure contributions such as CIL or S106 payments were required for such developments. Secondly it was significantly reducing the employment opportunities for residents of the Borough, by removing offices and thus employment venues, it meant there would be less places where people could work.

Councillors Lamb, Jones, Skudder and Thomas also spoke as part of the discussion in support of the report. Views were expressed in support of the recommendations as the use of office block conversions to housing meant unsuitable living conditions for those residents of those buildings and hindered local government by removing the funding through CIL and S106 payments to provide the required infrastructure for those properties.

RESOLVED

That the Cabinet

- a) approves the making of non-immediate Article 4 Directions under the Town and Country (General Permitted Development Order) 2015, removing the permitted development right for offices (Use Class B1a), light industrial (Use Class B1c) and storage and distribution (Use Class B8) to convert to residential (Use Class C3) for the areas outlined in bold on the plans at Appendix A. The Directions will apply to the designated main employment areas at Lowfield Heath, Maidenbower Business Park, Tilgate Forest Business Centre and the majority of the Three Bridges Corridor.
- b) delegate authority to the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development to formally confirm the non-immediate Article 4 Directions set out at 2.1(a) above following the 12 month notification period, if having fully considered all representations made during the consultation period, they are of the opinion that the Article 4 Directions should be made. (Generic Delegation 3 will be used to enact this recommendation).
- c) requests that work commences to scope the feasibility and expediency of making a Town Centre Article 4 Direction(s) and that a consideration report be brought back to Cabinet on this matter in due course.

Reasons for the Recommendations

Crawley's economy has grown by 31% since 2010, and there is strong potential for further economic growth in Crawley. Many existing companies are seeking to expand their operations, and new companies are enquiring about opportunities to locate in the borough. However, a major impediment to continued growth is that Crawley has a

very limited supply of available new business land, and the Local Plan identifies a land supply deficit of 35 hectares. Further, the borough of Crawley has lost 61,500 square metres of commercial space to residential development via permitted development rights.

In some cases, main employment areas have been undermined to such an extent by the introduction of residential uses, that the overall employment function of the designated area has been lost. Non-immediate Article 4 Directions are therefore proposed for selected main employment areas, in order to remove these permitted development rights, and protect the important economic function of these locations.

9. Irrecoverable Debts 2018/2019

The Leader of the Council presented report FIN/463 the Head of Corporate Finance, which sought approval to write-off debts to the Council that were considered to be irrecoverable and exceed the delegated limit of £50,000 per write-off. The proposed write off in excess of £50,000 totalled £465,312.38.

RESOLVED

That the Cabinet approves the write-off of the Business Rates debt of the following

Name & Address	Reason	Total £
Genus UK Ltd 15 County Mall	Entered into CVA	67,633.43
Hhgl Ltd Homebase, Crawley Ave	Entered into CVA	117,148.50
New Mount Properties Ltd 8 & 9 Queens Square	Offshore Company Unenforceable	164,089.55
Smokin Joes Crawley Ltd 75 County Mall	Proposal to strike off	64,348.49
The Buyco Ltd Pegasus Place	In Liquidation	52,092.41
		465,312.38

Reasons for the Recommendations

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

10. 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.

11. **Watercourse and Drainage Management Services Contract (Exempt Paragraph 3)**

The Cabinet Member for Environmental Services and Sustainability presented report HPS/17 of the Head of Major Projects and Commercial Services which sort approval to request delegated authority to award the Watercourse and Drainage Contract to the most advantageous (winning) tenderer and enter into a contract to progress the delivery of the service being provided within the agreed budget. The duration of the contract will be for an initial period of five years from 1st July 2019 until 30th June 2024, with an option to extend the contract for up to a further two years until 30th June 2026. The estimated value of the contract is £100,000 per annum.

RESOLVED

That the Cabinet delegates authority to the Head of Major Projects & Commercial Services in consultation with the Head of Corporate Finance, the Head of Legal, Democracy and HR, the Leader of the Council and the Cabinet Member for the Environmental Services and Sustainability to enter into a contract with the most advantageous (winning) tenderer to progress the delivery of these works and services.

The estimated value of the contract is £100,000 per annum and the contract term is for an initial period of five years commencing 1st July 2019 until 30th June 2024. The procurement will include an option to extend the contract for a further two years, subject to an acceptable performance review. (*Generic Delegation 3 will be used to enact this recommendation*).

Reasons for the Recommendations

The existing contract for Watercourse & Drainage Maintenance (Grill Clearance & Emergency Works) has provided a means of ensuring that the Council delivers on those liabilities associated with its Watercourse & Drainage Management function. The current contract expires on 30th June 2019 and the recommendation will provide continuity of service thereafter.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.08 pm

P K LAMB
Chair

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Crawley Borough Council

Minutes of Audit Committee

Tuesday, 19 March 2019 at 6.30 pm

Councillors Present:

K Sudan (Chair)

C R Eade (Vice-Chair)

R D Burrett and I T Irvine

Officers Present:

Chris Corker Operational Benefits and Corporate Fraud Manager

Karen Hayes Head of Corporate Finance

Mez Matthews Democratic Services Officer

Apologies for Absence:

Gillian Edwards Audit and Risk Manager

Absent:

Councillor L Willcock

1. Disclosures of Interest

The following disclosure of interest was made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	Fraud and Investigation Team Report (Minute 3)	Personal Interest – he had received a Council Tax Single Person Discount data match letter

2. Minutes

The minutes of the meeting of the Audit Committee held on 27 November 2018 were approved as a correct record and signed by the Chair.

