

Crawley Borough Council

Minutes of Cabinet

Wednesday, 11 March 2020 at 7.00 pm

Councillors Present:

P K Lamb (Chair)	Leader of the Council
I T Irvine	Cabinet Member for Housing
G S Jhans	Cabinet Member for Environmental Services and Sustainability
C J Mullins	Cabinet Member for Wellbeing
P C Smith	Cabinet Member for Planning and Economic Development and Deputy Leader

Also in Attendance:

Councillor D Crow, R D Burrett and T Rana

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal, Democracy and HR
Ian Duke	Deputy Chief Executive
Chris Pedlow	Democratic Services Manager
Allan Hambly	Communication Manager
Patricia Salami	Station Programme Manager
Louise Skipton-Carter	Sustainability Manager

Apologies for Absence:

Councillor B A Smith

1. Disclosures of Interest

No disclosures of interests were made.

2. Public Question Time

The Cabinet received a question from Mr Symonds of Ifield, in relation to Homes England refusing a Freedom of Information request to release results of a Wildlife and Traffic Survey affecting Crawley and that in their refusal Homes England commented

"Is Homes England correct in stating that releasing these results now could [to quote]: "prejudice...Crawley Borough Council's statutory role as Local Authority" and [to quote]: "jeopardise the ability of...the Local Council to respond...and put the allocation in a Local Plan at risk?" Is that statement the case, Mr Symonds asked?

Councillor P Smith responded, commenting that the FOI to Homes England appears from an Ifield West resident, and from what he has seen looks like a valid set of questions to seek a response to. However, we, as Crawley Borough Council, cannot comment on the responses provided by another public body, such as Homes England, as it would be totally inappropriate to do so, because we as the Council we are not privy to all the information and data Homes England has on this matter or to the whole of the Freedom of Information (FOI) request, just an extract.

Councillor Irvine also responded to the question stating, that he noted there was a right to appeal the FOI decision, not to respond, and he wished the resident well if he chooses that course of action.

3. 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.

4. Minutes

The minutes of the meeting of the Cabinet held on 5 February 2020 were approved as a correct record and signed by the Leader.

5. 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 items 13 and 14: *Town Hall Site Redevelopment: Revised Budget for the District Heat Network and Print Procurement Contract*, respectively.

6. Three Bridges Station Improvement Scheme - Next Steps

The Cabinet Member for Planning and Economic Development presented report [PES/338](#) of the Head of Economy and Planning. In presenting the report to the Cabinet, they were reminded that there had been a Petition, submitted on this issue and a debate on the Petition along with a Notice of Motion at Full Council held on 26 February 2020. As a result, the Cabinet must have due regard to the petition and the views expressed during the debates on Three Bridges Station Improvement Scheme and issue of the 'No Right-Hand Turn' when considering the recommendations before them.

Councillor P Smith stated that this whole project of Three Bridges Station Improvement Scheme was essentially a forecourt project with a highway's element. Crawley Borough Council (CBC) was the lead authority for the project, including responsibility for the programme management activities as part of the Crawley Growth

Programme. The whole project was in partnership with West Sussex CC Highways, Coast 2 Capital LEP, Network Rail, Metrobus, GTR, and the Council.

Whilst CBC was the lead authority, it was not responsible for every aspect of the project, with each of the partners still retaining their decision making for each area of their own responsibility. WSCC Highways, retained the responsibility for the highway's elements of the design and CBC had to follow their advice and decisions and incorporate them into the final overall design.

