

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 **Virtual Meeting - Microsoft Teams Live**, on **Wednesday, 24 February 2021 at 7.30 pm**

Nightline Telephone No. 07881 500 227



Chief Executive

Please note: in accordance with Regulations in response to the COVID-19 Public Health Emergency, from April 2020 committee meetings are being held **virtually** via online video conferencing with committee members **in remote attendance only**. Any member of the public or press may observe a committee meeting (except where exempt information is to be discussed) via a link published on the Council's website **24 hours** before the scheduled start time.

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

Published 16 February 2021

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.

Following the meeting's initial extension, consideration will be given to extending the meeting by further periods of up to 30 minutes if required however, no further extensions may be called to extend the meeting beyond 11.00pm when the guillotine will come into effect.



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

Part A Business (Open to the Public)

	Pages
Minute Silence for Former Mayor and Councillor Raj Sharma.	
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. Minutes To approve as a correct record the minutes of the meeting of the Full Council held on 16 December 2020.	5 - 18
4. Communications To receive and consider any announcements or communications, including any additional Cabinet Member announcements.	
5. Public Question Time To answer public questions under Full Council Procedure Rule 1.1-E. 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.	
6. Consideration of Full Council Recommendations and Call-In Decisions To consider any recommendations before the Full Council or items which have been Called-In. <i>NB In advance of the meeting Political Groups will identify which recommendations they do not wish to reserve for debate.</i>	19 - 110

7. Appointment of the Monitoring Officer

To consider report CEx/55 by the Chief Executive, following the Employment Panel held on Monday 15 February 2021.
(RECOMMENDATION 9)

(To follow)**8. Notification of Decision Protected from Call-In**

In line with Constitution's Call-In Procedure Rule 8, Section 8.3, the Full Council is required to be informed when the Chief Executive has protected a decision from Call-in.

As detailed in the Councillors' Information Bulletin [IB/1054](#) on 18 November 2020, in relation to a decision taken by the Leader of the Council in respect of *Additional Restrictions Discretionary Business Grant - Revised Scheme and Guidelines*, the Chief Executive used her protection from Call-in authority. The rationale behind the use of the protection was by to enable the Council to immediately start supporting its local businesses by ensuring that they could immediately apply for the further Discretionary Business Grant (DBG) payments and to ensure that the Council could make such DBG payments as soon as possible.

RECOMMENDATION 10

The Full Council is requested to note the use of the protected from Call-In by the Chief Executive in respect of the decision by the Leader of the Council entitled *Additional Restrictions Discretionary Business Grant - Revised Scheme and Guidelines* on 18 November 2020.

9. Councillors' Questions Time

There will be a maximum of **30** minutes for Councillors' Question Time (CQT). Councillors may ask questions relating to either a portfolio issue or with regard to the functions delegated to a Committee.

There are **two** methods for Councillors asking questions:

1. Councillors can submit written questions in advance of the meeting and written answers will be provided on the evening of the Full Council.
2. Councillors can also verbally ask questions during the CQT.

Councillors have the opportunity to ask oral supplementary questions in relation to either of the methods above.

10. Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees including Items for Debate

To receive the minutes of the meetings of the Cabinet, Overview and Scrutiny Commission and Committees, as listed on page 19, and set out in the appendices to this item and to debate any Reserved Items contained within those Minutes.

NB: In advance of the meeting Political Groups can identify any items they wish to debate as a Reserved Item. These Reserved Items will then be the only matters to be the subject of debate.

11. 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, 16 December 2020 at 7.30 pm

Councillors Present:

F Guidera (Mayor)

S Malik (Deputy Mayor)

L M Ascough, M L Ayling, A Belben, T G Belben, B J Burgess, R G Burgess, R D Burrett, D Crow, C R Eade, M Flack, J Hart, I T Irvine, K L Jaggard, G S Jhans, M G Jones, P K Lamb, R A Lanzer, T Lunnon, K McCarthy, J Millar-Smith, C J Mullins, M Mwagale, D M Peck, A Pendlington, J Purdy, T Rana, R Sharma, B A Smith, P C Smith and K Sudan

Also in Attendance:

Mr Peter Nicolson Appointed Independent Person

Officers Present:

Natalie Brahma-Pearl Chief Executive

Heather Girling Democratic Services Officer

Chris Pedlow Democratic Services Manager

Mr Peter Nicolson Appointed Independent Person

Elizabeth Brigden Planning Policy Manager

Sallie Lappage Forward Planning Manager

Apologies for Absence:

Councillor R S Fiveash, T McAleney and M W Pickett

1. Disclosures of Interest

The disclosures of interests made by Councillors are set out in Appendix A to these minutes.

2. Minutes

The minutes of the meeting of the Full Council held on 21 October 2020 were approved as a correct record and signed by the Mayor.

3. Communications

The Mayor commented that there were no updates at this meeting as due to the current Coronavirus pandemic unfortunately there were restrictions in place that had limited Mayoral attendance.

4. Public Question Time

There were no questions from the public.

5. Polling Arrangements May 2021 – Governance Committee – 29 November 2020 (Recommendation 1)

The Full Council considered report [CEX/52](#) of the Chief Executive which proposed a new polling district LAC in Bewbush and North Broadfield Ward to cater for the boundary of the Bewbush and Ifield West Division with the Gossops Green and Southgate Division of West Sussex County Council. The reason for this proposal was to take account of a minor discrepancy between the Borough Ward boundary and County Division boundary at Burbeach Close, Bewbush.

The item had been previously considered at the Governance Committee on 17 November 2020. Councillor Burrett moved the recommendation which was seconded by Councillor Lunnon.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process. Before the vote commenced, it was confirmed that none of the Labour or Conservative Members requested to vote as an individual, rather than through their respective Group block vote.

For the recommendation: Labour block vote of 14 votes, Conservative block vote of 16 votes, and Councillor Sudan. (31)

Against the recommendation: None (0)

Abstentions: (0)

The Mayor declared the recommendation was carried – votes in favour 31, and votes against 0 with 0 abstentions.

RESOLVED

That Full Council approves the amendment to the Polling Scheme to create polling district LAC as shown in the table at [Appendix A](#) to report [CEX/52](#).

6. Submission Crawley Local Plan 2021-2037 – Cabinet – 25 November 2020 (Recommendation 2)

The Full Council considered report [PES/367](#) of the Head of Economy and Planning which sought Full Council approval of the submission of the draft Local Plan for a further publication consultation, and followed by the submission of draft Local Plan for Submission to the Secretary of State for Examination by an independent Planning Inspector, (*subject to minor amendments deemed necessary following consultation for the purposes of clarity*) and the approval of the publication and submission of the supporting documents for the Local Plan. The item had been previously considered at the Cabinet on 25 November 2020.

Councillor P Smith introduced the recommendation to the Full Council noting that it was a legal requirement for a Council to have a Local Plan in place which needed to regularly reviewed. The current Local Plan had been approved by Full Council in December 2015. It was noted that the development of the proposed Local Plan had occurred in a cross-party manner to ensure that the proposals were in the best interest of the borough and its residents. Officers were thanked for their hard work on producing the proposed Local Plan. Councillors Lamb and P Smith jointly moved the

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recommendation which was seconded by Councillor Purdy, in so doing he commented his support for the proposal.

Councillor Burrett moved and presented the Pound Hill North and Forge Wood Councillors Amendment, namely:

That the Local Plan be agreed as proposed but with all reference to the Gatwick Green employment site allocation having been removed.

The amendment was seconded and supported by Councillor McCarthy.

A single debate occurred on both the recommendation and the proposed amendment. Councillors Crow, Lanzer, B Burgess, Jaggard and Guidera all spoke during the debate.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process on the amendment. Before the vote commenced, it was confirmed that none of the Labour Members requested to vote as an individual, rather than through their respective Group block vote. However the Conservative Group confirmed that there would be no Group block vote on the amendment and as such Conservative Councillors would be voting individually.

For the amendment: Councillors Ascough, T Belben, Burrett, Eade, Jaggard, and McCarthy (6)

Against the amendment: Labour block vote of 14 votes and Councillors R Burgess, Crow, Guidera, Lanzer, Millar-Smith, Mwagale, Peck, Pendlington and Purdy (23)

Abstentions: Councillors A Belben, B Burgess, and Sudan. (3)

The Mayor declared that the proposed amendment had fallen – votes in favour 6, and votes against 23 with 3 abstentions.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process on the recommendation 2. Before the vote commenced, it was confirmed that none of the Labour Members requested to vote as an individual, rather than through their respective Group block vote. However the Conservative Group confirmed that there would be no Group block vote on recommendation 2 and as such Conservative Councillors would be voting individually.

For the recommendation: Labour block vote of 14 votes, and Councillors A Belben, T Belben, R Burgess, Crow, Guidera, Jaggard, Lanzer, Millar-Smith, Mwagale, Peck, Pendlington, Purdy and Sudan (27)

Against the recommendation: None (0)

Abstentions: Councillors Ascough, B Burgess, Burrett, Eade, and McCarthy (5)

The Mayor declared the recommendation was carried – votes in favour 27, and votes against 0 with 5 abstentions.

RESOLVED

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- a) Approves the submission draft Local Plan and Local Plan Map for a further Publication consultation (a statutory six-week period of public consultation).
- b) Approves the submission draft Local Plan for Submission to the Secretary of State for Examination by an independent Planning Inspector, subject to amendments deemed necessary following consultation and updated evidence for the purposes of clarity.
- c) Notes that the final Local Plan will be brought back to Full Council following its independent examination for adoption.
- d) Approves the Local Plan Five Year Policy Assessment to confirm that each adopted Local Plan Policy retains full weight for Development Management decisions.

7. **Budget Strategy 2021/22 – 2025/26 – Cabinet – 25 November 2020 (Recommendation 3)**

The Full Council considered report [FIN/511](#) of the Head of Corporate Finance, which set out the projected financial position for 2021/22 to 2025/26 for the General Fund, Housing Revenue Account, capital programme and the underlying assumptions. The report also set the policy framework for the budget process, recognising that there were a range of options for capital investment, income generation, savings and Council Tax levels; none of which can be considered in isolation. The overall objective was to work towards a balanced General Fund budget over a four year period, rather than previously three year period as a result of the impact of the pandemic.

It was noted that currently there was a budget deficit of £2.250m for 2021/22 before use of reserves and before any savings are identified, on the basis of a Council tax increase of 2.37% which is £4.95 on a Band D in property 2021/22.

The item had been previously considered at the Overview and Scrutiny Commission and Cabinet on 23 November 2020 and 25 November 2020 respectively. Councillor Lamb moved the recommendation which was seconded by Councillor Crow, who both spoke on the report.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process. Before the vote commenced, it was confirmed that none of the Labour or Conservative Members requested to vote as an individual, rather than through their respective Group block vote.

For the recommendation: Labour block vote of 14 votes, and Conservative block vote of 17 votes. (31)

Against the recommendation: None (0)

Abstentions: Councillor Sudan (1)

The Mayor declared the recommendation was carried – votes in favour 31, and votes against 0 with 1 abstentions.

RESOLVED

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That Full Council approves the Budget Strategy 2021/22 to 2025/26 and:

- a) Notes the outlook for Government funding for the period 2021/22 and future years as explained in the report and in particular the delay in Local Government Funding reforms and a one year only spending review.
- b) Notes the creation of a Covid-19 Support Reserve to provide resource cover for any ongoing impact of Covid-19 on the Council's medium term financial position, should no further support from Government be received in future years. This is from reviewing existing earmarked reserves.
- c) Notes, for the purpose of projections, the current budget deficit of £2.250m for 2021/22 before use of reserves, on the basis of a Council tax increase of 2.37% which is £4.95 on a Band D in property 2021/22. This is before any savings are identified.
- d) Works towards balancing this over a four year period, including putting back into reserves when the Budget is in surplus. There may be a need to use reserves over the next 3 years to balance the budget together with ongoing savings.
- e) Agrees that savings, efficiencies and increased income identified by officers are approved in order to reduce the budget gap.
- f) Notes that savings agreed to be taken forward will be worked up and included in the Budget and Council tax report to Cabinet in February 2021.
- g) Notes that items for the Capital Programme are driven by the need for the upkeep of council assets and environmental obligations and schemes will also be considered that are spend to save or spend to earn but that such prioritisation should not preclude the initial consideration of capital projects that could deliver social value. That due to the pandemic new capital schemes will be standalone and will reported separately to Cabinet meetings.
- h) Approves the revised Crawley Homes capital investment plan in Appendix E which includes the financial year 2023/24.
- i) Notes that the Budget is aligned to the Council's Corporate Priorities.

8. Appropriation of Garages from the HRA to the General Fund – Cabinet – 25 November 2020 (Recommendation 4)

The Full Council considered report [FIN/511](#) of the Head of Corporate Finance. The report proposed the appropriation of garages from the HRA to the General Fund. It was explained that with the garages being assets they could be taken out of the ring-fenced HRA and moved to the General Fund, thus bringing in a further revenue to the Council. In return there would be a contribution to the HRA of £17.6m to invest in new homes or to pay off existing debt.

The item had been previously considered at the Cabinet on 25 November 2020. Councillor Lamb moved the recommendation which was seconded by Councillor Irvine. Councillors Crow and Millar-Smith also spoke on the report.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process. Before the vote commenced, it was

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confirmed that none of the Labour or Conservative Members requested to vote as an individual, rather than through their respective Group block vote.

For the recommendation: Labour block vote of 14 votes, and Conservative block vote of 17 votes. (31)

Against the recommendation: None (0)

Abstentions: Councillor Sudan (1)

The Mayor declared the recommendations was carried – votes in favour 31, and votes against 0 with 1 abstentions.

RESOLVED

That Full Council approves:

- a) The appropriation of all garages from the HRA to the General Fund as at 1 April 2021, with the exception of those garages that are included within a Crawley Homes' tenancy agreement
- b) Delegated authority to the Head of Corporate Finance in consultation with the Head of Crawley Homes to use the powers under Section 122 of the Local Government Act 1972 to transfer such garages from the HRA to the General Fund, when any of the garages currently included within a Crawley Homes' tenancy agreement falls outside of that tenancy, and
- c) To develop an appropriate pricing and fees regime for the letting of garages in consultation with the Leader, and for this to take effect from 1st April 2021.

9. Authority to Approve a Scheme Budget and Appoint a Contractor for Breezehurst Phase 2 Housing Development [PART B Report – Cabinet – 25 November 2020 (Recommendation 5)]

The Full Council considered report CH/192 of the Head of Crawley Homes. The report sought approval for the budget and authority to enter into a 'Design and Build Contract' for the construction of approximately 85 new affordable residential units at Breezehurst Playing Fields, Bewbush, Crawley as part of the Council's own build housing programme.

The item had been previously considered at the Cabinet on 25 November 2020. Councillor Lamb moved the recommendation which was seconded by Councillor Irvine. Councillors Crow, Jones, Jhans, Bob Burgess, Mullins, and Ayling also spoke on the report.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process. Before the vote commenced, it was confirmed that none of the Labour or Conservative Members requested to vote as an individual, rather than through their respective Group block vote.

For the recommendation: Labour block votes of 14 votes, Conservative block votes of 17 votes, and Councillor Sudan. (32)

Against the recommendation: None (0)

Abstentions: (0)

The Mayor declared the recommendation was carried – votes in favour 32, and votes against 0 with 0 abstentions.

RESOLVED

That Full Council approves the expenditure stated in paragraph 6.5 of report CH/192 from the Housing Revenue Account (HRA) and Right to Buy one for one receipts for the delivery of approximately 85 new affordable residential units at Breezehurst Playing Fields.

10. Appointment of a Temporary Chair of the Full Council Meeting

In advance of agenda item 7 – Notice of Motion – *Donating the Mayoral Ball Budget to the Mayor's Charities*, the Mayor commented as he would be the mover of the Motion and Deputy Mayor Councillor Malik was to be the seconder of the Motion, they would therefore relinquish the positions of Chair and Vice Chair of the meeting for the item.

The Mayor then sought a nomination to Chair the next item. Councillor Purdy was nominated by Councillor Crow and seconded by Councillor Burrett. With no other nominations it was agreed that Councillor Purdy be appointed as the Chair for the next item.

11. Notice of Motion - Donating the Mayoral Ball Budget to the Mayor's Charities

The Council considered the Notice of Motion 'Donating the Mayoral Ball Budget to the Mayor's Charities' which was set out in the Full Council's agenda. The Motion was moved and presented by Councillor Guidera and seconded and supported by Councillor Malik. In presenting the Motion Councillor Guidera explained how his Mayoral year had been drastically affected by the pandemic, as such he had not been able to hold funding events to support his chosen charity of Manor Green School and College, which would happen in a normal year. He explained that it was likely that he would be unable to hold the annual Mayoral charity ball so he was proposing that, to ensure he was still able to donate to his charity, the budget allocated for supporting Mayoral events be donated instead.

Councillors Ayling, R Burgess, Sharma, Crow, Jaggard spoke in support of the proposal during the debate on the Notice of Motion.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process. Before the vote commenced, it was confirmed that none of the Labour or Conservative Members requested to vote as an individual, rather than through their respective Group block vote.

For the Notice of Motion: Labour block votes of 14 votes, Conservative block votes of 17 votes, and Councillor Sudan. (32)

Against the Notice of Motion: None (0)

Abstentions: (0)

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Councillor Purdy in the Chair declared the Notice of Motion was carried – votes in favour 32, and votes against 0 with 0 abstentions.

RESOLVED

Each year the Mayor is installed and a celebration is held to mark the occasion. During the year the Mayor would normally host several functions, events that members of the community are invited to attend with the main event being the annual Mayor's Ball. The Mayor uses these functions to thank the community and to assist with fundraising for their chosen charity.

As we all know, 2020 is not a normal year for anyone.

Due to the lockdowns and the limitations on group sizes outside of lockdowns, as the Mayor I have been prevented from hosting events and fundraising in any meaningful way so far and I don't expect that to change during my term as Mayor which ends in May next year, therefore the budget allocated for supporting such Mayoral events during my term remains unused.

It's Christmas. What better time than the season of goodwill to propose a generous and festive Christmas Notice of Motion?

It is hereby propose to donate as a gift, a sizeable part of the ceremonial budget that would normally be spent on the Mayoral activities during my term as Mayor to one of the most deserving causes in our town, my chosen charities this year, Manor Green Primary School and College. They too have been unable to fundraise this year and with this gesture we will help them greatly.

Over the past four years the average cost of the annual Mayoral ball has been £4700 alone, and as the Mayor has been unable to host any events so far and will be unable to host a Mayor's Ball this municipal year, I am seeking councillor support and approval for this Motion, to donate from the ceremonial budget £5000 to be split equally between Manor Green School and College.

I would like to thank the Councillor Malik for kindly agreeing to second this Notice of Motion.

At the conclusion of the item the Mayor returned to the chair and in doing so thanked Councillor Purdy for chairing the last item.