3. Fraud and Investigation Team Report

The Committee considered report FIN/471 of the Operational Benefits and Corporate Fraud Manager, which focused on activity for the period from 13 November 2018 to 4 March 2019.

The report indicated that the Team had continued to perform successfully. The Committee was provided with details of cases investigated and the Team's investigations, whilst a discussion took place on the Team's work generally.

A Committee Member queried the types of cases which had been classed as "Housing Investigations (General)" and "CT Liability Investigations". As the Operational Benefits and Corporate Fraud Manager did not have information to hand regarding those specific cases, he advised the Committee that he would provide clarification on the matter via email following the meeting.

The Committee noted that an exercise regarding the Single Person Discount was currently underway, and that further information would be reported at the next Committee meeting. The Chair thanked the Operational Benefits and Corporate Fraud Manager for the work he and the Team had undertaken over the past year.

RESOLVED

That the Investigation Team Report be noted.

4. Progress Report and Risk Management

The Committee considered report FIN/469 of the Audit and Risk Manager. The purpose of the report was primarily to update the Committee on the progress made towards the completion of the 2018/2019 Audit Plan, and to report on the progress made in implementing the previous recommendations. The report also included an update on the Council's Strategic Risks. The Audit and Risk Manager was unable to attend the meeting and therefore the Head of Corporate Finance presented the report in her absence.

The Head of Corporate Finance briefed the Committee on the progress made towards the completion of the 2018/2019 Audit Plan and, in relation to the following areas, the Committee:

Work Completed in the Current Period:

- Received clarification in relation to the number of findings and the audit assurance classifications.

Follow Up Audit: Data Centre Migration Project

- Noted that, due to the date of the next meeting, it would not be possible for the Audit Committee to review the Terms of Reference for the post implementation review. It was therefore agreed that the Terms of Reference for the review would be circulated to Committee Members via email.
- Acknowledged that the review was being procured by the Head of Digital and Transformation in consultation with the Deputy Chief Executive, both of whom were not in post at the time of the Data Centre Migration.
- Noted that the review would be procured in line with the Council's established procedures.

Follow Up Audit: Community Grants

- Noted that further information regarding segregation of duties would be reported at the next Committee meeting.
- Queried why work relating to ensuring the meaningfulness of the items on the checklist had not yet been achieved and was informed that the information would be brought before the Committee at its next meeting.

Other Work

- Noted the arrangements in place for the provision of staff supplied to Mid Sussex District Council by Crawley Borough Council's Audit Department.

The Head of Corporate Finance provided an update on Strategic Risks, The Committee sought and received clarification on several matters including the work being undertaken to prepare for both Brexit and a possible 'no deal' Brexit.

RESOLVED

That the Committee receive the report and note progress to date, as at 28 February 2019.

5. Internal Audit Annual Plan 2019-2020

The Committee considered report FIN/470 of the Audit and Risk Manager. The Plan, which was attached as Appendix A to the report, included for each proposed audit area, an outline scope of work planned. The Committee sought and received clarification on a number of issues including the timing of the Housing Benefit 2018/19 Audit, the work being undertaken for Mid Sussex District Council, and the current level and use of Section 106 monies.

RESOLVED

That the 2019/2020 Internal Audit Annual Plan attached as Appendix A to report FIN/470 be noted.

6. Certification of Claims and Returns Annual Report 2017-2018

The Committee considered the Certification of Claims and Returns Annual Report 2017-18 from Ernst and Young LLP.

The report summarised the results of Ernst and Young's certification work on the Council's 2017-18 housing benefit claim.

The Associate Partner for Ernst and Young LLP provided clarification on the Housing Benefit Subsidy Claim (Section 1 of the report), including the level of errors found, the process of testing identified errors and the level of adjustment which had been made to the claim. The Head of Corporate Finance then provided further information on the measures being put in place to reduce the number of errors in the future.

RESOLVED

That the Certification of Claims and Returns Annual Report 2017-18 be noted.

Last Committee Meeting of the Municipal Year

With the meeting being the last Committee of the municipal year, the Chair took the opportunity to thank the Committee for its hard work and contributions, and officers for the work they had undertaken. The Committee then thanked the Chair for the way in which she had conducted the meetings.

Closure of Meeting

With the business of the Audit Committee concluded, the Chair declared the meeting closed at 7.30 pm

K SUDAN
Chair

Agenda Item 9

Full Council

3 April 2019

NOTICE OF MOTION 1 – HELPING VULNERABLE CRAWLEY FAMILIES MOTION

Mover Councillor Lamb and Seconder Councillor Jones

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.

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