The Cabinet were reminded that the Council had consulted as extensively and reasonably as possible on all our planning and economic development projects since 2014, and it was right to do, as our residents were our customers and we need to listen to them as the users of the projects we will be delivering. On Three Bridges Station Improvement Scheme, CBC, as the lead partner for the scheme, had gone out of our way to consult with all interested groups, including the taxi drivers (part of whose livelihood can depend on Three Bridges station), as well as Metrobus, the Town Access Group, the Walking and Cycling Forum and others but most importantly the public. Three extensive consultations were run, involving brochures, FAQs, traffic modelling, and all of this was on a dedicated website for the project. Every question that has been asked was on the website, even those questions that we haven't been able to provide a satisfactory answer. Throughout the project the team have listened to and considered every single possibility including putting the eastern access from Station Hill into the project as that was a direct result of consultation, in particular with Maidenbower Ward Councillors. It was not in the original scope and would cost significantly more, but it was recognised that it is a good idea and something that would improve the options for our residents and users over how they will travel to and from the station. It was noted that at the request of the Maidenbower Councillors, further traffic modelling was done. This showed it was not an option to put in a pick-up and drop-off point on Station Hill, as it had a negative impact on traffic flow and also on the cost. These are two examples demonstrating how the CBC lead project team had taken suggestions on board and investigated them further.

It was noted that the improvement scheme had two elements – the forecourt element and the highways element. As a forerunner to this scheme the traffic lights were changed by WSCC as part of the Crawley Growth Programme, and the Cycleway schemes were installed on Station Hill and Worth Park Avenue, which were part of a wider programme of work driven by improving sustainable transport options. The highways element includes provisions that will allow people to cross the road safely and walk or cycle under the bridge, which currently was not technically safe to do.

Cabinet Members were informed that the Crawley Growth Programme has recognised the major importance of WSCC and CBC working together with project teams with Cabinet members from both Councils meeting regularly and listening to each other – it's about having an excellent working relationship despite any political differences. It has been positively approached by all and was for the benefit of our joint community, as they were the people who own Three Bridges station - we just have the privilege of improving it for them. As a result of this positive relationship, we have worked with experts, technicians, contractors, traffic engineers, etc. We can confidently say we have exhausted all possibilities on the right turn. Everybody involved would ideally like to retain the right turn. It's something that was good for a small number of people. But we've looked in detail at 12 options for the design, with WSCC Highways looking at the traffic modelling, and have not found a solution that will work to retain the right turn.

Councillor P Smith commented that going forward all 36 CBC Councillors and the 9 Crawley WSCC Councillors need to look at this scheme as a town wide initiative to

improve a major station in the town. This is for the benefit of the average of 8000 people that use the station every day, including those arriving by car, bus or rail from elsewhere for work, pedestrians, cyclists, and those with children and access difficulties. Peak traffic volume is 3000 vehicles per hour moving east and west, with 128 of those turning right. This is typical of all periods of the year except at Christmas and for a time during the school summer holidays. This represents 4% of movements through the space using the right turn, during the morning peak it's 2% turning right.

It was recognised that some journeys may take longer. They probably won't take as long as people are worried they will. But it would benefit everyone else by reducing all other journey times. As a project lead CBC have done our best to listen to residents, local groups, Councillors, and those who have communicated with the project team. We've come up with a scheme that meets the majority of requirements, and it's a shame that some may have longer journeys, but nobody was being prevented from accessing the station - they just might have to consider taking an alternative route.

In concluding of presenting the report, Councillor Smith informed the Cabinet that the recommendations were to ask West Sussex CC highways to have a further look at the scheme and confirm if there were or not any other options, and decide how to proceed after that. He commented that he hoped his detailed presentation of the report covers all the issues that the petitioners raised, and those matters Councillors mentioned during an interesting debate at the last meeting of the Full Council.

Councillor Rana presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 9 March 2020. In doing so she read out the Commission comments as detailed in report [OSC/286](#), which was provided to the Cabinet, in doing so she emphasised that the Commission agreed to unanimously support the recommendations. The Commission also confirmed that they felt the report provided an extraordinary amount of detail on the project and thanked the officers for their hard work on the Three Bridges Station project.

Councillors Lamb, Mullins and Irvine all spoke as part of the in-depth discussion on the report and in support of the scheme. A question was raised during the debate as to whether the Cabinet request of a public response from West Sussex CC would be obtainable by the deadline on 1 July.