12. Councillors' Questions Time

Name of Councillor asking Question	Name of Cabinet Member Responding
Councillor Crow to the Cabinet Member for Planning and Economic Development <i>I thank the Deputy Leader for providing the update on the announcement of the Supreme Court</i>	Councillor P Smith Cabinet Member for Planning and Economic Development <i>Going through the courts there are various environmental groups challenging government policy and</i>

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<p><i>overturning the Court of Appeal decision regarding the future 3rd runway at Heathrow. The statement had been provided in relation to the Local Plan. My question is what his thoughts are to what this now means for Gatwick and its future aspirations to expand, either within the existing footprint or indeed outside of that footprint? Aviation has suffered this year and we hope numbers return but I'm interested in the Cabinet Member's thoughts on the implications of the decision for the future of Gatwick airport and its potential expansion.</i></p> <p><i>I recognise this is a significant announcement and officers will need to be looking at it carefully. I think we are keen to support Gatwick in its current position in terms of its operating capacity and number of passengers and wish Gatwick a much more successful 2021..</i></p>	<p><i>when you then factor in the unknowns relating to post-Covid, at the moment it appears we are faced with the status quo. We have received no updates from Gatwick. The last update from them was that they were planning to proceed with the DCO process for the northern emergency runway. The key thing to do is to make sure we can cover the current situation as comprehensively as we can based on the best advice in the Local Plan to protect the interest of our residents and the airport itself.</i></p>
<p>Councillor Millar-Smith to the Cabinet Member for Environmental Services and Sustainability</p> <p><i>I am aware that the Police, shop security officers and businesses have and use "walkie talkie" radios to communicate to each other regarding incidents. The council's Community Wardens do not have these they only have mobile phones so if they need to make officers aware they need to phone or borrow the units to convey the message. I believe they used to have radios, I wondered what the rationale was why the Community Wardens did not have radios and could they have so the communication could be joined up?</i></p>	<p>Councillor Jhans Cabinet Member for Environmental Services and Sustainability</p> <p><i>Thank you for the question. The Community Wardens do work very closely with the police officers in the local area. On the main point on the "walkie talkie" radios I will look into that point and get back to you.</i></p>
<p>Councillor Brenda Burgess to the Cabinet Member for Wellbeing</p> <p><i>I'm sure you will join with me in saying how regrettable it is that some adventure playgrounds may need to close due to financial constraint.</i></p>	<p>Councillor Mullins Cabinet Member for Wellbeing</p> <p><i>We are in a situation as you're aware from the budgets and Covid and unable to look at the markets. There are limits as to business. There is no scope to</i></p>

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<p><i>Thankfully some will remain open and some will be refurbished to comply with needs for unsupervised play. However regarding those which may need to close, how were other options explored and considered for example bringing in external providers?</i></p>	<p><i>privatise the adventure playgrounds as the principle was always 'free play' but that was years ago and figures have changed. Sadly there is an investment need. There will be some public reaction but we are forced into that reaction but we are looking into alternative unsupervised provision in Bewbush and Broadfield. Need to look at the provision available. There has been some successful street play recently and looking at how best to provide play opportunities in the future.</i></p>
<p>Councillor Bob Burgess to the Cabinet Member for Planning and Economic Development</p> <p><i>At the Full Council meeting of 21 October 2020, the council unanimously passed a motion on the Planning White Paper that had been published by the Government. One of the things the council resolved to do was to instruct the Chief Executive to write a letter expressing the council's concern about the proposal and seek revised proposals that better served planning in Crawley. Has any response been received yet if so what was the response, and if not, what has been done (or what can be done) to encourage a speedier response?</i></p>	<p>Councillor P Smith Cabinet Member for Planning and Economic Development</p> <p><i>The Chief Executive sent a letter to the MHCLG as per the Motion. There has been no response received. Apparently this is no surprise as it is assumed that the council's letter went in to the normal response of proposals by the government. I'm sure you have heard a new set of reforms will be coming in the new year so I think that could be the answer.</i></p>
<p>Councillor Burrett to the Cabinet Member for Planning and Economic Development</p> <p><i>In his response to the amendment (to item 6, Submission Crawley Local Plan 2021-2037 – Cabinet – 25 November 2020 (Recommendation 2) Councillor Peter Smith said there would be an extensive 6 week consultation that would enable residents, businesses and ward councillors to have their say and I very much welcome that. If the strength of opinion that comes back as a result of the consultation is that people in the Fernhill area are opposed to the Gatwick green</i></p>	<p>Councillor P Smith Cabinet Member for Planning and Economic Development</p> <p><i>It is a fair point, which can be deployed to many scenarios. How do you weigh up one set of views against another? The whole Local Plan is a balancing act. I can assure you and your residents, in fact all residents, that we will take and review all responses and they will be taken into account and the response will be published. People may be in favour of it as they may want to have jobs, people may not be in favour of it. They will all be taken seriously.</i></p>

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<p><i>employment area will they be listened to, or will they simply be told sorry we have to do this or the Local Plan will be found 'unsound'? If this is the case, what is the point of consultation?</i></p>	
<p>Councillor Lanzer to the Cabinet Member for Planning and Economic Development</p> <p><i>I refer him to the Planning Committee of 3 November 2020 and the application for the Longley House development which delivers 121 residential units. There was a clause in there which states 'It was confirmed that the bedroom windows facing the Arora Hotel would have a panel of obscure glass in the centre in order to mitigate overlooking'. We all recognise the need for additional housing but the idea of adding obscure glazing in the bedroom in the first instance might disturb some people. I wondered how far he saw the policy going in the first instance and allow obscure glass to support a planning application in which otherwise would clearly be compromised.</i></p> <p><i>In policy terms, where do you draw the line? If the line isn't drawn for obscure glazing in the bedroom, would you draw the line in the living room?</i></p>	<p>Councillor P Smith Cabinet Member for Planning and Economic Development</p> <p><i>I don't remember the specific circumstances of those windows but I understand your point and I will answer in the general sense. Development control is very much a balancing act where members have to listen to officers' technical assessment against the various rules, regulations and Local Plan policy. Something that is not ideal is actually acceptable in the context of the overall application and justified on all other grounds. Discussions occur regularly on these matters and on balance seemed reasonable.</i></p> <p><i>My personal opinion is irrelevant as it's all laid down in the Local Plan. You have to take a balanced view on the specifics of the case.</i></p>

13. Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees including Items for Debate

Moved by Councillor Maik (as the Deputy Mayor):-

RESOLVED

That the following reports be received:

- Overview and Scrutiny Commission – 2 November 2020
- Planning Committee – 3 November 2020
- Licensing Committee – 9 November 2020
- Governance Committee – 17 November 2020
- Overview and Scrutiny Commission – 23 November 2020
- Cabinet – 25 November 2020

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It was noted that there were no other items reserved for discussion.

Closure of Meeting

With the business of the Full Council concluded, the Chair declared the meeting closed at 10.07 pm

F Guidera (Mayor)

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APPENDIX A

Disclosures of Interest Received

Councillor	Item	Meeting and Minute	Type and Nature of Disclosure
Councillor R D Burrett	Safer Crawley Partnership Annual Update and Forthcoming Priorities	Overview and Scrutiny Commission 2 November 2020 (Minute 4)	Personal Interest – Trustee of Crawley Open House
Councillor Irvine	CR/2020/0216/RG3 – Milton Mount, Milton Mount Avenue, Pound Hill, Crawley	Planning Committee 3 November 2020 (Minute 8)	Personal Interest – Portfolio Holder for Housing.
Councillor Purdy	CR/2020/0024/FUL – Longley House, East Park, Southgate, Crawley (Minute 6)	Planning Committee 3 November 2020 (Minute 6)	Personal Interest – employed by UK Power Networks (a consultee on the application that did not provide a response).
Councillor P Smith	CR/2020/0142/FUL – Downsman Bowls Club, Ifield Avenue, West Green, Crawley	Planning Committee 3 November 2020 (Minute 7)	Personal Interest – member of the Crawley Labour Supporters Club (based at a nearby building that shares a car park with the application site).
Councillor R D Burrett	Submission Crawley Local Plan 2021 - 2037	Overview and Scrutiny Commission 23 November 2020 (Minute 4)	Personal Interest – Member of WSCC
Councillor R D Burrett	Budget Strategy 2021/22 – 2025/26	Overview and Scrutiny Commission 23 November 2020 (Minute 5)	Personal Interest – Deferred member of pension scheme
Councillor R A Lanzer	Budget Strategy 2021/22 – 2025/26	Overview and Scrutiny Commission 23 November 2020 (Minute 5)	Personal Interest – Member of WSCC
Councillor R D Burrett	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission 23 November 2020 (Minute 8)	Personal Interest – Member of WSCC
Councillor P Smith	Budget Strategy 2021/22 – 2025/26	Cabinet 25 November 2020 Minute 7	Personal Interest – As Councillor P Smith is the Council's representative to the Town Centre BID Board
Councillor Burrett	Appropriation of Garages from the HRA to the General Fund	Cabinet 25 November 2020 (Minute 10)	Personal Interest – As Councillor Burrett currently rents a garage from the Council.
Councillor Sharma	Notice of Motion - Donating the Mayoral Ball Budget to the Mayor's Charities	Full Council 16 December 2020 (Agenda Item 7)	School Governor at Manor Green Community College

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Agenda Item 6

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

Appendix

6 a) Planning Committee – 7 December 2020 (page 21)

6 b) Planning Committee – 12 January 2021 (page 29)

6 c) Governance Committee – 26 January 2021 (page 39)

Recommendation 1 – *Final Report of the Independent Remuneration Panel (Councillors' Allowances Scheme 2021/22 and 2022/23) – (Minute 4, page 39)*

Recommendation 2 – *Allocation of Committee Chairs and Vice-Chairs – (Minute 5, page 42)*

Recommendation 3 – *Polling Arrangements May 2021 (Minute 6, page 44)*

6 d) Overview and Scrutiny Commission – 1 February 2021 (page 61)

6 e) Cabinet – 3 February 2021 (page 79)

Recommendation 4 – *Climate Change Scrutiny Panel Final Report (Minute 7, page 82)*

Recommendation 5 – *2021/2022 Budget and Council Tax (Minute 9, page 87)*

Recommendation 6 – *Treasury Management Strategy 2021-2022 (Minute 10, page 89)*

Recommendation 7 – *The Hawth Theatre - Contract Extension [PART B] (Minute 15, page 90)*

6 f) Planning Committee – 8 February 2021 (page 97)

6 g) Notice of Precept 2021/2022 (page 107) – **Recommendation 8**

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Crawley Borough Council

Minutes of Planning Committee

Monday, 7 December 2020 at 7.30 pm

Councillors Present:

J Purdy (Chair)

R Sharma (Vice-Chair)

L M Ascough, A Belben, I T Irvine, K L Jaggard, M Mwangale, M W Pickett, T Rana and P C Smith

Also in Attendance:

Councillors M Flack and R D Burrett

Officers Present:

Dimitra Angelopoulou	Senior Planning Officer
Simon Bagg	Legal Services Manager
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Marc Robinson	Principal Planning Officer
Linda Saunders	Planning Solicitor
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Support Officer

1. Disclosures of Interest

No disclosures of interests were made.

Councillor Sharma declared that he was the Ward Councillor for Southgate, the location of application CR/2020/0588/OUT (42 & 44 Brighton Road, Southgate, Crawley), but that this did not amount to a personal or prejudicial interest in the application.

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

All councillors present had been lobbied regarding application CR/2020/0588/OUT (42 & 44 Brighton Road, Southgate, Crawley).

3. Minutes

The minutes of the meeting of the Planning Committee held on 3 November 2020 were approved as a correct record and signed by the Chair.

4. **Planning Application CR/2019/0646/ADV - The Tree, 103 High Street, Northgate, Crawley**

The Committee considered report [PES/357a](#) of the Head of Economy and Planning which proposed as follows:

Advertisement consent for:

Non-illuminated lettering 'CRAWLEY MUSEUM' on the High Street elevation

1 x non-illuminated entrance fascia sign on the Boulevard elevation.

1 x non-illuminated freestanding welcome sign

(amended description and amended plans received).

Councillors A Belben, Jaggard, Mwagale, Sharma, and P Smith declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought advertisement consent for three signs at Crawley Museum. The signage was considered to reflect the character of the museum and would have an acceptable visual impact on the building.

The Committee then considered the application.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Pickett, Purdy, Rana, Sharma, and P Smith (10).

Against the recommendation to consent:

None.

Abstentions:

None.

RESOLVED

Consent subject to conditions set out in report PES/357a.

5. **Planning Application CR/2020/0012/LBC - The Tree, 103 High Street, Northgate, Crawley**

The Committee considered report [PES/357b](#) of the Head of Economy and Planning which proposed as follows:

Listed building consent for:

Non-illuminated lettering 'CRAWLEY MUSEUM' on the on the high street elevation

1 x non-illuminated entrance fascia sign on the boulevard elevation

(amended description and amended plans received).

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

The Principal Planning Officer provided a verbal summation of the application, which sought listed building consent for the installation of two signs at Crawley Museum. The Committee heard that the signage was not considered to have a harmful impact on the character or appearance of the building.

The Committee then considered the application. The signage was deemed to be appropriate and attractive.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwangale, Pickett, Purdy, Rana, Sharma, and P Smith (10).

Against the recommendation to consent:

None.

Abstentions:

None.

RESOLVED

Consent subject to conditions set out in report PES/357b.

6. Planning Application CR/2020/0462/FUL - Barber Warehouse, Northgate Place, Northgate, Crawley

The Committee considered report [PES/357c](#) of the Head of Economy and Planning which proposed as follows:

Change of use from office (formerly use class B1) to a kitchen to feed the homeless.

Councillors A Belben, Purdy, Sharma, and P Smith declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought permission for a change of use of the single storey building. The proposal would alter the floor layout to provide a kitchen and storage space for food and equipment for the preparation of meals. The meals produced would be packaged and transported off the premises for distribution to homeless people at agreed locations in Crawley. The application was to be considered separately and on its own merits following the withdrawal of an earlier application that had proposed the preparation, collection, and consumption of food at the site.

The Committee heard that a small physical change to the building was proposed in the form of a roof-mounted cowl. This was due to the installation of an extraction system to lessen odour from the kitchen during its operational hours of approximately 17:00 to 18:30 daily while food was being prepared.

In line with the Council's Virtual Committee Procedure Rules, two statements submitted by members of the public in regard to the application were read to the Committee.

A statement from an objector (Masoud Ahary) highlighted matters including:

- Many Northgate residents had concerns regarding the application.
- The proximity of the site to a residential area and a school.
- A suggestion that the site could be relocated to a different area of the town, such as an industrial estate.

A statement from a supporter (the applicant, Giving Back Crawley) highlighted matters including:

- The objections of local residents, of which many suggested that safety issues could be caused by people visiting the site. It was clarified that the kitchen would operate a delivery-only service and only the volunteers working at the kitchen would have access to the premises.
- There would be no noticeable impact on traffic in the area and the existing car parking provision at the site was sufficient for the applicant's one vehicle.
- The applicant's desire to comply with the Council's agreed food distribution locations, planning application conditions, and environment health policies.

The Committee then considered the application. A Committee member recognised the large number of responses from local residents, many of which raised concern about visitors to the building, which formed part of the earlier withdrawn application. It was hoped that these concerns had been allayed, both by the information provided by the applicant and the application conditions, which would limit the scope of use at the premises.

It was noted that Sussex Police had recommended the applicant consider the installation of lighting and an alarm system at the site. Upon queries from Committee members that this could become an application condition, the Planning Officer confirmed a condition was not necessary due to the limited footfall in the area. Lighting and alarms were therefore the responsibility of the applicant.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Pickett, Purdy, Rana, Sharma, and P Smith (10).

Against the recommendation to permit:

None.

Abstentions:

None.

RESOLVED

Permit subject to conditions set out in report PES/357c.

7. **Planning Application CR/2020/0526/TPO - 5 Dene Tye, Pound Hill, Crawley**

The Committee considered report [PES/357d](#) of the Head of Economy and Planning which proposed as follows:

T1 ash - fell & grind out stumps.

Councillor A Belben declared he had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought consent to fell a protected ash tree due to its poor condition. The tree showed signs of ash dieback – branches had fallen from the tree and, if retained, would continue to do so. A silver birch tree was proposed as a replacement.

The Committee then considered the application.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Pickett, Purdy, Rana, Sharma, and P Smith (10).

Against the recommendation to consent:

None.

Abstentions:

None.

RESOLVED

Consent subject to conditions set out in report PES/357d.

8. **Planning Application CR/2020/0588/OUT - 42 & 44 Brighton Road, Southgate, Crawley**

The Committee considered report [PES/357e](#) of the Head of Economy and Planning which proposed as follows:

Outline application (access and layout to be determined with appearance, landscaping and scale reserved) for the erection of a part 3 and part 4 storey building comprising of 5 x 1no. bedroom flats and 15 x 2no. bedroom flats, of which 2 no. will be designated as affordable housing, following the demolition of existing semi-detached dwellings, the improvement of an access from Brighton Road, the creation of a new vehicular access from Stonefield Close and associated works and landscaping.

Councillors Ascough, A Belben, Jaggard, Mwagale, Purdy, Sharma, and P Smith declared they had visited the site. Councillor Pickett declared he was familiar with the site.

The Senior Planning Officer provided a verbal summation of the application. The Committee was reminded that in November 2019 it had voted for the officer's recommendation to refuse a prior application at this site due to the lack of affordable housing provision. It was heard that the current application was identical to the earlier application, but following an appeal, the applicant had now submitted this current application which included the provision of 10% affordable housing. The application sought outline permission for access and layout with other matters reserved. It was heard that access to the development would be from two points – Brighton Road and Stonefield Close.

In line with the Council's Virtual Committee Procedure Rules, four statements submitted by members of the public in regard to the application were read to the Committee.

Two statements from objectors (Teresa & Peter Guyver and Sarah Oliver) highlighted matters including:

- Stonefield Close residents' concerns that a block of flats would be out of character with the bungalows in the Close due to its height and size, and the detrimental effects of this on light, privacy, and overlooking.
- The application proposed 20 parking spaces for 20 flats/35 rooms, which was considered insufficient considering the possibility that the owners of some dwellings could own more than one car. Parking on Stonefield Close was limited at present and the proposal would put a further strain on this.
- The proposed access via Stonefield Close would cause traffic congestion on what was presently a quiet road. This may lead to further congestion on to Brighton Road.

A statement from the applicant (Turnbull Land) highlighted matters including:

- The proposed development reflected the historical pattern of construction of apartment blocks on Brighton Road, and was therefore of a similar character to the surrounding area.
- The application addressed the prior reason for refusal (lack of provision of affordable housing units). Consultation with the Local Planning Authority had led to the inclusion of 10% affordable housing.
- The site's location, which was in close proximity to the town centre and was said to ease pressure to release greenfield sites for housing development.

A statement from a Ward Councillor for Southgate (Councillor Flack) highlighted matters including:

- That the proposed development was not part of the current or draft Local Plan and was not currently required to meet the town's housing demand.
- The 1:1 ratio of parking bays to flats was unlikely to meet demand and, as the flats' residents would be eligible for parking permits, would lead to parking on Stonefield Close. Existing residents of the Close were concerned this would lead to insufficient parking space in particular for carers attending daily.
- The high density nature of the development, as well as its height and size, contributed to it being out-of-keeping with the surrounding area of Stonefield Close. This would impact both visual amenity and local infrastructure.

Councillor Pickett left the meeting and was not present for the discussion or vote on the item.

The Committee then considered the application.

Committee members recognised that the reason for refusal on the previous application was the lack of provision of affordable housing, and discussed the subsequent appeal which had upheld the decision to refuse permission. Members sought clarification on the details of the appeal and expressed support for the provision of the affordable units.

The Committee discussed the parking area proposed at the site, and residents' concerns regarding the parking provision were noted. The rate of one space to one flat was considered sufficient in comparison to the minimal proposed parking space ratios at recent, similar developments. The Planning Officer confirmed that a disabled access parking bay was included in the application.

Committee members discussed the concerns of residents of Stonefield Close regarding the size and height of the development, and a question from a Committee member was raised about the use of obscured glass for the windows at the development. It was recognised that both scale and appearance were reserved matters and were not to be considered at this stage. However the Planning Officer clarified that the indicative floorplans showed some obscured glazed windows on the south side of the building and unobscured glazed windows on the east and west sides. It was also confirmed that the distance between the proposed development and the nearest dwelling on Stonefield Close was 29-31.5 metres, which was a sufficient distance to negate the need for obscured glass.

A Committee member raised concerns about overdevelopment of the area and the impact on local amenities caused by a new high density development. It was confirmed that as part of the proposal, the applicant was subject to a Community Infrastructure Levy (CIL) payment as a contribution to these amenities.

Following a query regarding comments made on the application by West Sussex County Council as the Highways authority, the Planning Officer confirmed that the comments remained the same as those made on the previous application as no changes had been made to the parking and access proposals. The authority had no objection to the proposed accesses – it was predicted that there would be a small increase in vehicle trips around the site, but that these would have a negligible impact on traffic. The authority had also deemed the parking layout of sufficient size for manoeuvring.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:

Councillors A Belben, Irvine, Jaggard, Purdy, Rana, and P Smith (6).

Against the recommendation to permit:

Councillors Ascough, Mwangale, and Sharma (3).

Abstentions:

None.

RESOLVED

Permit subject to the conclusion of a Section 106 agreement to secure two shared ownership units and the financial contributions of up to £23,100 for tree mitigation and £11,575 for open space, and subject to the conditions set out in report PES/357e.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.13 pm

J Purdy (Chair)

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 12 January 2021 at 7.00 pm

Councillors Present:

J Purdy (Chair)

L M Ascough, A Belben, I T Irvine, K L Jaggard, M Mwagale, T Rana and P C Smith

Also in Attendance:

Councillor R G Burgess, B J Burgess and R D Burrett

Officers Present:

Heather Girling	Democratic Services Officer
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Linda Saunders	Planning Solicitor
Hamish Walke	Principal Planning Officer

Apologies for Absence:

Councillor R Sharma

Absent:

Councillor M W Pickett

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Purdy	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Employed by a party who was invited to respond to the consultation (this particular party did not respond)

Councillor P Smith	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Irvine	CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley (Minute 5)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor P Smith	CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley (Minute 5)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Irvine	CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley (Minute 6)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor P Smith	CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley (Minute 6)	Personal Interest – Member of Crawley Cycling and Walking Forum

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillor A Belben had been lobbied regarding application CR/2020/0592/FUL. (In interest of transparency Councillor A Belben noted he had been lobbied by Councillor T Belben).

3. Minutes

The minutes of the meeting of the Planning Committee held on 7 December 2020 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley

The Committee considered report [PES/358a](#) of the Head of Economy and Planning which proposed as follows:

Variation/Removal of Condition 3 (Approved Plans) And Condition 9 (Amended Building Height) Pursuant To CR/2018/0337/OUT For The Erection Of Multi-Storey Hotel Car Park

The Principal Planning Officer provided a verbal summation of the application. The application was an amendment to a previously approved application required due to safeguarding distances in respect of an existing gas supply. Additionally the Committee was updated regarding amendments to the building's appearance and to form a car park roof and as such, partly due to aviation safety and parking control, an additional condition was proposed as follows:

16. The roof of the car park hereby approved shall not be used for the parking of vehicles without the written permission of the Local Planning Authority.

Reason: To enable aviation safety and parking issues to be properly assessed in the interests of the safe movement of aircraft and the operation of Gatwick Airport, parking requirements and sustainability in accordance with policies IN1, IN3, IN4 and GAT3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

The Committee was also informed as to an error within the report within paragraph 5.5 regarding motorcycle parking. The provision of motorcycle parking was 1 space per 11.75 car parking spaces (as opposed to 8.5 car parking spaces as stated), and whilst slightly below standard this was considered acceptable.

Further information was provided regarding the changes from the previously approved application, including the elevations, internal layout of the car park and proposed roof to provide weather protection to the top floor. The proposed planting plan exceeded that previously indicated and was considered acceptable tree mitigation, alongside an offsite S106 contribution (previously paid). It was confirmed necessary for a Deed of Variation to the S106 to be completed to ensure that the monies paid also relate to this application.

The Committee then considered the application and following a query from a Committee member and clarification sought on distance, the Principal Planning Officer confirmed that the proposed development had been slightly relocated and reduced in its extent to allow for the gas supply diversion. The distances from the previously approved application were thought to be a marginal reduction.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Purdy, Rana, and P Smith (8).

Against the recommendation to permit:
None.

Abstentions:
None.

RESOLVED

Permit subject to conditions and informatives set out in report [PES/358a](#) (as amended above), together with the completion of the Deed of Variation of the S106 agreement.

5. **Planning Application CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley**

The Committee considered report [PES/358b](#) of the Head of Economy and Planning which proposed as follows:

Outline Application For The Redevelopment Of Car Park To Form Mixed Use Residential With Indicative 15 Units And Commercial Scheme

Councillors A Belben, Jaggard, Purdy, P Smith declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the outline application and updated the Committee regarding two further comments that had been received.

Environmental Health commented regarding air quality expressing some concerns about dust creation during construction but acknowledged this could be addressed through condition as part of a construction management plan. The Air Quality Officer also raised concerns regarding the air quality for future occupants given the idling traffic queuing on Station Way and at the level crossing and consideration should be given to moving the building further from the road and relocating the residential units to upper floors. It was acknowledged that the applicant had produced an air quality assessment and no objection had been made on these specific grounds.

The Heritage Consultant objected to the proposal due to the impact on the view and setting of the Brighton Road Conservation Area, Grade II listed signal box and the locally listed Nightingale House.

Following the comments from the Heritage Consultant, and the fact that the site is located in a sensitive location in heritage terms, a further reason for refusal was proposed as follows:

10. The proposed development, by reason of its location, proximity, siting, bulk and massing, would adversely affect views of and the setting of the Grade II listed signal box, the locally listed Nightingale House and the Brighton Road conservation area contrary to policies CH12, CH13, CH14 and CH15 of the Crawley Borough Local Plan 2015-2030.

The Committee was informed that the site would form a mixed use residential and commercial space. It was explained that whilst there was no objection in principal to development on the site for either residential or commercial, as it would introduce activity to this part of the town, the overall footprint of the proposed development would almost entirely cover the application site and would form a dominant building, where some units would lack adequate natural light. The massing, scale, design and external appearance neglected to respect the streetscene and related poorly to the adjoining allocated Station Gateway scheme. Whilst town centre developments with low levels of parking had been accepted on some sites, in this case the proximity to the Station Way carriageway was unacceptable and concerns were raised regarding the reliance on a single loading bay, the impact on pedestrians, vehicles passing the site, refuse/recycling arrangements and related access.

It was noted that the submitted drawings misleadingly highlighted the land to the south as a 'Proposed Landscaped Area', which was part of the adjoining Station Gateway development. As such no appropriate provision had been made for trees or open space recreation or affordable housing.

In line with the Council's Virtual Committee Procedure Rules, three statements submitted by members of the public in regard to the application were read to the Committee.

A statement from the Agent, highlighted matters including:

- Applicant felt aggrieved at the lack of engagement received from officers in the determination period of the application.
- Alterations to the scheme, which resolved issues relating to noise and highways impact had been prepared.
- It was acknowledged whilst there were clearly some fundamental points of disagreement as to the scheme's acceptability, such as affordable housing and parking provision, the necessary appraisals were submitted to justify the proposed development.
- There was a willingness to cooperate in matters and positively respond to recommendations for changes where possible.
- It was felt a town centre location removed the need for car ownership.
- There remained commitment to delivering a quality scheme on this site.

A statement from Ward Councillor Brenda Burgess, highlighted matters including:

- Such accommodation will be very small, squashed into such a small area.
- Problems of congestion could be caused when the refuse is collected due to the position being at a particularly busy junction and no construction management plan.
- Excessive fumes from traffic due to the numerous times traffic had to queue whilst waiting at the level crossing and traffic lights.
- No affordable housing provision.
- Such a scheme going forward would diminish the planned Station Gateway Scheme.
- The scheme appeared to be poorly aligned, excessively narrow and awkward, whilst lacking visual interest and being of poor quality.

A statement from Ward Councillor Bob Burgess, highlighted matters including:

- There was a lack of parking provision.
- There was a lack of affordable housing.
- The road outside the proposed development was very busy.
- The proposed development would overshadow existing properties in the vicinity.

The Committee then considered the application and discussed the following:

- It was noted that pre-application advice was offered.
- Concerns were raised regarding the lack of affordable housing, together with the absence of its own amenity space. It was unsettling that some windows would look out over the pavement or the Station Gateway land/communal garden.
- Following a query from a Committee member that some of the reasons for refusal were excessive, the Principal Planning Officer confirmed that the Local Planning Authority would normally look to negotiate improvements to a scheme. However the proposed development unfortunately presented a wide range of issues to address and would require substantial improvement in many areas, which could not be achieved through the current application. The applicant had been advised of these in pre-application advice.
- Confirmation that the Local Highway Authority had objected to the current layout proposed.
- Acknowledgement that Crawley Cycling and Walking Forum were consulted.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to refuse:

Councillors Ascough, A Belben, Jaggard, Mwangale, Purdy, Rana and P Smith (7).

Against the recommendation to refuse:

None.

Abstentions:

Councillor Irvine (1)

RESOLVED

Refuse for the reasons set out in report [PES/358b](#) (as amended above).

6. Planning Application CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley

The Committee considered report [PES/358c](#) of the Head of Economy and Planning which proposed as follows:

Full Planning Application For New Residential Dwellings, Erection Of 8 No. Of 2 Bedrooms And 6 No. Of 3 Bedroom Units

Councillors A Belben, Jaggard, Purdy and P Smith declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and updated the Committee that additional responses had been received. Whilst the Sustainability Officer had no objection, the comments received from the Ecologist stated that the application was not supported by any reptile survey or assessment despite this being identified as potential habitat in the preliminary ecological appraisal supplied with the application. In the absence of the survey, the presence of reptiles could not be ruled out and the ecological evidence was incomplete. Furthermore, the layout did not retain or propose suitable compensatory habitat for reptiles and it was noted that there was a lack of green space and space for wildlife to encourage biodiversity.

As a result a further reason for refusal was proposed as follows:

8. The proposed layout lacks adequate green space / suitable wildlife habitat and inadequate evidence has been supplied in respect of potential reptiles on the site. The proposal cannot demonstrate it makes a positive contribution to biodiversity and is therefore contrary to policy ENV2 of the Crawley Borough Local Plan 2015-2030 and paragraph 175 of the NPPF.

It was noted there were also some slight corrections to the report:

Paragraph 1.5 – the TPO trees run along the both the eastern and western boundaries of the site (not just the western boundary as described)

Refusal reason 1 – Typing error GD1 should read SD1 and policy CH2 should be listed in the refusal reason

Refusal reason 2 – Policy CH3 should be added to the refusal reason.

The Committee was reminded of the importance of the rural character of Balcombe Road, along with the overall trees and structural landscaping within the site which were key in regard to the design of the development in its setting.

The Council's Arboricultural Officer raised concerns and objection in terms of conflict with the retained trees on both sides of the site due to the arrangement of the houses on this narrow site. The layout of the proposed development would result in houses located within close proximity to protected trees resulting in properties that would be adversely affected by loss of sunlight, daylight and outlook to the rear windows and gardens. The proposed design adversely affects the streetscene together with the retained trees and lacks space for new ones to be established.

Whilst overall parking and cycle provision was deemed adequate, however concern was raised about the adequacy of the design for larger service vehicles to turn and re-join the highway in forward gear. Furthermore in terms of infrastructure, there is no S106 agreement in place to secure the required affordable housing and other contributions. The current layout, design and massing of the development would result in urbanising impact that would be harmful to the character and appearance of the existing wooded street-scene, the rural character of the immediate surroundings and the structural which contribute to the sylvan character of Balcombe Road.

The Committee then considered the application and discussed the following:

- Confirmation provided that there was one additional access route into the site.
- Concern regarding a lack of agreement on affordable housing provision.
- It was felt the site layout was overcrowded, with little consideration for potential residents.
- It was detrimental positioning houses in close proximity to protected trees.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to refuse:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Purdy, Rana and P Smith (8).

Against the recommendation to refuse:

None.

Abstentions:

None.

RESOLVED

Refuse, for the reasons set out in report [PES/358c](#) (as amended above).

7. **Tree Preservation Order Application CR/2020/0591/TPO - Milton Mount Lake, Pound Hill, Crawley**

The Committee considered report [PES/358d](#) of the Head of Economy and Planning which proposed as follows:

2 X Oaks (9269 & 9306) - Sectional Felling/Restricted Fell.
1 X Oak (9305) - Thin Crown By 20% & Remove Deadwood

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

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for works to three oak trees within Milton Mount Park. Two oaks were recommended for removal for safety reasons and one larger oak proposed for dead wooding and crown thin. The two felled oaks would be replaced.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwangale, Purdy, Rana and P Smith (8).

Against the recommendation to consent:
None.

Abstentions:
None.

RESOLVED

Consent, subject to conditions set out in report [PES/358d](#).

8. **Tree Preservation Order Application CR/2020/0653/TPO - Milton Mount Lake, Grattons Drive, Pound Hill, Crawley**

The Committee considered report [PES/358e](#) of the Head of Economy and Planning which proposed as follows:

Maple (050202) and 6 X Maples 9176/9259/9235/9236/9238/9237 - Sectional Felling/Restricted Fell.

Oak 9192 - Crown Lift To 2m From Ground Level South Side. Crown Reduction By 1.5m To Appropriate Growth Points On South Side. Removal of Deadwood. Removal of Major Deadwood (30mm+).

Oak 9184 - Crown Lift To 2m From Ground Level West Side. Crown Reduction By 1.5m To Appropriate Growth Point On West Side. Removal Of Dead Wood. Removal Of Major Dead Wood (30mm+).

Oak 9193 - Crown Lift To 2m From Ground Level West Side. Removal Of Dead Wood. Removal Of Major Deadwood (30mm+).

Oak 9185 - Crown Lift To 2m From Ground Level West Side. Removal Of Dead Wood. Removal Of Major Deadwood (30mm+). Sever Ivy.

Oak 9190 - Crown Lift To 2m From Ground Level. Removal Of Dead Wood. Removal Of Major Deadwood (30mm+).

Rowan Whitebeam 9124 - Sectional Felling/Restricted Fell.

6 X Hazel (050394 , 050397,126000, 126003,126006 And 126093) - Coppice

Ash 9167 - Crown Reduction 1.5m To 2m On West Side

Yew 9115 – Crown Lifting. Crown Reduction 1.5m To 2m On West Side.

Birch 6681 - Crown Reduction 1.5m On West Side From Fence Line Boundary To Appropriate Growth Points.

Alder 9362 - Crown Reduction 1.5m From Fence Line Boundary To Appropriate Growth Points.

Alder 9262 - Crown Reduction 1.5m From Fence Line Boundary To Appropriate Growth Points. Removal Of Basal/Epicormic Growth.

Maple 9260 - Crown Thin By 20%. (Amended Description)

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

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for further various works to the trees within Milton Mount Lake. Various works proposed by the applicants were in the interests of tree management, and included coppicing, some crown thinning, some branch length reductions to reduce overhanging and rebalance trees and felling of 7 maples. The 7 felled maples would be replaced.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwangale, Purdy, Rana and P Smith (8).

Against the recommendation to consent:
None.

Abstentions:
None.

RESOLVED

Consent, subject to conditions set out in report [PES/358e](#).

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.08 pm

J Purdy
Chair

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Crawley Borough Council

Minutes of Governance Committee

Tuesday, 26 January 2021 at 7.00 pm

Councillors Present:

R D Burrett (Chair)

T Lunnon (Vice-Chair)

D Crow, C R Eade, M G Jones, P K Lamb, R A Lanzer, S Malik, K McCarthy and
C J Mullins

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Mez Matthews	Democratic Services Officer
Andrew Oakley	Electoral Services Manager
Chris Pedlow	Democratic Services Manager
Jess Tamplin	Democratic Services Support Officer

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Crow	Agenda Item 6 Allocation of Committee Chairs and Vice-Chairs (Minute 5)	Personal Interest – Member of West Sussex County Council

2. Minutes

The minutes of the meeting of the Governance Committee held on 17 November 2020 were approved as a correct record and signed by the Chair.

3. Public Question Time

No written questions had been submitted by members of the public.

4. Final Report of the Independent Remuneration Panel (Councillors' Allowances Scheme 2021/22 and 2022/23)

The Committee considered report [LDS/163](#) of the Chair of the Independent Remuneration Panel (IRP). The Democratic Services Support Officer introduced the

report to the Committee, which summarised the final report of the IRP and set out the legal framework for setting councillors' allowance rates. The Committee heard that the IRP had given thoughtful consideration to a wide range of information when making its independent recommendations regarding the Councillors' Allowances Scheme, as detailed in the final report. The Committee's attention was drawn to the revised version of Schedule 1 of the Draft Councillors' Allowances Scheme 2021/22 and 2022/23 which replaced page 21 of the Agenda Pack and had been issued as a [Supplementary Agenda](#).

Basic and Special Responsibility Allowances

At the suggestion of the Chair the Committee first considered recommendations A to H of the final report of the IRP which related to the basic allowance for all councillors and special responsibility allowances. Committee members expressed general support for the recommendations, and conveyed their thanks to the members of the IRP and the officers involved. The Committee considered it important that the recommendations relating to allowances were made by a body independent from the Council.

It was proposed by Councillor Burrett and seconded by Councillor Lunnon that recommendations A to H of the IRP's final report be agreed.

A recorded vote was then taken on the proposal in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the proposal, along with any abstentions, were recorded as follows:

For the proposal:

Councillors Burrett, Crow, Eade, Jones, Lamb, Lanzer, Lunnon, Malik, McCarthy, and Mullins (10).

Against the proposal:

None (0).

Abstentions:

None (0).

The motion was therefore declared to be CARRIED.

Mayor's Allowance and Deputy Mayor's Allowance

The Committee then considered recommendations I and J of the final report of the IRP which related specifically to the allowances of the Mayor and Deputy Mayor. In response to a question from a Committee member, officers confirmed that the IRP had given regard to the survey answers provided by councillors regarding the Mayoral allowances and had assessed other borough councils' Mayoral allowances via the 2019 South East Employers survey. It was heard that the IRP did not feel best-placed to make a recommendation based on that information and had therefore requested councillors' expertise, via the Governance Committee, to agree to what extent, if any, the Mayoral allowance should be reduced by.

Committee members expressed concern about councillors taking responsibility for setting the exact allowance rates for the Mayor and Deputy Mayor; the Committee preferred that the recommendations be made by a body independent from the Council. Suggestions were made regarding further evidence to be presented to the IRP.

It was proposed by Councillor Lanzer and seconded by Councillor Eade that the IRP be asked to reconsider the allowances for both the Mayor and the Deputy Mayor and provide a recommendation to the Governance Committee (and in turn the Full Council) for an exact figure for each. It was clarified that the two allowances would remain at the current rate until any new rate had been agreed by the Full Council.