The Leader of the Council invited Councillor Crow, who indicated that he would like to speak on this item and in doing so Councillor Crow commented that with his knowledge of West Sussex CC, he was quite sure that the decision would be delegated to an officer with expert knowledge of traffic management to make the decision over whether a right hand turn would be possible. Also he would be quite confident that the County Council would be able to respond to the Cabinet's request by the 1 July. The Leader thanked Councillor Crow for his assistance.

RESOLVED

That the Cabinet having confirmed that it has considered

- the outcome of three separate public consultation exercises undertaken on the Three Bridges Station improvement scheme,
- the Petition signed by 1000 individuals entitled "No Right Turn - Three Bridges Station Objection" and presented to and debated by Full Council on 26th February 2020

- the request contained within the Notice of Motion approved by Full Council at its meeting held on 26 February 2020
- all other forecast impacts associated with the Three Bridges Station Improvement Scheme proposals, as detailed within report,

agrees to:

- a) approve the principles and the design for the Three Bridges Station Improvement Scheme as set out within the [Three Bridges Station Improvement Scheme Brochure](#) except in relation to the highways aspect of the scheme, in particular the proposed “No Right Hand Turn” out of the station, which is the responsibility of West Sussex County Council as the Highway Authority to determine.
- b) pass responsibility for determining a decision on the “No Right Hand Turn” to West Sussex County Council as Highways Authority and in doing so requesting that the Highway Authority take the necessary action to identify a viable alternative option for retaining the right hand turn as requested by the above petition. If no viable option for maintaining the right hand turn out of the station can be identified, then West Sussex County Council are asked to confirm this.
- c) request that West Sussex County Council, as the Highway Authority, makes a **clear public decision** over ‘the right hand turn out of Three Bridges station’, **by 1 July 2020**. Including within that **public decision**:
 - whether to continue with the Scheme in its current recommended design **or** to provide an alternative scheme design to retain the right hand turn out of Three Bridges station, based on either a viable modified version of the previously considered Option 3 as detailed in the Traffic Modelling Summary dated January 2020, **or** on similar viable alternatives **and**
 - confirm that if an alternative scheme becomes the preferred option that further public consultation would take place before West Sussex County Council approves the final scheme.
- d) confirm that if a clear public decision is not made by **1 July 2020** then Crawley Borough Council, as the lead partner for the Three Bridges Station Improvement Scheme, on behalf of the Crawley Growth Programme, will presume that, the current recommended design option contained within the [Three Bridges Station Improvement Scheme Brochure](#) with **no right turn** is the Highway Authority’s approved option and as such **will** continue with this scheme, which is part of the Crawley Growth Programme as agreed with West Sussex County Council and the Coast to Capital Local Enterprise Partnership.
- e) confirm it will support the ultimate decision taken by West Sussex County Council over the right hand turn, e.g. continue with the scheme design in its current recommended format or select an alternative scheme design, retaining the right hand turn, which would be developed by West Sussex County Council (Highway Authority), subject to a further public consultation exercise.
- f) confirm that in accordance with the above being resolved, to:
 - i) approves the addition of £89,000 of Section 106 monies to the Three Bridges Station Improvement scheme, which is part of the Crawley Growth Programme.

- ii) delegates authority to the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development to submit a planning application for the final scheme and undertake, subject to planning permission, a procurement exercise for the scheme, in accordance with the Council's Procurement Code, to recommend a suitable contractor with the appointment of the contractor requiring Cabinet approval.
 - iii) delegates the negotiation and approval of the terms of all relevant legal documentation to the Head of Economy and Planning, Head of Legal, Democracy and HR and Head of Corporate Finance, in consultation with the Cabinet Member for Planning and Economic Development. (*Generic delegation 2 and 3 will be used to enact this recommendation*).
- g) note that all matters relating to the designs for the Three Bridges Station Improvement Scheme are subject to planning permission being granted.

Reasons for the Recommendations

The proposed scheme seeks to support the following aims of the Crawley Growth Programme, of which the Three Bridges Station Improvement Scheme is part

- Improve significantly the quality of sustainable transport infrastructure (bus, cycle routes and pedestrian walkways) and
- Achieve major bus, cycle and pedestrian connectivity enhancements at 3 of Crawley's 4 railway stations – Crawley, Gatwick and Three Bridges.