A recorded vote was then taken on the proposal in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the proposal, along with any abstentions, were recorded as follows:

For the proposal:

Councillors Burrett, Crow, Eade, Jones, Lamb, Lanzer, Lunnon, Malik, and McCarthy (9).

Against the proposal:

Councillor Mullins (1).

Abstentions:

None (0).

The motion was therefore declared to be CARRIED.

RESOLVED

That the Independent Remuneration Panel be asked to reconsider recommendations I and J of its final report (as set out in report [LDS/163](#)), and to recommend to the Governance Committee and in turn the Full Council an amount of allowance for the roles of Mayor and Deputy Mayor.

RECOMMENDATION 1

That the Full Council be recommended to approve:

- a) Recommendations A to H of the Independent Remuneration Panel's final report as set out in report [LDS/163](#).
- b) The Councillors' Allowances Scheme for 2021/22 and 2022/23 as set out in Appendix A to these minutes.
- c) That the allowances for the Mayor and Deputy Mayor remain set at the current rate (namely £11,548 for the Mayor and £1,800 for the Deputy Mayor respectively) until such time as a further report of the Independent Remuneration Panel is brought back for consideration to the Full Council on the matter.

5. Allocation of Committee Chairs and Vice-Chairs

The Committee considered report [LDS/162](#) of the Interim Monitoring Officer. The Democratic Services Manager introduced the report, which set out potential options for a more proportionate and sustainable system for the appointment of Chairs and Vice-Chairs to the Council's Committees. This had been proposed in light of the current Joint Agreement between the two political groups.

The Committee considered it necessary to change the current approach for allocating Committee Chairs and Vice-Chairs, which it deemed contentious, and adopt a clearer system. Comments made regarding each of the options set out in the report were as follows:

Fixed Cascade Approach

- A greater number of Chairs/Vice-Chairs would be allocated to the opposition group than by the strict proportional approach.
- The approach allowed for greater scrutiny of the leading party and for cross-party checks on decision-making processes.
- If the opposition party were to hold 18 seats, the allocated Chairs would give balance to the leading group's control of the Cabinet (and likely the Mayoralty).

Strict Proportional Approach

- The proportionality of this approach would be more representative of the electorate's wishes (according to local election outcomes) than the fixed cascade approach.
- The approach was identified as being used by the UK Parliament.
- Specific Committee Chairs would not be allocated. Some Committee members felt that to be too open to ambiguity, whilst other Committee members considered it advantageous as it would enable positions to be filled by the best-suited councillors.

Councillor Crow presented the following amended version of the Fixed Cascade Approach to the Committee.

Largest Opposition Group (number of seats held)	OSC	Audit	Governance	Planning	Licensing
3	VC	VC			
6	C	VC			
9	C	VC	VC	VC	
12	C	C	VC	VC	VC
15	C	C	VC	C	VC
18*	C	C	C	C	C

* Non-Administration Party

Councillor Crow advocated that the amended version above would allocate Chairs/Vice-Chairs in a way that encouraged both cross-party working and scrutiny by the opposition. It was proposed by Councillor Crow and seconded by Councillor Lanzer that the Full Council be recommended to adopt the Fixed Cascade Approach with the positions allocated as set out in the table above.

A recorded vote was then taken on the proposal in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the proposal, along with any abstentions, were recorded as follows:

For the proposal:

Councillors Burrett, Crow, Eade, Lanzer, and McCarthy (5).

Against the proposal:

Councillors Jones, Lamb, Lunnon, Malik, and Mullins (5).

Abstentions:

None (0).

As a result of the tied vote, the Chair used the casting vote to vote FOR the proposal. There were therefore six votes for the proposal and five votes against. The motion was therefore declared to be CARRIED.

RESOLVED

RECOMMENDATION 2

That the Full Council be recommended to:

- a) adopt the following Fixed Cascade Approach for the allocation of Committee Chairs and Vice-Chairs.

Largest Opposition Group (number of seats held)	OSC	Audit	Governance	Planning	Licensing
3	VC	VC			
6	C	VC			
9	C	VC	VC	VC	
12	C	C	VC	VC	VC
15	C	C	VC	C	VC
18*	C	C	C	C	C

* Non-Administration Party

- b) amend the Constitution to reflect the adopted protocol regarding the allocation of Committee Chairs and Vice-Chairs.

6. Polling Arrangements May 2021

The Committee considered report [CEX/54](#) of the Chief Executive. The Electoral Services Manager introduced the report to the Committee, which set out proposed changes to the polling arrangements for the May 2021 elections in light of the Coronavirus pandemic. It was proposed that the reduction in the number of polling places from 27 to 23 would mitigate the problem of a projected shortfall in experienced Senior Presiding Officers, and would ensure that no schools would be used as polling places.

General Issues

The Committee asked that its thanks to Electoral Services staff be recorded for their work on complex matters under exceptional circumstances. Committee members discussed the Government's aim to proceed with the May 2021 elections and expressed worries in relation to the ongoing Coronavirus pandemic. Concerns were raised regarding the loss of polling places and the impact this may have on voter turnout. It was heard that the Council would ensure COVID-safe precautions would be taken if the elections were to go ahead, but that preparations also needed to be made for the eventuality of cancellation of the elections.

It was proposed by Councillor Crow and seconded by Councillor Lamb that the Council's Chief Executive, as Returning Officer, be asked to write to the Government to convey the Committee's request that the elections be postponed to a later date due to the ongoing Coronavirus pandemic.

A recorded vote was taken on the proposal in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the proposal, along with any abstentions, were recorded as follows:

For the proposal:

Councillors Burrett, Crow, Eade, Jones, Lamb, Lanzer, Lunnon, Malik, McCarthy, and Mullins (10).

Against the proposal:

None (0).

Abstentions:

None (0).

The motion was therefore declared to be CARRIED.

To assist in the Committee's consideration of the recommended changes in polling places, the Chair advised that he intended to split the discussion based on the polling places set out in sections 5.7 and 5.9 of the report.

Broadfield Scout Hut and Creasys Drive Adventure Playground

Committee members discussed the proposal to change the polling places for polling districts LAB (part of Bewbush & North Broadfield Ward), LBB (part of Broadfield Ward), and LEB (part of Gossops Green & North East Broadfield Ward) to one combined polling place, the Broadfield Community Centre. The impact on queueing time, the flow of voters moving through the building, and turnout were discussed. A ward member for Broadfield expressed concerns regarding the entrance/exit points and that the proposals may cause confusion for voters. The Electoral Services

Manager confirmed that measures for controlling the flow of voters were being explored. The main reason for this proposal was the projected staff shortages.

The Grattons Indoor Bowls Club

It was recognised that moving the polling place for polling district LJA (part of Pound Hill North & Forge Wood Ward) from the Bowls Club to Milton Mount Community Centre was necessary at present, however ward members for Pound Hill North and Forge Wood requested that this be a temporary measure for the 2021 elections only.

The Mill Primary School

It was noted that the electorate for polling districts LFB (part of Ifield Ward) and LFD (part of Ifield Ward) was relatively small, and it was proposed that those electorates would be split between two existing polling places; the Ifield Community Centre and Ifield West Community Centre.

The Brook School

Committee members were conscious that the journey time for some voters within polling district LHB (part of Maidenbower Ward) would potentially increase should their polling place be temporarily changed from The Brook School to Maidenbower Community Centre. The Committee heard that this was proposed as a temporary measure.

Forge Wood Primary School

A ward member for Pound Hill North and Forge Wood (polling district LJC) expressed concerns about the proposed polling place of Wakehams Green Community Centre but recognised the importance of avoiding the use of schools as polling places, as well as the lack of any other suitable public buildings in the Forge Wood area. It was noted that a community centre was due to be built in the area which was intended to be used as a future polling place.

Use of Schools as Polling Stations

Committee members discussed the difficulties of using schools as polling places during the Coronavirus pandemic due to the cleaning required and the disruption to education. Committee members suggested that it may instead be possible to use marquees as temporary polling places. These would allow voters to retain proximity to their current polling place as well as providing good ventilation and thus helping to be COVID-secure. The Electoral Services Manager stated that this proposal would have to take into consideration extra costs, the shortfall of staff, lighting, and possible bad weather.

Amendment

It was proposed by Councillor Lamb and seconded by Councillor Jones that the Returning Officer and the Electoral Services Team be asked to investigate the possibility of providing alternative accommodation (such as marquees) as polling places on, or near to, the premises of the three current school polling places and that, where it proves unfeasible to provide such alternative accommodation, the temporary polling place/s set out in paragraph 5.9 of report [CEX/54](#) be used.

A recorded vote was taken on the proposal in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the proposal, along with any abstentions, were recorded as follows:

For the proposal:

Councillors Burrett, Jones, Lamb, Lanzer, Malik, McCarthy, and Mullins (7).

Against the proposal:

Councillors Crow, Eade, and Lunnon (3).

Abstentions:

None (0).

The amendment was therefore declared to be CARRIED.

A recorded vote was then taken on the recommendations set out in report CEX/54 (as amended) in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendations, along with any abstentions, were recorded as follows:

For the recommendations:

Councillors Burrett, Crow, Eade, Lanzer, and McCarthy (5).

Against the recommendations:

Councillors Jones, Lamb, Lunnon, Malik, and Mullins (5).

Abstentions:

None (0).

As a result of the tied vote, the Chair used the casting vote to vote FOR the proposal. There were therefore six votes for the proposal and five votes against. The motion was therefore declared to be CARRIED.

RESOLVED

RECOMMENDATION 3

That the Full Council be recommended to:

- a) to approve the temporary Polling Scheme set out in Appendix B to these minutes for the May 2021 elections, subject to the Returning Officer and Electoral Services staff's investigation concluding that it is feasible (within the constraints of the budget) to provide alternative accommodation as polling places on, or near to, the school premises of the existing polling places of The Mill Primary School, The Brook School, and Forge Wood Primary School. Should it prove unfeasible to provide such alternative accommodation, that the Full Council be recommended to make the temporary change/s to the Polling Scheme for the May 2021 elections set out in paragraph 5.9 of report [CEX/54](#).
- b) delegated authority to the Returning Officer, in consultation with the Chair and Vice-Chair of the Governance Committee, to make temporary changes to the Polling Scheme whilst the COVID-19 pandemic response is in effect.

That the Chief Executive, as Returning Officer, writes to the Government to convey the Committee's request that the elections be postponed to a later date due to the ongoing Coronavirus pandemic.

NOTE BY THE DEMOCRATIC SERVICES MANAGER

Included as Appendix C to these minutes is a note from the Returning Officer following the request by the Governance Committee above to investigate the viability as to whether alternative accommodation could be arranged for Polling Places on, or near to, the three existing schools which were currently named as Polling Places.

Closure of Meeting

With the business of the Governance Committee concluded, the Chair declared the meeting closed at 9.41pm

R D Burrett (Chair)

Appendix A

Councillors' Allowances Scheme 2021/2022 and 2022/2023 (From 1 April 2021 to 31 March 2023)

1. This Scheme may be cited as the Crawley Borough Council Councillors' Allowances Scheme, and shall have effect from 1 April 2021 to 31 March 2023.

2. In this Scheme:

"Councillor" means a Member of the Crawley Borough Council who is a Councillor.

"Total estimated allowances" means the aggregate of the amounts estimated by the Head of Corporate Finance, at the time when a payment of basic allowance or special responsibility allowance is made, to be payable under this Scheme in relation to the relevant year, and for this purpose any election under paragraph 9 shall be disregarded.

"Year" means the 12 months ending with 31 March.

3. **BASIC ALLOWANCE**

Subject to paragraph 10, for each year the basic allowance specified in Schedule 1 to this Scheme shall be paid to each Councillor.

4. **SPECIAL RESPONSIBILITY ALLOWANCES**

- (1) For each year a special responsibility allowance shall be paid to those Councillors and Co-opted Members who hold the special responsibilities in relation to the authority that are specified in Schedule 1 to this Scheme.
- (2) Subject to paragraph 10, the amount of each such allowance shall be the amount specified against that special responsibility in that Schedule.

5. **TRAVELLING AND SUBSISTENCE ALLOWANCES**

- (1) Travelling and subsistence allowances shall be paid to Councillors and Co-opted Members in the following circumstances:
 - (a) The attendance at a meeting of the authority or of any Committee or Sub-Committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any Committee or Sub-Committee of such a body.
 - (b) The attendance at any other meeting, the holding of which is authorised by the authority, or a Committee or Sub-Committee of the authority, or a Joint Committee of the authority and at least one other authority within the meaning of Section 270(1)

of the Local Government Act 1972, or a Sub-Committee of such a Joint Committee, provided that:

- (i) Where the authority is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited.
 - (ii) If the authority is not so divided, it is a meeting to which at least two Councillors have been invited.
- (c) The attendance at a meeting of any association of authorities of which the authority is a member.
 - (d) The attendance at a meeting of the Cabinet or a meeting of any of its Committees, where the authority is operating Cabinet arrangements.
 - (e) The performance of any duty in pursuance of any standing order made under Section 135 of the Local Government Act 1972 (requiring a Councillor or Councillors to be present while tender documents are opened).
 - (f) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises.
 - (g) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or any of its Committees or Sub-Committees. (The duties approved by the Council for the payment of travelling, subsistence and dependant care allowances under this sub-section are specified in Schedule 2 to this Scheme).
- (2) The level of travelling allowances payable to Councillors and Co-opted Members shall be based on that approved by HM Revenue & Customs as currently set out below. If there are any changes, the figures below will be amended accordingly:

	First 10,000 miles	Each mile over 10,000
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p

In addition, elected Councillors may claim a passenger supplement of 5p per mile for carrying passengers in a car or van who would otherwise be entitled to a travelling allowance.

- (3) The level of subsistence allowances payable to Councillors and Co-opted Members shall be the same as those paid to officers. The figures set out below relate to the allowances paid in 2020/21. The officer rates will be updated annually on 1 April each year. If there is an increase the figures below will be increased accordingly.

<u>Subsistence Allowances</u>	<u>Rate</u>
Tea (more than four hours absence including the period from 3.00pm to 6.00pm)	£3.53
Evening Meal (more than four hours absence ending after 7.00pm)	£11.03

(4) Overnight Rate

Overnight rate should be the actual cost up to a maximum of £86.46 (or £99.51, if in London) subject to the Head of Legal, Democracy and HR being empowered to authorise a higher amount in specific instances where suitable accommodation cannot be found within the limit.

6. DEPENDANTS' CARERS' ALLOWANCE

A Dependants' Carers' Allowance of the actual cost up to £8.82 per hour shall be payable to cover the cost of caring for a Councillor's dependant children or elderly/disabled relatives whilst a Councillor is undertaking an approved duty, provided the carer is not a member of the Councillor's own household. In addition, the Dependants' Carers' Allowance, at the level prescribed above, shall be payable to cover the cost of a live-in nanny caring for a Councillor's dependant whilst the Councillor is undertaking an approved duty. In other circumstances where professional babysitting and care services are used and a minimum period for the service is imposed by the service provider, then the period in respect of which the allowance is payable shall include the whole period for which a Councillor is charged.

The Dependants' Carers' Allowance shall only be payable in relation to duties described in paragraph 5 (a) to (g) above.

If the national living wage is increased to a rate that exceeds the rate of Dependants' Carers' Allowance, the Dependants' Carers' Allowance shall be amended to remain 10 pence above the national living wage rate.

7. LOCAL GOVERNMENT PENSION SCHEME

Councillors are no longer entitled to join the Local Government Pension Scheme.

8. CO-OPTED MEMBERS

Co-opted Members shall only receive travelling and subsistence allowances and any special responsibility allowance which might apply.

9. RENUNCIATION

A Councillor may by notice in writing given to the Head of Corporate Finance elect to forego any part of their entitlement to an allowance under this Scheme.

10. PART-YEAR ENTITLEMENTS

- (1) The provisions of this paragraph shall have effect to regulate the entitlements to basic and special responsibility allowances where, in the course of a year, this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or an office holder accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (2) If an amendment to this Scheme changes the amount to which a Councillor or an office holder is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:
 - (a) Beginning with the year and ending with the day before that on which the first amendment in that year takes effect or
 - (b) Beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year

The entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (3) Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which their term of office subsists bears to the number of days in that year.
- (4) Where this Scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (2) (a), the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during their term of office as a Councillor subsists bears to the number of days in that period.
- (5) Where an office holder has during part of, but not throughout, a year such special responsibilities as entitle them to a special responsibility allowance, that office holder's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- (6) Where this Scheme is amended as mentioned in sub-paragraph (2), and an office holder has during part, but does not have throughout the whole, or any period mentioned in sub-paragraph (2) (a) of that paragraph any such special responsibilities as entitle them to a special responsibility allowance, that office holder's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with

that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which they have such special responsibilities bears to the number of days in that period.

11. PAYMENTS

Payments by direct bank credit shall be made in respect of basic and special responsibility allowances and pensions in monthly instalments and are usually paid on the 20th of each month. However where, for example, the 20th falls on a weekend, payments will be made on the previous Friday. Each month's allowance is calculated on the basis of one twelfth of the annual allowance, and is for the period of that calendar month, and payment for individual days is calculated by dividing the monthly sum by the number of days (including Saturdays and Sundays) in the particular month (*subject to paragraph 9 above - renunciations*).

SCHEDULE 1

The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances:

Office Holder	Allowance 2021/22 - 2022/23 (£)
Basic allowance (all councillors)	6,617
Leader of the Council	15,885
Cabinet Portfolio Holders	7,942
Chair of Overview and Scrutiny Commission	7,106
Chair of Planning Committee	6,617
Chair of Licensing Committee	5,453
Chair of Governance Committee	2,649
Chair of Audit Committee	2,649
Chair of Budget Advisory Group (must not be a Cabinet Member and payment will be made on completion of the BAG process)	1,262
Payment to the Chair of any Scrutiny Panel (paid on completion of the scrutiny review)	1,262
Leader(s) of minority group(s) (<i>differential rates depending on number of Members in that Group</i>); <ul style="list-style-type: none"> • basic allowance • additional payment per group Member 	2,448 305
Mayor	11,548
Deputy Mayor	1,800
Independent Person(s) (Standards) *	750

No Councillor is entitled to more than one special responsibility allowance. Where a Councillor is eligible for more than one special responsibility allowance, they will be paid the allowance of the higher value.

- * The Monitoring Officer, in consultation with the Leader of the Council and all Group Leaders, has been authorised to set the initial allowance and expenses for the Independent Person(s) and to review annually thereafter.

SCHEDULE 2

The following are approved duties for the payment of travelling, subsistence and dependants' carers' allowances in accordance with sub-section 5 (g) of this Scheme:

- (i) Attendance at seminars and training courses funded by the Crawley Borough Council, whether held in the Town Hall or elsewhere.
- (ii) Attendance at meetings with Council Officers in connection with Crawley Borough Council duties.
- (iii) Attendance at meetings with other local authorities, central government or other agencies in connection with Crawley Borough Council duties.
- (iv) Attendance at meetings with members of the public in connection with Crawley Borough Council duties.
- (v) Attendance at meetings with voluntary organisations or public sector bodies, award ceremonies, or public events in connection with Crawley Borough Council duties.

Appendix B:

Polling Scheme with Recommended Temporary Amendments

Polling District	Borough Ward	County Division	Proposed Polling Station	Electorate	Postal Voters	Polling Station Voters
LAA	Bewbush and North Broadfield	Bewbush and Ifield West	Bewbush Centre	6286	970	5316
LAB	Bewbush and North Broadfield	Broadfield	Broadfield Community Centre	991	149	842
LAC	Bewbush and North Broadfield	Southgate and Gossops Green	Bewbush Centre	45	5	40
LBA	Broadfield	Broadfield	Broadfield Community Centre	4671	794	3877
LBB	Broadfield	Broadfield	Broadfield Community Centre	2713	498	2215
LD	Furnace Green	Tilgate and Furnace Green	Furnace Green Community Centre	4531	1005	3526
LEA	Gossops Green and North-East Broadfield	Southgate and Gossops Green	Gossops Green Community Centre	3953	776	3177
LEB	Gossops Green and North-East Broadfield	Broadfield	Broadfield Community Centre	827	204	623
LFA	Ifield	Langley Green and Ifield East	Ifield Community Centre	3552	726	2826
LFB	Ifield	Langley Green and Ifield East	The Mill Primary School	786	176	610
LFC	Ifield	Bewbush and Ifield West	Ifield West Community Centre	2257	379	1878
LFD	Ifield	Bewbush and Ifield West	The Mill Primary School	591	150	441
LGA	Langley Green and Tushmore	Langley Green and Ifield East	Langley Green Centre	5557	968	4589
LGB	Langley Green and Tushmore	Northgate and West Green	Northgate Community Centre	488	104	384
LHA	Maidenbower	Maidenbower and Worth	Maidenbower Community Centre	2895	592	2303
LHB	Maidenbower	Maidenbower and Worth	The Brook School	3911	781	3130
LIA	Northgate and West Green	Northgate and West Green	Northgate Community Centre	3497	564	2933
LIB	Northgate and West Green	Northgate and West Green	The Charis Centre	4148	792	3356
LJA	Pound Hill North and Forge Wood	Pound Hill	Milton Mount Community Centre	2894	612	2282
LJB	Pound Hill North and Forge Wood	Pound Hill	Wakehams Green Community Centre	1717	254	1463

Agenda Item 6 Appendix c

Governance Committee

26 January 2021

Polling District	Borough Ward	County Division	Proposed Polling Station	Electorate	Postal Voters	Polling Station Voters
LJC	Pound Hill North and Forge Wood	Pound Hill	Forge Wood Primary School	1862	337	1525
LKA	Pound Hill South and Worth	Three Bridges	Pound Hill Community Centre	2793	522	2271
LKB	Pound Hill South and Worth	Pound Hill	St Edward the Confessor Church Hall	1149	250	899
LKC	Pound Hill South and Worth	Maidenbower and Worth	St Edward the Confessor Church Hall	2334	615	1719
LLA	Southgate	Southgate and Gossops Green	St Mary's Church Hall	2964	667	2297
LLB	Southgate	Southgate and Gossops Green	Southgate West Community Centre	2918	748	2170
LLC	Southgate	Northgate and West Green	Southgate West Community Centre	624	178	446
LMA	Three Bridges	Three Bridges	Montefiore Institute	2781	588	2193
LMB	Three Bridges	Three Bridges	Three Bridges Community Centre	1757	407	1350
LMC	Three Bridges	Three Bridges	Holiday Inn Express	1282	220	1062
LMD	Three Bridges	Northgate and West Green	The Town Hall	376	65	311
LNA	Tilgate	Tilgate and Furnace Green	Tilgate Community Centre	2370	469	1901
LNB	Tilgate	Tilgate and Furnace Green	Holy Trinity Church Hall	2084	365	1719
				81604	15930	65674

Appendix C

Note from the Returning Officer following the request by the Governance Committee to investigate the viability as to whether alternative accommodation could be arranged for Polling Places on, or near to, the three existing schools which were currently named as Polling Places.

As instructed by the Governance Committee, the Returning Officer has investigated whether alternative accommodation can be arranged for polling places on, or near to, the school premises of the existing polling places of The Mill Primary (Ifield Ward), The Brook School (Maidenbower Ward), and Forge Wood Primary School (Pound Hill North and Forge Wood Ward).

The Mill Primary School

At The Mill Primary School there is insufficient space on site to place an alternative structure that could guarantee the school being able to remain open while polling takes place, and no alternative space could provide for secure accommodation in the vicinity.

The Brook School

The area to the rear of The Brook School is large enough to accommodate a temporary structure, but the Headteacher advises that due to the layout of the site it would not be possible for the school to be open if polling took place there. The only on-site alternative is at the front of the school car park. This is a confined space that was used to accommodate a portacabin at the European elections in 2019. The size of building used at that time would be unsatisfactory for maintaining social distancing requirements for staff and voters and it would not be possible to fit a larger building in the space. The Headteacher also advises that this location for polling was very challenging to operate for the school in 2019. Even if there were a repeat of this arrangement, she is not able to guarantee that the school would be able to remain open during polling.

There is no alternative space that could provide adequate accommodation in the vicinity.

Forge Wood Primary School

There is an area of the school playing field with independent access where a marquee could be installed and fenced off from the rest of the school. This could potentially enable the school to remain open while polling takes place. However, this option has several significant disadvantages and is not recommended by the Returning Officer for the following reasons:

1. The facilities that this solution would offer voters would be vulnerable to poor weather or a prolonged period of rain; the entrance to the playing field and the floor of the marquee would need to be lined, but wet weather could lead to a poor experience for voters, especially access for those with disabilities and those requiring the use of wheelchairs. The polling station staff would be supplied with a portable toilet and heaters, and a water supply, but there would also be a requirement for a separate place for staff to be able to take breaks in

an area where they could remove PPE. Over the whole polling day, with staff onsite from 6am to 10.30pm, staff welfare would be compromised.

2. There would be no on-site car parking, giving poorer access for voters with disabilities; all cars would need to be parked at the site allocated for the neighbourhood parade, which would involve voters having to cross a road.
3. The challenges and complexities of creating a separate site using portable buildings, lining of the entrance, installation of fencing, furniture and polling equipment, security of the site, and any maintenance on polling day would add an additional administrative burden to the Facilities and Elections Teams already operating at capacity, and could impact on contingency arrangements in place to deal with the event of unavailability of core staff.
4. There is a known shortage of experienced Presiding Officers available to work at this election. Combining polling at Wakehams Green Community Centre will give flexibility to share polling station staff at a venue that is accessible from Forge Wood.

Voter information and postal voting

The Returning Officer recommends that electors who are allocated a different polling place for the May 2021 elections will receive a letter explaining the changes and enclosing a postal vote application form for those voters who would prefer to arrange an absent vote.

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Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 1 February 2021 at 6.30 pm

Councillors Present:

T G Belben (Chair)

T Rana (Vice-Chair)

M L Ayling, R G Burgess, R D Burrett, R A Lanzer, S Malik and A Pendlington

Also in Attendance:

Councillor B J Burgess, K L Jaggard, G S Jhans, P K Lamb, C J Mullins and P C Smith

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ian Duke	Deputy Chief Executive
Heather Girling	Democratic Services Officer
Karen Hayes	Head of Corporate Finance
Sallie Lappage	Forward Planning Manager
Chris Pedlow	Democratic Services Manager
Louise Skipton-Carter	Sustainability Manager
Clem Smith	Head of Economy and Planning
Ian Warren	Senior Planning Officer
Kate Wilson	Head of Community Services
Paul Windust	Chief Accountant

Apologies for Absence:

Councillor

Absent:

Councillor T McAleney

Minute Silence for Former Mayor and Councillor Raj Sharma

The Commission observed a minute's silence in memory of former Mayor and Councillor Raj Sharma who had sadly and suddenly passed away.

1. Disclosures of Interest and Whipping Declarations

The following disclosures were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor R A Lanzer	Climate Change Scrutiny Panel Final Report (Minute 5)	Personal Interest – Member of WSCC
Councillor R D Burrett	Proposed Article 4 Directions - Planning Change of Use from C3 (dwellinghouses) to C4 (houses in multiple occupation) (Minute 6)	Personal Interest – Lives near vicinity of Burwash Road, Furnace Green
Councillor R A Lanzer	2021/2022 Budget and Council Tax (Minute 7)	Personal Interest – Member of WSCC
Councillor R D Burrett	Health and Adult Social Care Scrutiny Committee (HASC) (Minute 11)	Personal Interest – Member of WSCC

2. Minutes

The minutes of the meeting of the Commission held on 23 November 2020 were approved as a correct record and signed by the Chair.

3. Public Question Time

No questions from the public were asked.

4. Petition – “Save Crawley’s Adventure Playgrounds”.

The Commission considered report [HCS/26](#) of the Head of Community Services and the submission from the Principal Petitioner.

The report responded to the petition submitted from residents titled ‘Save Crawley’s Adventure Playgrounds’, following the recent budget consultation whereby over 1,200 residents gave their views on potential service changes an option was proposed to review the adventure play moving to a more flexible model of delivery. The petition documented the concerns and issues with loss of the supervised sites within the town as follows:

“Crawley Council have just announced that they will be closing all 4 of our adventure playgrounds, 2 will close completely and 2 will become unsupervised play areas.

This will leave the children of Crawley with nowhere safe to play. The adventure playgrounds are a part of Crawley’s history, they have been around for 60 years! I grew up spending most of my childhood playing in them and so have my children. They are still well used by so many local families. We love having somewhere to go that provides a safe place to be outside, socialising and exercising with toilets, staff and refreshments available to all. Us parents can meet up and we can bring the little

ones along and they play here all day, they make new friends, gain confidence, get fresh air and exercise without it costing a fortune. Where will we go without these? Where can you go knowing that the kids can roam free without the worry of safety and knowing there is always a safe adult to hand if needed. What type of people could these areas attract if unsupervised?

They also offer reasonably priced childcare services throughout school holidays for those of us that don't have the ability to pay private fees whilst we are at work. For some parents this is a life line and we will be lost without it.

Where will our children go to socialise now? Out on the streets, causing mischief and creating issues due to boredom or stop going out and rely on technology?! We don't have youth clubs anymore, so these are their only options? What good will either of these do for the mental health of the next generation? Please sign our petition to ask the council to look at the options again and review this decision!"

In accordance with the Council's Virtual Committee Procedure Rules there were no in-person public speaking rights, however the principal petitioner had been given the opportunity to submit a written statement in advance of the meeting and this was read to the Commission. (This is attached as an appendix to the minutes).

The Commission thanked the principal petitioner for their submission. The report outlined the research that had been undertaken following receipt of the petition. Members considered this and the additional information.

During the discussion with the Cabinet Member for Wellbeing and the Head of Community Services, Members made the following comments:

- Residents should feel compelled to organise a petition if they were concerned regarding an issue affecting the town. It allowed officers and councillors to re-assess issues.
- It was remarked that the results of the consultation should not be ignored. There had been a 68% reduction in children attending activities provided by the Council's Play Service.
- It was acknowledged that other providers (not for profit) may be interested in the adventure playgrounds. However the sites would require substantial capital investment that exceeded current funds and the operational costs were significant.
- Children and young people had different expectations regarding play and the budget needed to be spent wisely, with the play team being allocated in the most effective and efficient way possible to ensure children could continue to be engaged.
- It was noted that the playgrounds were a part of Crawley's history and whilst they had been successful in the past, there was a need to move away from static sites. The proposed outreach model was more effective and would be provided in open spaces, parks and buildings, covering the whole town and be fully accessible and inclusive.
- It was acknowledged that the Play Service was primarily aimed at five to thirteen year olds. It was not intended as an alternative to youth provision. Youth Service provision was within the remit of West Sussex County Council.
- Clarification was provided regarding the cost per visit.

RESOLVED

That the Commission notes the petition, statement from the Principal Petitioner, background report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet.

5. Climate Change Scrutiny Panel Final Report

The Commission considered report [OSC/292](#) of the Chair of the Climate Change Scrutiny Panel, Councillor K L Jaggard.

The Climate Change Scrutiny Panel was established to “look into and make recommendations focusing upon the workings and activities of Crawley Borough Council relating to carbon emissions”. It further requested that OSC co-opted a member or members of the Youth Council to the Scrutiny Panel. However despite repeated requests, unfortunately a co-optee was not forthcoming from the Youth Council.

The Scrutiny Panel’s recommendations reflected the motion unanimously agreed by Full Council in July 2019 and outlined proposals to help the Council to achieve the ambition to reduce carbon emissions generated by Crawley Borough Council activities by at least 45% by 2030 and to zero by 2050.

Councillors made the following comments:

- General support for the report and the Panel’s work. Panel members and officers were thanked for a thorough and comprehensive report.
- It was considered that the Panel’s recommendations to be very practical and thought the idea of the climate change impact assessment document on any new project/change in policy or service to be very important.
- It was disheartening that there had been a lack of response from co-optees but the public attendance pre-Covid and witness sessions had been positive and engaging.
- Acknowledgement there was the option to share best practice with other districts and boroughs.
- Recognition that in order to reach its carbon emissions target the council may have to lead by example and change the way it works and adapt.
- It was commented that the heating of the pool at K2 Crawley was the major consideration of energy consumption and the Panel had fully recognised there were industry standards and there were mixed views from individuals on the pool temperature. However it strongly wished for the recommendation to be considered.
- Support for the Climate Emergency Action Plan to be regularly reported back to OSC and Cabinet. The Climate Emergency Officer Advisory Group would consider options for reporting and report back as part of actions. The officers’ group was best placed to have the expert knowledge and skill to identify actions, activities and timescales within the council’s services. The action plan was set to identify resources, sources of funding and timescales for completion of actions in order to ensure the council remained on target. Led by the Climate Emergency Officer Advisory Group who have in-depth, enhanced expert knowledge of specific projects and have a crucial view on the council’s services.
- Whilst there was general support for the recommendations from the majority of members, there was concern raised from some regarding recommendation ‘q’ and paperless meetings, particularly the need to read reports thoroughly and length of time on devices. In contrast, there was recognition of the large environmental and financial benefits together with the availability of additional equipment along with further training. It was acknowledged the Cabinet Member for Resources took the decision that any newly elected councillor would be paperless from May 2018, whilst remaining compliant under the Equality Act.
- During the debate Councillor Lanzer (seconded by Councillor T Belben) moved a proposed amendment adding a further recommendation:

Recommendation:

2.3 c) *Request the Governance Committee look at the future format of the Council's formal and informal meetings to consider which should be face to face, virtual or hybrid.*

No objection was expressed by the Commission and the inclusion of Recommendation 2.3c was therefore declared to be Carried.

RESOLVED

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet, with the additional recommendation noted above.

6. Proposed Article 4 Directions - Planning Change of Use from C3 (dwellinghouses) to C4 (houses in multiple occupation)

The Commission considered report [PES/366](#) of the Head of Economy and Planning. The report sought approval for officers to proceed with new "non-immediate" Article 4 Directions applied specifically to the 10 residential zones listed in section 3.3 and set out in appendix A of the report.

These Article 4 directions would remove permitted development rights in those 10 zones for the conversion of residential dwellings to small homes in multiple occupation (HMOs) – which means that instead any future small HMO conversions in those 10 zones would be required to apply for planning permission. The principal rationale is that this will allow the Council to have control through the planning process to manage and limit concentrations of HMOs in these 10 zones, which following a full review officers consider were the most susceptible to HMO clustering within the Borough. The primary reason why these 10 zones in particular were considered susceptible to HMO clustering and what sets them apart from other parts of the Borough is the predominance of three storey town house dwellings in the zones – which were considered very attractive by HMO landlords.

During the discussion with the Cabinet Member for Planning and Economic Development, the Head of Economy and Planning, Forward Planning Manager and Senior Planning Officer, the following comments were made:

- It was acknowledged that HMOs above the five-person threshold require a licence and this assisted in monitoring, particularly the use of the map of licensed HMOs.
- The Directions would target specifically the 10 residential zones in Crawley where there was a clear majority of residential dwellings that were 3-storey terraced properties and multiple HMOs. Acknowledgement that the rationale was the coincidence of these types of properties, increased concentration and potential for HMO clustering. It was important to ensure that evidence and figures used to support the proposal was robust, for example in relation to numbers of bedrooms.
- With regards to Burwash Road in Furnace Green there were no licenced HMOs on the current list at present but it would be monitored. Concerns raised regarding conversions to HMOs elsewhere and displacement to other areas within the neighbourhoods and other areas within the town.
- It was anticipated that by introducing the Directions in some areas which currently have a lower number of HMOs, it may avoid the need to introduce further Directions in such areas at a later date.
- Support for a welcomed and balanced approach.

RESOLVED

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet.

7. 2021/2022 Budget and Council Tax

The Commission considered report [FIN/514](#) with the Leader of the Council, Head of Corporate Finance and the Chief Accountant. The Council has a statutory responsibility to set a Council Tax and Budget in advance of the commencement of the new financial year. The Council Tax has to be set by 11 March, each year.

During the discussion, the following points were expressed:

- Confirmation that the savings for the pitch and putt would be made through an increase in fees and charges. It was noted that the service had temporarily had to close due to the pandemic.
- Clarification sought on the redundancy provision and pension entitlement information held within the Pay Policy statement, following introduction of the reform of local government exit payments.
- Confirmation that the £506,450 was agreed in December 2020 as part of the in-year savings exercise, whilst the £506,000 has been identified as further current year savings as part of the consultation exercise.
- Acknowledgement that there had been genuine cross party working throughout the budget process and that members had been involved throughout the budget process.

RESOLVED

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet along with the tabled questions from Councillor Burrett included in the Appendix.

8. Treasury Management Strategy 2021-2022

The Commission considered report [FIN/517](#) of the Head of Corporate Finance on the Treasury Management Strategy for 2020/2021 which the Council was required to approve before the start of the financial year in accordance with the CIPFA Code of Practice for Treasury Management and the Council's financial regulations.

During the discussion with the Leader of the Council, Head of Corporate Finance and Chief Accountant, Councillors made the following comments:

- Acknowledgement that where the council had investments leased by other parties it was the intention that rents were paid. Should that not be the case given economic circumstances the council would liaise with liquidators or investigate relinquishing the property. Investments were entered into with the most suitable terms and best intentions.
- Clarity sought and obtained on the likelihood of a negative interest rate and the value of investments as a result of a potential move to a negative rate. It was confirmed that only treasury bills were paying negative interest and the council did not hold any of these at present. Existing investments were mostly fixed term

investment and these will pay the interest rate agreed at the time they were taken out. It was possible there will be negative rates with regards to future investments.

- Confirmation that the maximum to be lent to any one organisation could be increased to correspond to the counterparty limits.
- Verification that in the event that an authority in which the council had placed investments were to issue a Section 114 notice the organisation would still continue in existence and still carry out their statutory functions. All assets and liabilities will move across to that new authority.

RESOLVED

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet along with the tabled questions from Councillor Burrett included in the Appendix.

9. 2020/2021 Budget Monitoring - Quarter 3

The Commission considered report [FIN/516](#) of the Head of Corporate Finance on the quarter 3 budget monitoring, which set out a summary of the Council's actual revenue and capital spending for the quarters to December 2020 together with the main variations from the approved spending levels and impact on future budgets.

During the discussion with the Leader of the Council, Head of Corporate Finance and Chief Accountant, Councillors made the following comments:

- Confirmation provided in relation to Rushetts Road play area which was the only play area on the priority list that met the S106 criteria and the money needed to be spent by the end of June. By completing this area it allowed the team dealing with the play equipment time to work on other priorities within the next 18 months, including areas such as Wakehams Green.
- Potential option for a review of how reports were presented once the pandemic was over, although it was recognised that there were reasons why finances had to be documented in particular formats.
- The Finance team were thanked for their continued hard work throughout the pandemic.