The scheme will deliver this by creating a brand new station entrance off Station Hill and improving pedestrian, bus user and cyclist access into and exiting from the station, transforming the station forecourt public realm and strengthening sustainable transport connections to benefit both local residents and commuters to Manor Royal and all parts of Crawley. It will also provide dedicated and upgraded taxi waiting and public drop off / pick up zones.

The recommendations take into account the full debate by Members on the petition and the debate on the Council motion that took place at Full Council on the 26 February, which are explained in detail in section 5 of this report.

West Sussex County Council is asked to make a public decision as described in 2.2b and c above by 1 July 2020 at the latest to ensure that the Three Bridges Station improvement scheme can then progress in accordance with the Crawley Growth Programme delivery timeline agreed with the Local Enterprise Partnership.

7. New Directions for Crawley (issues and options for Crawley Transport Strategy)

The Cabinet Member for Planning and Economic Development presented report [PES/341](#) of the Head of Economy and Planning, which set out the proposed "New Directions for Crawley", a Crawley Transport Strategy issues and options document ([Appendix A](#)). It set out a vision for future transport infrastructure and services in Crawley whilst also presenting an outline of proposals for the first phase of delivery towards that vision. It was noted that draft Crawley Transport Strategy issues and

options document had been out for public consultation exercise which concluded on 17th February 2020. The report also details the changes proposed arising from the consultation process.

Councillor Rana presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 9 March, which confirmed the Commission's support of the strategy.

Councillors Mullins, Jhans and Irvine spoke as part of the discussion on the report.

RESOLVED

That the Cabinet approves the adoption of "New Directions for Crawley" the Crawley Transport Strategy issues and options document ([Appendix A](#)) to report [PES/341](#).

Reasons for the Recommendations

The previously approved draft Crawley Transport Strategy issues and options document has been amended following consultation. The feedback has been largely very positive with suggestions that have informed proposed relatively minor additions and changes to the document. Approval of this draft as the final document is sought.

8. Allocating Monies Collected Through CIL 2020/21

The Cabinet Member for Planning and Economic Development presented report [PES/335](#) of the Head of Economy & Planning which set out the findings of the Annual review of Crawley's Community Infrastructure Levy (CIL) Programme. The report detailed the proposed CIL strategic infrastructure spend priorities to the end of March 2023, as well as an update on the second year of the pilot scheme for crowdfunding - Crowdfund Crawley.

RESOLVED

That the Cabinet

- a) approves the proposed CIL strategic infrastructure spend priorities presented in the Infrastructure Business Plan at (Appendix A of report [PES/335](#)) and set out in section 7, to March 2023.
- b) notes that the Infrastructure Business Plan, including the funding programme, will continue to be reviewed on an annual basis to take into account any changes in strategic infrastructure priorities and fluctuations in CIL receipts compared to the forecast. The next review is proposed to take place in March 2021.
- c) approves extending the Crowdfund Crawley pilot scheme until the end of March 2021 and for the scheme to be reviewed again in March 2021.

Reasons for the Recommendations

By approving the revised CIL Infrastructure Business Plan, it will give clarity to the projects identified as a priority for delivery using CIL finances and it will also provide a clear audit trail.

The extension of the Crowdfund Crawley programme will allow the Council to continue to assess the impact that the programme has had to date.

9. Council's Nomination to Crawley Town Centre BID Board

The Leader of the Council present report PES/347 by the Head of Economy and Planning, which sought a nomination from the Council, for a Councillor to join the soon to be established Town Centre BID Board, following the successful ballot in November 2019.

It was noted that external advice has been obtained confirming that there was no issue with an individual sitting on more than one BID Board.

RESOLVED:

That the Cabinet nominates the Cabinet Member for Planning and Economic Development as the Council's representative to the Town Centre BID Board, and the Portfolio Responsibilities be amended to include this appointment within the Constitution.