RESOLVED

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet along with the tabled questions from Councillor Burrett included in the Appendix.

10. Community Grants Future Options

The Commission considered report [HCS/24](#) of the Head of Community Services. The report sought to consider the options for the future Community Grants process.

During the discussion with the Leader of the Council and the Head of Community Services, Councillors made the following comments:

- Recognition of the many groups and organisations within the town. It was questioned if all were aware of other funding opportunities. The liaison work with organisations and signposting arrangements would be maintained.
- It was felt it would be beneficial for the new commissioning model to come before OSC.
- Acknowledgement that in terms of the review process the Grants Appeal Panel was still in existence and it was felt this was the correct approach.
- Recognition that re-designing the service towards a proposed commissioning approach still enabled the service to deliver in an effective and efficient manner whilst maintaining the connections to the community.

RESOLVED

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet.

11. Health and Adult Social Care Scrutiny Committee (HASC)

An update was provided from the most recent HASC meeting. The committee considered a report by the Executive Director of Adults and Health.

The need for savings has been recognised and a number of saving proposals falling within the Adults and Health cabinet portfolio were highlighted including:

- Review of in-house residential services
- Review of Shaw day services
- Review of lifelong day services
- Public health grant

Consultation exercises would be needed along with equality impact assessments and this would occur over a 12 week timescale before consideration by Cabinet.

Furthermore the Covid19 pandemic had produced challenges for the various agencies involved but had led to the development of new ways of working. These would be integrate into the Adults and Health Plan for 2021-22. It would include different ways of meeting people's needs, working more efficiently and partnership work including the voluntary sector.

There is ongoing work to improve Adult Social Care and also improve integrated working opportunities with health partners. A Task and Finish Group was being set up to explore how savings could be made whilst maintaining services. Any key performance indicators needed to be meaningful and relevant.

In addition a verbal update was provided on 15 January on the current situation concerning case number in the county and the roll out of the vaccination programme from Adam Doyle on behalf of the NHS Commissioners.

12. Forthcoming Decision List - and Provisional List of Reports for the Commission's following Meetings

The Commission confirmed the following reports:

8 March 2021

- Economic Development Strategy
- West Sussex Health and Care in Housing Memorandum of Understanding
- Proposed Extension of Air Quality Management Area Boundary

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.39 pm

T G Belben (Chair)

Appendix A

Principal Petitioner's OSC Statement – Save Crawley's Adventure playgrounds

The adventure playgrounds are a part of Crawley's history, they have been around for 60 years!

I grew up spending most of my childhood playing in them as did my parents and so have my children. They are still well used by so many local families. We love having somewhere to go that provides a safe place to be outside, socialising and exercising with toilets, staff and refreshments available to all. Parents can meet up and we can bring the little ones along and they play here all day, they make new friends, gain confidence, get fresh air and exercise without it costing a fortune.

Play is proven to be a vital part of a child's development; Play improves the cognitive, physical, social, and emotional well-being of children and young people. Through play, children learn about the world and themselves. They also learn skills they need for study, work and relationships such as: confidence.

Throughout the last 12months the younger people within our community have suffered severely, they have been forced into lock-downs and quarantine, taken away from their peers, family members, schools and general social circles. Many children have shown to be struggling with their mental well-being and here you are saying that when they are finally able to get out and mix again- there will be nowhere to go!

Youths of today are the future of this town. It is how we treat them and look after them now that will have a huge impact on the future employment and economy of Crawley. Just because they can't speak up does not give anyone the right to ignore their human rights to play and good mental health.

The adventure playgrounds also offer reasonably priced childcare services throughout school holidays for those of us that don't have the ability to pay private fees whilst we are at work. For some parents this is a life line and we will be lost without it.

Without these supervised play areas, where can you go knowing that the kids can roam free without the worry of safety and knowing there is always a safe adult to hand if needed.

Where will our children go to socialise now?

What type of people could these areas attract if unsupervised?

It will be the older generation complaining when they are out on the streets, causing mischief and creating issues due to boredom or the council complaining when having to deal with the cost of the therapy requirements due to them stopping going out, socialising and relying solely on technology?!

We don't have the old youth clubs anymore, so these are usually their only safe options!

What good will your decisions do for the mental health of the next generation?

Please we urge you to look at the options again and review this decision!

Appendix B

OSC questions on the Finance reports from Councillor Burrett.

Item 8 – 2021/2022 Budget and Council Tax – report FIN/514

1. In the table at paragraph 5.3 (page 83), please could you explain the reference to “Additional rates due to renewable energy at K2 Crawley”? What is the background to this?
 - It is a policy decision of government that the business rates for renewable energy should be retained in full by the planning authority that approved it and therefore falls outside of the retained business rates scheme and is not subject to the levy or tariff. This sum has been in the budget since 2016/17
2. In paragraph 5.5.1 (page 85) the final sentence refers to an unexpected increase in New Homes Bonus, which it says is “due to more properties in higher tax bands being built than estimated”. Why would it make a difference if these properties are in higher tax bands, given that the value of NHB is the same for all properties, regardless of which tax band they are in?
 - The additional affordable homes element of £350 is fixed across all properties, but the main payment follows the council tax bandings. So a Band D property will receive £1,818, but a band E will receive £2,222. A Band A only receives £1,212.
3. Table 11 in paragraph 12.7 (page 97) shows an allocation of £565,000 for Affordable Housing Receipts, which it says is explained in paragraph 12.7.4 (page 99), but it is not actually mentioned there. Please could you clarify where this comes from?
 - This is Section 106 payments that are paid to us by developers who are unable to provide affordable housing on their site. We then use these sums to provide affordable housing on other developments.
4. Please could you explain Table 12 in paragraph 14.1 (page 101)? The text refers to a surplus position on the Collection Fund, but it then goes on to refer to the deficits being split over three financial years. Are the figures in the table representative of a surplus or a deficit?
 - Error in report - This is a deficit, due to the impact of the pandemic the amount of people claiming Council Tax reduction has increased, this means that there are few people paying Council tax. By statute we transfer the Budgeted income to the general fund from the collection fund. This means that the Collection fund is in deficit because it has collected less Council tax than budgeted. This is usually transferred to the precepting bodies the following year, but because the impact is

significant, especially to the County, the Government have regulated that this deficit is repayable over 3 years.

5. In Appendix 2 (page 106), the footnote at the bottom shows that the number of Band D Equivalents has reduced, even though the number of properties has increased. How can this be the case?
 - The Council Tax Base is net of all the discounts that we offer, the main one being the Council Tax Reduction Scheme. Because the numbers claiming Council tax reduction has increased, there are fewer people paying full Council tax.
6. In Appendix 3 (page 107), what does the line “Managed services” refer to? I have never seen this in HRA accounts previously.
 - This refers to sub contracted and consultancy budgets. This wording is used to avoid confusion with the main contracted services such as responsive repairs and gas servicing.
7. In Appendix 5 (page 109), the first risk refers to savings and efficiencies of £2.313m in the long term “as shown in Table 6 above”. The figure shown at Table 6 (page 90) is £2.132m. Which of these is correct?
 - This is an error in Appendix 5 – it should be £2,132
8. Also in Appendix 5 (page 109), the third risk, relating to New Homes Bonus, states that “the Government have announced that they will continue to pay legacy payments if the scheme stops as part of the Fair Funding review”. I thought that New Homes Bonus payments were only for one year now, in which case there would be no legacy payments anyway?
 - The final year of legacy payments will be in 2022/23.
9. In Appendix 7 (page 120), the fourth bullet point on page 120 states “Secondary spend may be delegated to the Service Manager in consultation with the relevant Head of Service”. What is meant by “Secondary spend” in this context?
 - An example of this is Tilgate nature centre, the charges are set and agreed for items such as entrance fees but there are other spends such as items in the gift shop, animal experience days, and animal adoption.

Item 9 – Treasury Management Strategy 2021/2022 – report FIN/517

1. The table at paragraph 5.1.2 (page 123) shows capital payments for the new Town Hall ending in 2021/22. How realistic is this, given that we are usually still making final payments on large capital schemes several years after they have been completed, and the building is not scheduled for occupation until the summer of 2022?
 - This is in line with the payment schedule received from Westrock our development management partner. Retention - however we may need to slip some forward as we have an allocation for fit out and may defer due the Covid and not being sure about desk layout going forward.
2. In the table at paragraph 5.2.3 (page 124), why does the CFR for the HRA reduce to £242.711m in 2021/2022 and subsequent years, given that the debt of £260.325m remains the same throughout those years?
 - The debt will remain at £260,325 and it has historically been the same as the CFR. However, the transfer of the garages to the General Fund will result in a transfer between the two CFRs. The first PWLB loan to mature will be in March 2023, so there will be a mismatch between the debt and the CFR until then. The CFR is the underlying need to borrow and not the actual borrowing itself. When borrowing is higher than the CFR it is known as overborrowing, and when it is lower it is underborrowing.
3. Please could you explain the “Liability benchmark” at paragraph 5.3.2 (page 125)? Is this basically showing the maximum amount of borrowing which it is considered would be prudent, were that amount to be required?
 - This is a new table that has come from our new treasury advisors, Arlingclose. It simply shows what would be the lowest amount of borrowing required if we repaid any debt with our investments, whilst keeping a minimum investment balance. However, this is a theoretical situation as it doesn't take into account any restrictions on repaying debt, or future capital spending requirements.
4. Paragraph 5.4.5 (page 126) says that no MRP will be charged in respect of assets held within the Housing Revenue Account. Why is this?
 - The regulations exempt the HRA from making MRP payments. It can still make voluntary payments to reduce debt.
5. In the table at paragraph 6.2.1 (top of page 127), the figures in the last line are shown in brackets, which suggests that they are under-borrowing. Should they not actually be over-borrowing, looking at their relationship to the lines above them?
 - No, it is showing underborrowing. The borrowing requirement is £276m, but we are showing that we plan to keep debt at £260m.

6. In paragraph 6.3.6 (page 129), there is some wording missing in the second line at the top, immediately above the table.
 - The final sentence should read “The upper and lower limits on the maturity structure of borrowing will be:”

7. In the third paragraph of paragraph 6.5.3 (page 131) there is a sentence which says “PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield; the Council intends to avoid this activity in order to retain its access to PWLB loans”. What are the implications of this for our programme of investment property acquisitions? This seems to suggest that we would have to avoid these in order to retain access to PWLB loans, even though we have never needed to use a PWLB loan to complete one of these purchases.
 - There are no implications for our existing programme. We would not be able to borrow from the PWLB if we were to finance future investment properties by borrowing. All our existing investment properties have been funded from capital receipts or reserves.

8. The information at paragraph 7.1.2 (page 134) is quite worrying to read. What are the likely implications of a negative interest rate, in terms of the value of our investments already placed which may be reduced at their maturity date as a result of a move to a negative rate?
 - At the moment, it is only treasury bills that are paying negative interest. We do not hold any of these at present. Existing investments are mostly fixed term investment and these will pay the interest rate agreed at the time they were taken out. We do hold investments in Money Market Funds which are paid variable interest rates. At the moment these are holding at zero or very low positive rates. Our advisors think it is unlikely that they will move to negative rates as it could lead to investors moving their funds. As for future investments, I would say that it is possible we would see negative rates.

9. The first paragraph of paragraph 7.1.17 (page 137) states that the maximum to be lent to any one organisation will be £5 million. However, this doesn't fit with the counterparty limits in the table at paragraph 7.1.5 (page 134) which shows higher limits in several categories.
 - We agree and will change this figure to £15m to fit with the table in 7.1.5.

10. The table at paragraph 7.3.4 (page 139) shows the same value for “Commercial Investments: Property” at the end of each of the three financial years referenced, which suggests that our property holdings will not increase in value over the next two years. How realistic is this?
 - Not realistic, but we don't know whether the market will move up or down. For the purposes of the report, we have left the investment

balances at their last valuation which was at 31 March 2020. There are no plans to buy any new properties or to sell any existing ones.

11. The table at paragraph 7.3.6 (page 139) forecasts an investment rate of return for all investments of 1.82% for 2021/22, broken down into 0.45% for Treasury management investments, and 6.12% for Commercial investments: Property. This is an increase from the 1.51% for all investments projected for 2020/21. Given that the projected figures for both Treasury management investments and Commercial investments: Property have reduced from 2020/21 to 2021/22, how can the resulting average have increased?
 - Due to the treasury investment balances forecast to fall during 2021/22, the commercial investments form a larger proportion of the portfolio. This therefore leads to a higher weighted average return for the whole portfolio.

12. Several local authorities in severe financial difficulties have issued Section 114 notices, which is described as effectively declaring bankruptcy. In the event that an authority in which we had placed investments were to do this, what would be the effect on our investments? Would they be protected, or could we be at risk of losing them?
 - No. Local authorities are formed under statute, and can only be dissolved under statute. When a local authority issues a section 114 notice, they still continue in existence and still carry out their statutory functions. There may be some reorganisation, such as that happening in Northamptonshire – but all assets and liabilities will move across to that new authority.

Item 10 – 2020/2021 Budget Monitoring – Quarter 3 – report FIN/516

1. In the table at paragraph 5.2 (at the top of page 149), there is a reference to £59,000 of additional funding for Enforcement. What does this refer to?
 - External funding received to ensure that Covid rules are being adhered to, the environmental health are doing the checking and have backfilled posts. So compliance and enforcement
2. The table at paragraph 7.1 (page 150) shows a variation leading to an increased transfer from the Housing Investment Reserve of £123,000. This is also replicated in the table at Appendix 1 (iii) (page 157). Shouldn't this actually be a transfer **to** the Housing Investment Reserve, looking at the other figures in this table?
 - Yes this should show as an additional transfer to the housing investment reserve.
3. Paragraph 8.8 (page 152) refers to a total sale value for Council houses during the third quarter of £1,964,200, broken down into £257,863 paid over to the Government, £495,285 available for general capital expense, and £1,111,052 set aside for 1-4-1 receipts. If you add up the latter three figures they actually total £1,864,200, so one of them must be £100,000 short of the correct amount.
 - Typo - £1,864,200 was the value of the disposals.
4. In paragraph 9.1 (page 153) there is a paragraph after the table which says "This would enable other priority play areas to be brought forward in the play investment programme and reduce the impact on the available S106 funds". Please could you explain what this is saying, as I am not clear as to why moving the Rushetts Road scheme up the priority list will benefit other schemes which are currently waiting their turn (such as Wakehams Green!)?
 - There is some S106 that needs to be used by June 2021. Rushetts road is the only play area that is on the priority list that meets the criteria. By getting Rushetts completed and ensuring that the S106 is spent gives the team dealing with the play equipment time to work on other priorities within the next 18 months, this includes Wakehams Green
5. In Appendix 2 (page 160), there is an allocation totalling £6,000,000 for a "Town Centre Acquisition". What does this refer to?
 - As referred to previously this is for a town centre purchase of shared office space as part of the Crawley Growth programme, several options have been pursued by the Economic Development team.
6. Further into Appendix 2 (page 162) there is a line in the HRA Improvements section relating to Garages which shows allocations each

year until 2023/24. Should these future years' allocations be moved into the General Fund section, now that the garages have been appropriated to the General Fund?

- Yes we are moving to the General fund in Q4 – it was a timing issue due to all the pressures within the finance team. It will be swapped for the budget book.
7. Finally, on the last page of Appendix 2 (page 164) there is a line showing the Total Funding for the Capital Programme. However, the total figure shown for 2020/21 of £77,162,751 does not tally with the figure of £78.389m which is shown in the table at paragraph 5.1.2 of the Treasury Management Strategy report (page 123), although it does tally with the equivalent figure shown in Table 9 on page 94 of the Budget and Council Tax report. Why is this?
- There are additional capital schemes introduced in the Budget Report - see table 8 on page 95.

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Crawley Borough Council

Minutes of Cabinet

Wednesday, 3 February 2021 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:

Councillors T G Belben, B J Burgess, R D Burrett, D Crow, K L Jaggard and K McCarthy

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ian Duke	Deputy Chief Executive
Karen Hayes	Head of Corporate Finance
Chris Pedlow	Democratic Services Manager
Heather Girling	Democratic Services Officer
Nigel Sheehan	Head of Projects and Commercial Services
Louise Skipton-Carter	Sustainability Manager
Clem Smith	Head of Economy and Planning
Kate Wilson	Head of Community Services

Apologies for Absence:

Councillor B A Smith

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 25 November 2020 were approved as a correct record and signed by the Leader.

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

It was reported that no representations had been received in respect of agenda item 16: The Hawth Theatre – Contract Extension.

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. Petition – “Save Crawley’s Adventure Playgrounds”.

The Cabinet considered report [HSC/26](#) of the Head of Community Services. The report responded to the petition submitted from residents titled ‘Save Crawley’s Adventure Playgrounds’, following the recent budget consultation whereby over 1,200 residents gave their views on potential service changes an option was proposed to review the adventure play moving to a more flexible model of delivery. The petition documented the concerns and issues with loss of the supervised sites within the town as follows:

“Crawley Council have just announced that they will be closing all 4 of our adventure playgrounds, 2 will close completely and 2 will become unsupervised play areas.

This will leave the children of Crawley with nowhere safe to play. The adventure playgrounds are a part of Crawley’s history, they have been around for 60 years! I grew up spending most of my childhood playing in them and so have my children. They are still well used by so many local families. We love having somewhere to go that provides a safe place to be outside, socialising and exercising with toilets, staff and refreshments available to all. Us parents can meet up and we can bring the little ones along and they play here all day, they make new friends, gain confidence, get fresh air and exercise without it costing a fortune. Where will we go without these? Where can you go knowing that the kids can roam free without the worry of safety and knowing there is always a safe adult to hand if needed. What type of people could these areas attract if unsupervised?

They also offer reasonably priced childcare services throughout school holidays for those of us that don’t have the ability to pay private fees whilst we are at work. For some parents this is a life line and we will be lost without it.

Where will our children go to socialise now? Out on the streets, causing mischief and creating issues due to boredom or stop going out and rely on technology?! We don’t have youth clubs anymore, so these are their only options? What good will either of these do for the mental health of the next generation? Please sign our petition to ask the council to look at the options again and review this decision!”

In advance of considering the report the Cabinet hear from the principal petitioner via a copy of their written statement providing further support to their petition. The statement was read out by an officer, in line with the Council's Virtual Committee Procedure. (A copy of the written statement was attached as an appendix A to the minutes).

The Cabinet Member for Wellbeing in presenting the report expressed his empathy with residents who had signed the petition wanting to protect the adventure playgrounds, however the council was facing an ongoing reduction in its income and the changes to adventure play would save the Council approximately £210k immediately. Two of the facilities, Cherry Lane and Waterlea, would remain, but running in a different way, with Waterlea receiving new investment. To keep the others Creasy's Drive and the Mill Pond and updating them to a suitable and safe level it would cost a between £500k to £750k. It was noted that the average cost to taxpayers per child per visit to the adventure playgrounds was over £30 and that the number of users were consistently dropping, reducing by over 60% in the last 20 years.

It was emphasised that the adventure playground and the Council's play services were designed for five to 13 years olds and not for teenagers, which was in response to a point made as part of the petition, questioning the closure of facilities for teenagers within the Borough. However, the Council's focus for the Play Service would now be on outreach work in local communities and there was a commitment to continue to update local playgrounds across the town.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in report [OSC/293](#), to the Cabinet following consideration of the matter at its meeting on 1 February 2021, which included:

- Residents should feel compelled to organise a petition if they were concerned regarding an issue affecting the town. It allowed officers and councillors to re-assess issues.
- It was remarked that the results of the consultation should not be ignored and that there was a 68% reduction in attendance at the playgrounds.
- It was acknowledged that other providers (not for profit) may be interested in the adventure playgrounds. However, the sites would require substantial capital investment that exceeded current funds and the operational costs were significant.
- Children and young people had different expectations regarding play and the budget needed to be spent wisely, with the play team being used in the most effective and efficient way possible to ensure children could continue to be engaged.
- It was acknowledged that the Play Service was primarily aimed at five to 13 year olds. It was not intended as an alternative to youth provision. Youth Service provision was within the remit of West Sussex County Council.

Councillor Lamb commenting on the petition reemphasised that the tough decision was taken, following the financial pressure created by the Covid pandemic and the Council had a legal duty to pass a balanced budget. If the decision was reversed then the Council would struggle in meeting that requirement as there was no suggestion on how the Council could make up the difference. However, as the Council did receive an unexpected grant since the savings were first proposed, current provision would now be maintained for the most part for much of the coming council year. Councillor Irvine also spoke as part of the discussion on the report.

Councillor Lamb moved that the petition be noted but there be no change to the current decision. A recorded vote was taken on the recommendations in accordance

with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith. (5)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

That the Cabinet notes the petition, and agrees to continue with their original decision surrounding the adventure playgrounds.

Reasons for the Recommendations

To ensure the procedure for petitions as detailed in the Council's Constitution is adhered to.

Councillor Mullins after the item had finished confirmed that he would write to the Principal Petitioner thanking them for the petition and providing them with a further explanation as to the Cabinet's decision including addressing all the areas they raised and questioned.

7. Climate Change Scrutiny Panel Final Report

Councillor Jaggard as Chair of the Climate Change Scrutiny Panel presented report [OSC/292](#) the Panel's final report to the Cabinet. The Cabinet were reminded that the Climate Change Scrutiny Panel was established following a Notice of Motion at Full Council in July 2019, which had been carried unanimously. The remit of the review as identified by Notice of Motion was to "look into and make recommendations focusing upon the workings and activities of Crawley Borough Council relating to carbon emissions." The Cabinet were informed that the Scrutiny Panel's large number recommendations reflected the motion and outlined proposals to help the Council to achieve the ambition to reduce carbon emissions generated by Crawley Borough Council activities by at least 45% by 2030 and to zero by 2050.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in report [OSC/293](#), to the Cabinet following consideration of the matter at its meeting on 1 February 2021, which included:

- It was considered that the Panel's recommendations were practical and the idea of a climate change impact assessment document on any new project/change in policy or service was thought to be very important.
- Recognition that in order to reach its carbon emissions target the Council may have to lead by example and change the way it works and adapt.
- It was noted that the heating of the pool at K2 Crawley was the most major source of emissions. The Panel had fully recognised there were industry standards and there were mixed views from individuals on the pool temperature. However, it strongly wished for the recommendation to be considered.

- Support for the Climate Emergency Action Plan should be regularly reported back to OSC and Cabinet. The Climate Emergency Officer Advisory Group would consider options for reporting back as part of their actions. The officers' group was best placed to have the expert knowledge and skill to identify actions, activities and timescales within the council's services.
- There was general support for the recommendations from the majority of members. However, there was concern raised from some regarding recommendation 'q' and paperless meetings, particularly the need to read reports thoroughly and the impact upon people's eyes of such length of time on devices. In contrast, there was recognition of the large environmental and financial benefits together with the availability of additional equipment along with further training. It was acknowledged the Cabinet Member for Resources took the decision that any newly elected councillor would be paperless from May 2018, whilst remaining compliant under the Equality Act.
- During the debate Councillor Lanzer (seconded by Councillor T Belben) moved a proposed amendment adding a further recommendation:

2.3 c) That Full Council be asked to – *Request the Governance Committee look at the future format of the Council's formal and informal meetings to consider which should be face to face, virtual or hybrid.*

Councillor Jhans, as Cabinet Member for Environmental Services and Sustainability was invited to speak. Whilst thanking the Panel and officers for a thorough piece of work, Councillor Jhans would welcome the action plan and regular reporting back. It would be beneficial for the Cabinet to refer this back to the officer advisory group to translate into deliverable actions and in doing so proposed the following amendments.

Ref recommendation in 2.2: "Cabinet endorses the principle of the recommendations set out in section 6, subject to a full evaluation as part of the development of the Council's Climate Change Emergency Action Plan and for that Action Plan to be brought back to Cabinet for consideration as soon as possible".

Ref recommendations in 2.3: "Cabinet agrees that the recommendations in 2.3 in addition to recommendation 2.3c proposed by the Overview and Scrutiny Commission, be put to Full Council for consideration".

Councillor Crow also spoke on the item and in doing so thanked the Panel for its hard work through the Scrutiny process and welcomed Councillor Jhans proposed amendment. He also commented believing that the Council should lead by example particularly on property, transport and energy, however with regards to a couple of the recommendations (f) the temperature at K2 Crawley needed to be comfortable and (q) there was a limit for screen time but he added this was only a minor point and the council was right to lead the way.

Councillors P Smith, Irvine, and Mullins spoke as part of the discussion on the report and were fully behind the principles of the recommendations. However, some concerns were expressed over recommendation (f) relating to the temperature at K2 Crawley swimming pool and (q) paperless committee meetings.

A recorded vote was taken on the proposed amendment to the recommendations as moved by Councillor Jhans and seconded by Councillor Lamb. In accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith. (5)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

The proposed amendment was carried.

A recorded vote was taken on the recommendations as amended in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith. (5)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

Cabinet endorses the principle of the recommendations set out in Section 6 of report [OSC/292](#), subject to a full evaluation as part of the development of the Council's Climate Change Emergency Action Plan and for that Action Plan to be brought back to Cabinet for consideration as soon as possible.

RECOMMENDATION 4

That Full Council be requested to:

- a) endorse the Scrutiny Panel's findings and recommendations contained within report [OSC/292](#)
- b) request that any necessary revisions to the Council's Constitution relating to paperless committee meetings be made.
- c) Request that the Governance Committee look at the future format of the Council's formal and informal meetings to consider which should be face to face, virtual or hybrid.

Reasons for the Recommendations

The recommendations reflect the motion agreed by Full Council and outline proposals to help the Council to achieve the ambition to reduce carbon emissions generated by Crawley Borough Council activities by at least 45% by 2030 and to zero by 2050s.

8. Proposed Article 4 Directions - Planning Change of Use from C3 (dwellinghouses) to C4 (houses in multiple occupation)

The Cabinet Member for Planning and Economic Development presented report [PES/366](#) of the Head of Economy and Planning which sought approval for the making of non-immediate Article 4 Directions, removing the permitted development right for dwelling houses (use class C3) to convert to houses of multiple occupation (HMO) (use class C4) in various locations in Crawley, to protect the amenity and wellbeing of the areas concerned.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in report [OSC/293](#), to the Cabinet following consideration of the matter at its meeting on 1 February 2021, which included:

- It was acknowledged that HMOs above the five-person threshold require a licence and this assisted in monitoring, particularly the use of the map of licensed HMOs.
- The Directions would target specifically the 10 residential zones in Crawley where there was a clear majority of residential dwellings that were 3-storey terraced properties and multiple HMOs. Acknowledgement that the rationale was the coincidence of these types of properties, increased concentration and potential for HMO clustering. It was important to ensure that evidence and figures used to support the proposal was robust, for example in relation to numbers of bedrooms.
- With regards to Burwash Road in Furnace Green there were no licenced HMOs on the current list at present but it would be monitored. Concerns raised regarding conversions to HMOs elsewhere and displacement to other areas within the neighbourhoods and other areas within the town.
- It was anticipated that by introducing the Directions in some areas which currently have a lower number of HMOs, it may avoid the need to introduce further Directions in such areas at a later date.
- Support for a welcomed and balanced approach.

Councillor Crow was invited to speak to the item and he welcomed the report and as whilst there were benefits to HMOs within the housing sector, there needed to be a balance within the community.

Councillor Irvine spoke as part of the discussion on the report commenting that he was pleased that it was acknowledged that there was a need for HMOs and they served an important housing function. He also pleased with the scientific approach used to identify the areas that might require the use of an Article 4 Direction.

A recorded vote was taken on the recommendations, in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith. (5)

Against the recommendations:
None.

Abstentions:
None.

RESOLVED

That the Cabinet:

- a) approves the making of 10 non-immediate Article 4 Directions under the Town and Country (General Permitted Development Order) 2015. These will remove the permitted development right for dwelling houses (Use Class C3) to change their use into houses of multiple occupation (Use Class C4), in the 10 zones referred to in paragraph 3.3 and outlined on the plans within Appendix A of report PES/366.
- b) delegates 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 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 Direction should be made.

(Generic Delegation 3 will be used to enact this recommendation).

Reasons for the Recommendations

The proposed Article 4 Directions are intended to enable the council to use its planning powers to manage and limit concentrations of houses of multiple occupation (HMOs) in areas which are considered susceptible to them, so as to mitigate and avoid the cumulative impacts on local amenity associated with concentrations of this type of accommodation. The rationale for such Directions is explained below in sections 4 and 5 of report PES/366.

HMOs remain an important part of the range of accommodation available in the borough and cater to the needs of specific groups. The intention is therefore not to reduce or restrict their delivery in the borough as a whole, but merely to resist the development of significant clusters of them in particular locations, and to promote strong, balanced communities.

The ten residential zones where these Article 4 directions would apply are in the following locations (the extent of each zone is indicated on the maps within Appendix A of report PES/366):

Aintree Road & Epsom Road, Furnace Green
Arden Road, Furnace Green
Ardingly Close, Ifield
Beverley Mews, Three Bridges,
Caburn Heights, Southgate
Farmleigh Close, Pound Hill
Rillside and Winterford, Furnace Green
Ringwood Close, Furnace Green
Victoria Mews, West Green
Weald Drive, Furnace Green

The rationale for selecting the above 10 residential zones is explained in Section 6 of report [PES/366](#).

9. 2021/2022 Budget and Council Tax

The Leader presented report [FIN/514](#) of the Head of Corporate Finance, which set out the Budget and level of Council Tax for the year 2021/22. 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 2021/22, each of those accounts identified had been considered. The proposed Council Tax for 2021/22 was to be increased by 2.37%.

The Council has a statutory responsibility to set a Council Tax and Budget in advance of the commencement of the new financial year. The Council Tax has to be set by 11 March, each year.

The Cabinet was informed that the proposed Budget had been produced based on the principles set in the Budget Strategy which was approved by Full Council on 16 December 2020. That included achieving balanced Budget over a four year period including putting back to reserves when the Budget is in surplus.

The Leader emphasised that the Council budget setting process had been completely impacted by the Covid pandemic and how that has hit the Council's main sources of funding. The Council was having to make in the region of £2.4mil of saving this year with £1.6mil from back office savings and the remaining £800k from service delivery.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in report [OSC/293](#), to the Cabinet following consideration of the matter at its meeting on 1 February 2021, which included:

- Confirmation that the savings for the pitch and putt would be made through an increase in fees and charges. It was noted that the service had temporarily had to close due to the pandemic.
- Clarification sought on the redundancy provision and pension entitlement information held within the Pay Policy statement, following introduction of the reform of local government exit payments.
- Confirmation that the £506,450 was agreed in December 2020 as part of the in-year savings exercise, whilst the £506,000 has been identified as further current year savings as part of the consultation exercise.
- Acknowledgement that there had been genuine cross party working throughout the budget process and that members had been involved throughout the budget process.

Councillor Crow spoke on item, confirming that he would be seconding this Budget and Council Tax report at Full Council in his position as Opposition Leader. He emphasised the cross party working throughout the budget process and it was important that the Council set a sustainable budget.

A recorded vote was taken on the recommendations in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith. (5)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

RECOMMENDATION 5

That Full Council be recommended to approve the following items regarding the 2021/22 Budget:

- a) to approve the proposed 2021/22 General Fund Budget including savings and growth as set out in paragraph 6.4 of the report [FIN/514](#),
- b) to approve the proposed 2021/22 Housing Revenue Account Budget as set out in section 10 and Appendix 3 of the report [FIN/514](#),
- c) to agree to ringfence £435,000 of useable capital receipts for investment in the Town Centre as a result of using Government funding on the Heat Network to avoid having to repay the grant,
- d) to agree to increase the capital budget for 2021/22 for temporary accommodation acquisition by £826,300 to be funded from the earmarked homelessness acquisition reserve,
- e) to approve the 2020/21 and future years Capital Programme and funding as set out in paragraph 11.6 of the report [FIN/514](#),
- f) to agree that the Council's share of Council Tax for 2021/22 be increased by 2.37% (£4.95) from £208.89 to £213.84 for a band D property as set out in paragraph 13.3 of the report [FIN/514](#),
- g) to approve the Pay Policy Statement for 2021/2022 as outlined in paragraph 16.3 and Appendix 6 of the report [FIN/514](#),
- h) to approve the CBC Pricing Strategy as outlined in Appendix 7 of the report [FIN/514](#).

Reasons for the Recommendations

To provide adequate funding for the proposed level of services and to fulfil the statutory requirement to set a Budget and Council Tax and report on the robustness of estimates.

10. Treasury Management Strategy 2021-2022

The Leader presented report [FIN/517](#) of the Head of Corporate Finance on the Treasury Management Strategy for 2020/2021 which the Council was required to approve before the start of the financial year in accordance with the CIPFA Code of Practice for Treasury Management and the Council's financial regulations. The strategy itself sets out how the Council would be investing its money across the course of the year. It was noted that the format of the report had changed compared to previous years and that was due to a change in the advisor used by the Council in devising the strategy.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in report [OSC/293](#), to the Cabinet following consideration of the matter at its meeting on 1 February 2021, which included:

- Acknowledgement that where the Council had investments leased by other parties, it was the intention that rents were paid. Should that not be the case given economic circumstances the Council would liaise with liquidators or investigate relinquishing the property. Investments were entered into with the most suitable terms and best intentions.
- Clarity sought and obtained on the likelihood of a negative interest rate and the value of investments as a result of a potential move to a negative rate. It was confirmed that only treasury bills were paying negative interest and the Council did not hold any of these at present. Existing investments were mostly fixed term investment and these will pay the interest rate agreed at the time they were taken out. It was possible there will be negative rates with regards to future investments.
- Confirmation that the maximum to be lent to any one organisation could be increased to correspond to the counterparty limits.

Councillor Irvine spoke as part of the discussion on the report and in response to a question he asked it was confirmed that the Council was still being in receipt of income from its investment properties, despite of the current economic climate.

A recorded vote was taken on the recommendations, in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins, and P Smith (5)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

RECOMMENDATION 6

That Full Council be recommended to approve the following items:

- a) the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5 of report [FIN/517](#);
- b) the Treasury Management Strategy contained within Section 6 of report [FIN/517](#);
- c) the Investment Strategy contained within Section 7 of report [FIN/517](#);

Reasons for the Recommendations

The Council's financial regulations, in accordance with the CIPFA Code of Practice for Treasury Management, requires a Treasury Management Strategy to be approved for the forthcoming financial year. This report complies with these requirements.

11. 2020/2021 Budget Monitoring - Quarter 3

The Leader presented report [FIN/516](#) of the Head of Corporate on the Quarter 3 budget monitoring, which set out a summary of the Council's actual revenue and capital spending for the quarters to December 2020 together with the main variations from the approved spending levels and impact on future budgets. The Leader explained that the impact of the Covid19 has had a dramatically impacted upon the Council budget and income streams, so that at the end of the Quarter 3, even with additional Government funding and significant in year savings, there was a deficit of £100k to the General Fund.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in report [OSC/293](#), to the Cabinet following consideration of the matter at its meeting on 1 February 2021, which included:

- Confirmation provided in relation to Rushetts Road play area which was the only play area on the priority list that met the S106 criteria and the money needed to be spent by the end of June. By completing this area it allowed the team dealing with the play equipment time to work on other priorities within the next 18 months, including areas such as Wakehams Green.
- Potential option for a review of how reports were presented once the pandemic was over, although it was recognised that there were reasons why finances had to be documented in particular formats.

A recorded vote was taken on the recommendations, in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith. (5)

Against the recommendations:
None.

Abstentions:
None.

RESOLVED

That the Cabinet approves the projected outturn for the year 2020/2021 as summarised in this report.

Reasons for the Recommendations

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

12. Community Grants Future Options

The Leader presented report [HCS/24](#) of the Head of Community Services. The report sought to consider the options for the future community grants process. The Cabinet was informed that it was proposed to reduce the grants budget, current set at of £632,000, by one third for the 2021/22, because of the impact on that Covid pandemic has had on the Council's revenue budget. It was explained that the new funding proposal would be based on a commissioning approach, where the Council commissions organisations to provide clear indefinable outcomes for our community. There would also be a £50k pot for smaller grants using a match funding formula.

The Leader commented whilst it was an unfortunate situation that the Council was having to reduce the funding, the Council was still twice as generous as any other similar type of Council in the country. The Council also provides significant property and rental support to a number of charities and third sector organisations, further to the grant funding.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in report [OSC/293](#), to the Cabinet following consideration of the matter at its meeting on 1 February 2021, which included:

- Recognition of the many groups and organisations within the town. It was questioned if all were aware of other funding opportunities. The liaison work with organisations and signposting arrangements would be maintained.
- It was felt it would be beneficial for the new commissioning model to come before the Commission.
- Acknowledgement that in terms of the review process the Grants Appeal Panel was still in existence and it was felt this was the correct approach.
- Recognition that re-designing the service towards a proposed commissioning approach still enabled the service to deliver in an effective and efficient manner whilst maintaining the connections to the community.

A recorded vote was taken on the recommendations, in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith. (5)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

That the Cabinet agrees:

- a) the funding intentions and associated outcomes for the future programme as outlined in section 5 of report [HCS/24](#).
- b) the process for allocating funding as outlined in section 5 of report [HCS/24](#).
- c) the process for approving grant allocations and appeals process in 2021/22 and 2022/23 as outlined in section 5 of report [HCS/24](#).

Reasons for the Recommendations

The proposed transfer will reduce the budget gap in the General Fund as laid out in the Budget Strategy. The recommendations support the Council to achieve a balanced budget position for 2021/22 onwards whilst retaining sufficient revenue funds to deliver a high quality outcome focused commissioning and small grants programme that can better respond to our community's needs.

They also take into account the needs of the organisations that we currently fund and allow us to support them through a transition period, as appropriate to their individual circumstance.

13. Forward Programme of Key Procurements (January-June 2021)

The Leader presented report [FIN/513](#) of the Head of Corporate Finance. The report detailed the current forward programme of key procurements and sought delegated authority for the contract award approvals following the appropriate procurement process to the Leader. It was detailed that the purpose of the proposal was to ensure the Council's decision making relating to procurement decisions were efficient and also in line with the Constitution.

A recorded vote was taken on the recommendations, in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith. (5)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

That the Cabinet:

- a) approves the procurement forward programme January – June 2021.
- b) delegates authority to the Leader of the Council in consultation with the relevant Cabinet Member, Opposition Leader, Head of Service, and Head of Legal, Governance and HR to approve the award of the contract following an appropriate procurement process
- c) delegates the negotiation, approval and completion of all relevant legal documentation, following the awarding of the contracts to the relevant Head of Service, Head of Legal, Governance and HR, Head of Corporate Finance, in consultation with the appropriate Cabinet Member.