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. Town Hall Site Redevelopment: Revised Budget for the District Heat Network

Exempt Paragraphs 3 & 5

The Leader of the Council presented report, DCE/05 of the Deputy Chief Executive. The purpose of the report was to set out the changes to the District Heat Network scheme that have created the additional cost and to seek agreement on the way forward that avoids increasing the overall budget for the Town Hall Site Redevelopment project.

Councillor Rana presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 9 March 2020, which included that the Commission had given its broad support in principle for the report. Also that the Commission unanimously supported option 3

within section 6 of the report DCE/05, with the addition of discreet progress and expenditure tracking against the DHN within that area.

Councillor Irvine spoke on the report.

RESOLVED

That the Cabinet

- a) notes the recent design changes to the design of the District Heat Network (DHN), the cost implications and the underlying reasons for this
- b) notes the level of expenditure incurred to date on the DHN project
- c) agrees the continuation of the DHN project, subject to Full Council agreement that the budget allocations for the Town Hall Site Redevelopment can henceforth be treated as a global budget
- d) agrees for officers to pursue recompense for erroneous advice received should investigations reveal that course of action to be appropriate

That Full Council be recommended to:

- a) Note that the budget for the New Town Hall contract contains a high level of contingency
- b) Agree that the budget allocations for the Town Hall Site Redevelopment can henceforth be treated as a global budget under the delegations to the Deputy Chief Executive as agreed by Full Council in the February 2017.

Reasons for the Recommendations

In February 2017, the Council agreed the deliverables of the Town Hall Site Redevelopment, the budget lines to achieve this, and the delegated powers to develop and proceed with the development (set out in more detail in Section 4 of report DCE/05). In December 2018, the Council agreed to amend the budget for the District Heat Network, taking account of the benefits of the scheme (also set out in Section 4 of report DCE/05)). The recommendations above will allow both schemes to proceed without impacting on the combined budgets previously agreed.

Whilst it could be argued that given no further funding is being sought, there are sufficient delegations already in place to treat the individual budgets as a global figure, and to use the quarterly finance monitoring to vire funding; it is also arguable that this would not be sufficiently transparent for a project of this type and profile. Furthermore, it is appropriate to set out any changes to the rate of return anticipated from this investment given that these will have changed since the December 2018 report.

12. Print Procurement Contract

Exempt Paragraph 3

The Leader of the Council presented report CEX/50 of the Chief Executive which set out the result of the joint tendering exercise and evaluation for printed material such as leaflets, brochures, envelopes etc. The procurement was a joint exercise with Horsham DC, Mid Sussex DC and Mole Valley DC.

It was noted that the report also proposed the creation of a dynamic purchasing system (DPS) and that all contracts including the DPS to commence from 1 April 2020 for a three-year term, with a one-year optional extension period, subject to the suppliers' satisfactory performance.

RESOLVED

That the Cabinet approves

- a) the appointment of the following providers for the work indicated below for a period of three years from 1 April 2020 (with the option to extend for a further one year):

General print work – low volumes (lot 1a)

- Bidder 10
- Bidder 11
- Bidder 28
- Bidder 14

General print work – high volumes (lot 1b)

- Bidder 27
- Bidder 9
- Bidder 24
- Bidder 15

General signage (lot 2)

- Bidder 30
- Bidder 32
- Bidder 5

Envelopes (lot 3)

- Bidder 8
- Bidder 25

- b) the creation of a Dynamic Purchasing System (DPS) for the work indicated below for a period of three years from 1 April 2020 (with the option to extend for a further one year):

- Specialised print work (lot A)
- Banners (lot B)
- Design services (lot C)
- Mailing (lot D)
- Electoral Printing (lot E)

Reasons for the Recommendations

Following a tender exercise and evaluation, the providers identified in paragraph 2.2 of report CEX/50 have submitted the most economically advantageous tenders in four lots.

The creation of a DPS will allow the councils to invite quotes on jobs within five lots and obtain best value.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.04 pm

P K LAMB
Chair