(Generic Delegations 2 & 3 will be used to enact this recommendation)

Reasons for the Recommendations

By approving the procurement forward programme there is greater transparency of future procurement processes allowing more scope for internal stakeholders to input into how future contracts are delivered.

The approval of the forward programme provides a key decision that will enable the individual procurement processes to be awarded under delegated authority once the tender process has concluded giving the Council the ability to reduce the time required to complete a procurement process.

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

RESOLVED

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

15. The Hawth Theatre - Contract Extension

Exempt Part B - By Virtue of Paragraph 3
Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The Cabinet received report HPS/24 of the Head of Major Projects and Commercial Services. The report sought an extension to the contract for a further four years along with a repayable grant to Parkwood Leisure. The Cabinet were provided with an updated on the current position by the Head of Major Projects and Commercial Services.

A recorded vote was taken on the recommendations, in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:
Councillors Irvine, Jhans, Lamb, and P Smith. (4)

Against the recommendations:
None.

Abstentions:
None.

RESOLVED

That the Cabinet approves

- a) a four year extension of the Hawth Theatre Contract with Parkwood Leisure covering the period February 1st 2022 to January 31st 2026.
- b) entering into a deed of variation setting out the revisions to the terms of the Hawth Theatre contract as listed in paragraph 5.2 of this report.

RECOMMENDATION 7

That Full Council is recommended to approve:

- a) The allocation of a repayable Capital Grant of £400,000 to Parkwood Leisure to provide support towards costs incurred during the Covid-19 pandemic as a result of distancing measures imposed upon theatres, and
- b) That the repayment of the Capital Grant occurs over the four year contract extension period.

Reasons for the Recommendations

The recommendation will enable the Hawth to continue trading over the remaining period of the contract and will provide stability of the local offer in the coming years where there is expected to be continued turbulence in the wider market.

The recommendation to extend the contract for four years will see a stepped reduction in the management fee and the introduction of a profit share mechanism which will support the Council's Medium Term Financial Strategy.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.28 pm

P K LAMB
Chair

Appendix A - Principal Petitioner's Written Statement

Statement regarding the closure of Crawley Adventure playgrounds. *(Updated since the OSC meeting)*

The adventure playgrounds are a part of Crawley's history, they have been around for 60 years!

I grew up spending most of my childhood playing in them as did my parents and so have my children. They are still well used by so many local families.

We love having somewhere to go that provides a safe place to be outside, socialising and exercising - with toilets, staff and refreshments available to all.

Parents can meet up and we can bring the little ones along and they play here all day, they make new friends, gain confidence, get fresh air and exercise without it costing a fortune.

Play is proven to be a vital part of a child's development; Play improves the cognitive, physical, social, and emotional well-being of children and young people. Through play, children learn about the world and themselves. They also learn skills they need for study, work and relationships such as: confidence.

Throughout the last 12 months the younger people within our community have suffered severely, they have been forced into lock-downs and quarantine, taken away from their peers, family members, schools and general social circles.

Many children have shown to be struggling with their mental well-being and here you are saying that when they are finally able to get out and mix again- there will be no where to go!

Youths of today are the future of this town. It is how we treat them and look after them now that will have a huge impact on the future employment and economy of Crawley.

Just because they can't speak up does not give anyone the right to ignore their human rights to play and good mental health.

The adventure playgrounds also offer reasonably priced childcare services throughout school holidays for those of us that don't have the ability to pay private fees whilst we are at work. For some parents this is a life line and we will be lost without it.

Without these supervised play areas, Where can you go knowing that the kids can roam free without the worry of safety and knowing there is always a safe adult to hand if needed.

Where will our children go to socialise now?

What type of people could these areas attract if unsupervised?

It will be the older generation complaining when they are out on the streets, causing mischief and creating issues due to boredom or the council complaining when having to deal with the cost of the therapy requirements due to them stopping going out, socialising and relying solely on technology?!

We don't have the old youth clubs anymore, so these are usually their only safe options! What good will your decisions do for the mental health of the next generation?

If its not viable to keep all 4 open would they not consider keeping 2 open and to give families the opportunity to utilise them, they stated that waterlea still has a pot there for the new equipment so has that already been accounted for?

Public consultation was only to 1200 Crawley residents and only had 1 question referring to play areas so that is not a fair response!

Please we urge you to look at the options again and review this decision!

Crawley Borough Council

Minutes of Planning Committee

Monday, 8 February 2021 at 7.00 pm

Councillors Present:

J Purdy (Chair)

J Hart (Vice-Chair)

L M Ascough, A Belben, I T Irvine, K L Jaggard, M Mwangale, M W Pickett, T Rana and P C Smith

Officers Present:

Dimitra Angelopoulou	Senior Planning Officer
Valerie Cheesman	Principal Planning Officer
Mez Matthews	Democratic Services Officer
Marc Robinson	Principal Planning Officer
Linda Saunders	Planning Solicitor
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Support Officer

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor P Smith	Planning application CR/2018/0172/FUL – Gatwick School, 23 Gatwick Road, Northgate, Crawley (Minute 4)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District
Councillor P Smith	Planning application CR/2018/0172/FUL – Gatwick School, 23 Gatwick Road, Northgate, Crawley (Minute 4)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application
Councillor Irvine	Planning application CR/2020/0037/FUL – Land Parcel Russell Way (Former TSB Site), Three Bridges, Crawley (Minute 5)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application

Agenda Item 6 Appendix f

Planning Committee

8 February 2021

Councillor Purdy	Planning application CR/2020/0037/FUL – Land Parcel Russell Way (Former TSB Site), Three Bridges, Crawley (Minute 5)	Personal Interest – employed by UK Power Networks (a consultee on the application that did not provide a response)
Councillor P Smith	Planning application CR/2020/0037/FUL – Land Parcel Russell Way (Former TSB Site), Three Bridges, Crawley (Minute 5)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application
Councillor Irvine	Planning application CR/2020/0192/RG3 – Breezehurst Playing Fields, off Breezehurst Drive, Bewbush, Crawley (Minute 6)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application
Councillor Irvine	Planning application CR/2020/0192/RG3 – Breezehurst Playing Fields, off Breezehurst Drive, Bewbush, Crawley (Minute 6)	Personal Interest – Cabinet member for Housing
Councillor Irvine	Planning application CR/2020/0192/RG3 – Breezehurst Playing Fields, off Breezehurst Drive, Bewbush, Crawley (Minute 6)	Personal Interest – a member of the High Weald Area of Natural Beauty Joint Advisory Committee, a consultee on the application
Councillor Purdy	Planning application CR/2020/0192/RG3 – Breezehurst Playing Fields, off Breezehurst Drive, Bewbush, Crawley (Minute 6)	Personal Interest – employed by UK Power Networks (a consultee on the application that did not provide a response)
Councillor P Smith	Planning application CR/2020/0192/RG3 – Breezehurst Playing Fields, off Breezehurst Drive, Bewbush, Crawley (Minute 6)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillors A Belben, Hart, Irvine, Jaggard, Mwagale, Purdy, and P Smith had been lobbied regarding application CR/2018/0172/FUL – Gatwick School, 23 Gatwick Road, Northgate, Crawley.

3. Minutes

The minutes of the meeting of the Planning Committee held on 12 January 2021 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2018/0172/FUL - Gatwick School, 23 Gatwick Road, Northgate, Crawley

The Committee considered report [PES/359a](#) of the Head of Economy and Planning which proposed as follows:

Permanent change of use from offices (B1) to co-educational school (D1), including new external over-cladding, new windows and doors, new build sports hall and stairway, revised car parking, external play areas and landscaping.

Councillors A Belben, Jaggard, Mwagale, Purdy, and P Smith declared they had visited the site.

The Principal Planning Officer (VC) provided a verbal summation of the application, which consisted of the change of use of the two main buildings linked by a smaller adjoining building, and external alterations and an extension. The application also included proposals for a sports hall, multi-use games area, and various parking arrangements. The site had been operating as a school with limited pupil numbers since 2014, initially under permitted development rights and subsequently under two temporary permissions – this application sought to increase the maximum number of pupils to 1020. The Officer advised that the Local Plan and Government policy emphasised the importance of establishing new educational facilities. The Officer outlined various aspects of the application related to traffic and parking management that had been adapted since the refusal of the previous application in 2015.

Updates

The Officer highlighted the addendum to the report which had been published as a supplementary agenda. The addendum referred to the Local Planning Authority's consideration of the Public Sector Equality Duty and protected characteristics in regard to the application, specifically in terms of noise levels at the site.

The Committee heard that a further representation had been received since the report was published which consisted of a public petition of 1,441 signatures in support of the application.

The Committee was asked to note that there was an error in paragraph 5.82 of the report – it should read '39 parent spaces' rather than '19 parent spaces'.

The Officer then updated the Committee that conditions 9, 13, and 16 had been amended following negotiation with the applicant and agent since the report was published. The amended conditions read as follows:

'9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.'

'13. The provisions of the Car Park Management Plan (January 2021) shall be implemented and operated as approved for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safe operation of the car park and in the interests of highway safety, in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.'

'16. Prior to the commencement of development of the sports hall, there shall be submitted to and approved in writing by the Local Planning Authority a report assessing the technical, environmental and economic feasibility of using high-efficiency alternative energy systems in the construction of the building, and outlining how the development has incorporated any appropriate technologies. The development shall be implemented in accordance with the approved details.

REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of Crawley Borough Local Plan 2015-2030.'

In line with the Council's Virtual Committee Procedure Rules, one statement submitted by members of the public in regard to the application was read to the Committee.

A statement from the agent (JLL) on behalf of the applicant (the Education and Skills Funding Agency) had been prepared in conjunction with the Gatwick School, and highlighted matters including:

- The suitability of both the building and the location for an educational facility.
- The additional facilities to be provided, such as a sports hall and multi-use games area, which were projected to benefit the pupils and the wider community by offering rental of the spaces to local business and groups.
- The measures introduced (e.g. a staggered timetable and a 'kiss and drop' parking arrangement) to satisfy West Sussex County Council's (WSSCC) Highways department's original concerns regarding traffic flow.

The Committee then considered the application. Committee members expressed concerns regarding access, parking, and surroundings given the location of the school and the high numbers of cars accessing the site. It was heard that Travel Plans and a Car Park Management Plan had been developed and the school had implemented a staggered timetable to spread out vehicle movements, and staff and parent parking proposals had been amended. Concerns about the sustainability of the location were mitigated by the various conditions and the Section 106 agreement, which would require highway improvements and a nearby pedestrian crossing among other matters. The Committee expressed support for the revised proposals and it was

noted that significant work had been done on the application, such as further traffic modelling, which had offered an updated understanding of the traffic flow at and around the site. The Committee recognised that WSCC's Highways department no longer objected to the proposals.

The Officer gave the following information in response to further questions from Committee members:

- Pupils may not necessarily live in Crawley as the free school did not have a catchment area. Those living elsewhere may travel to school with family who may work in Manor Royal. Pupils may also travel by bus, of which an additional service was proposed to be run by Metrobus (subject to a financial contribution secured via a Section 106 agreement).
- The site was approximately 350 metres from the end of a proposed future southern runway at Gatwick airport; the existing runway was further away than this. Committee members expressed concerns about possible air pollution. An air quality assessment had deemed the air quality at the site acceptable but this related only to road traffic sources or virtual organic compounds.
- On receipt of a suggestion from a Committee member proposing pedestrian access to the school via a railway bridge (between Tinsley Green and Tinsley Lane), it was explained that this was outside of the remit of this application and had not been requested by WSCC's Highways department.

Committee members discussed the importance of providing quality education and the need to create more school places in Crawley.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:

Councillors Ascough, A Belben, Hart, Irvine, Jaggard, Mwagale, Purdy, Rana, and P Smith (9).

Against the recommendation to permit:

Councillor Pickett (1).

Abstentions:

None.

RESOLVED

Permit subject to the completion of a Section 106 agreement to secure the elements set out in paragraph 5.153 of report PES/329a, and the conditions set out in the report with conditions 9, 13, and 16 amended as follows:

'9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.'

'13. The provisions of the Car Park Management Plan (January 2021) shall be implemented and operated as approved for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safe operation of the car park and in the interests of highway safety, in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.'

'16. Prior to the commencement of development of the sports hall, there shall be submitted to and approved in writing by the Local Planning Authority a report assessing the technical, environmental and economic feasibility of using high-efficiency alternative energy systems in the construction of the building, and outlining how the development has incorporated any appropriate technologies. The development shall be implemented in accordance with the approved details.

REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of Crawley Borough Local Plan 2015-2030.'

5. Planning Application CR/2020/0037/FUL - Land Parcel Russell Way (Former TSB Site), Three Bridges, Crawley

The Committee considered report [PES/359b](#) of the Head of Economy and Planning which proposed as follows:

Erection of L shaped 4 storey building comprising 59 x flats with associated landscaping, refuse and cycle storage, infrastructure works and parking court at the rear (amended plans received).

Councillors A Belben, Jaggard, Purdy, and P Smith declared they had visited the site.

The Senior Planning Officer provided a verbal summation of the application. The proposed development was situated on a brownfield site which was an allocated deliverable housing site in the Local Plan. The building was said to be of an acceptable size and design, and the proposed provision of 20% affordable housing units had been justified in viability terms. The provision of 40 parking spaces represented a shortfall of between 29 and 42 spaces based on the Council's indicative parking standards, but due to the sustainable location of the site, local car ownership data, the submission of a Travel Plan, the provision of sufficient cycle parking, and WSCC's Highways department having no objection, the parking provision was considered to be acceptable on balance.

In line with the Council's Virtual Committee Procedure Rules, a statement submitted by members of the public in regard to the application were read to the Committee.

A statement from the agent (Savills) on behalf of the applicant (Bellway Homes) highlighted matters including:

- The site was an allocated key housing site and had been vacant for over 20 years; the application sought to regenerate the site.
- The proposal sought to utilise the available space by maximising the number of homes at the site, 12 of which would be affordable housing units.
- Design aspects of the proposal allowed for an improved street scene, natural surveillance of its surroundings, and enhancements to structural landscaping.

The Committee then considered the application. Committee members expressed support for the sustainable location of the development and the condition to secure

fixed solar panels on the roof of the building. A Committee member suggested the creation of a ramp at the eastern side of the site to allow for easier cycle access between Russell Way and the Tilgate Drive footpath/cycle path (the existing access was via a steep ramp and steps). The Officer confirmed that this had not been required by WSCC's Highways department and was therefore not included in the Section 106 agreement.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:

Councillors Ascough, A Belben, Hart, Irvine, Jaggard, Mwagale, Pickett, Purdy, Rana, and P Smith (10).

Against the recommendation to permit:

None.

Abstentions:

None.

RESOLVED

Permit subject to the conclusion of a Section 106 agreement and the conditions set out in report PES/359b.

6. Planning Application CR/2020/0192/RG3 - Breezehurst Playing Fields, off Breezehurst Drive, Bewbush, Crawley

The Committee considered report [PES/359c](#) of the Head of Economy and Planning which proposed as follows:

Erection of 85 affordable houses & flats, comprising:

18 x one bedroom flats

38 x two bedroom flats

9 x two bedroom houses

17 x three bedroom houses

3 x four bedroom houses

Access roads, car parking, sports pitch, open space & associated works (amended plans and description).

Councillors A Belben, Purdy, and P Smith declared they had visited the site.

The Principal Planning Officer (MR) provided a verbal summation of the application, which sought permission for a development of 85 units on part of the land at Breezehurst playing fields. The proposals included access via new roadways and a total of 140 parking spaces. Improvement works to the remaining section of the playing field and playing fields off-site were proposed to be secured via conditions and a Section 106 agreement.

The Officer updated the Committee that paragraph 2.3 of the report should make reference to the removal of five trees rather than three trees. It was also clarified that the wording of the recommendation was to become 'to permit subject to the

completion of the S106 Agreement *and the following conditions*'. The Officer then provided the following updates regarding the plans and drawings to be considered:

- Drawings 16 (House Type 4A Floor Plans & Elevations) and 17 (House Type 4B Floor Plans & Elevations) had been superseded;
- Drawings 18 (Apartment Block A – Ground & First Floor Plans) and 19 (Apartment Block A – Second Floor & Roof Plans) were corrected to revision P04, rather than P03;
- Drawing 24 (Apartment Blocks B, C, D & E – North & South Elevations) was correct to revision P05, rather than P04;
- Drawings 28, 29, 30, 31, and 32 (Street A, B, C, and D Elevations) remained relevant but were not to be included on the decision notice.

In line with the Council's Virtual Committee Procedure Rules, three statements submitted by members of the public in regard to the application were read to the Committee.

Three statements from neighbours to the site – Hannah Wheeler, Myra Goodenough, and Nichola Godwin – raised the following matters:

- The green space had a community feel and was currently of benefit to many local residents who had concerns about the loss of the space and the future plans for the remaining section of the field.
- A lack of communication regarding the potential for development at the site.
- Concerns regarding the disruption, noise, and dust caused by building works, as well as the impact on traffic after completion of the development.

The Committee considered the application. Discussion ensued regarding the loss of a section of the playing fields and Committee members expressed sympathy for the neighbours affected by this. The Officer explained that Bewbush had a good provision of playing fields but that their quality and usability was poor. The works to the retained section of the playing fields would improve the quality of sports provision locally, and the Section 106 agreement would secure from the applicant ongoing financial contributions to the maintenance of the playing fields for 15 years. It was confirmed that the site was a key housing site as allocated by the Local Plan in 2015, which had undergone a consultation process in 2012. The Officer assured the Committee that permitting this application would not set a precedent for the construction of future developments on green spaces throughout Crawley as each site was considered on its own merits.

Regarding the timescale for the works to the retained playing fields, the Officer explained that this would be confirmed via a schedule of works as part of the Section 106 agreement and the conditions. It was estimated that the remaining section of the playing field would be upgraded after the erection of the dwellings as it would be used in part as a haul route to the site during construction to limit disturbances to neighbours by vehicle movements.

Other matters discussed were:

- The requirement for a Construction Management Plan and the need for dust suppression measures.
- Support for the provision of electric vehicle charging points – allocated to all houses and to at least 20% of communal parking spaces. The allocation of parking would be subject to control by the Council as the applicant.

- The withdrawal of Sports England's initial objection, which was due to the proposals to improve the retained on and off-site sports pitches and the methods of ensuring the implementation of this.
- The location of the windows in the four blocks of flats close to the A2220 (Horsham Road). To mitigate noise from the road, it was proposed to have single windows in the majority of rooms which faced north-east, north, or north-west. These would provide natural light and an outlook. The small number of south-facing openings were to areas such as hallways and were likely to be non-opening to prevent noise issues for future residents.
- The path and area to the north of the site (between the proposed development and existing houses in Douster Crescent and Waterfall Crescent) was to consist of borders of open railings and newly planted trees, and would not be an alleyway or other confined space.

Committee members commended the 100% provision of affordable housing. The Committee also expressed support for the proposed layout and access, including the traffic calming measures.

Councillor Pickett left the meeting during the discussion and was not present for the vote on the item.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:

Councillors A Belben, Hart, Irvine, Jaggard, Mwagale, Purdy, Rana, and P Smith (8).

Against the recommendation to permit:

Councillor Ascough (1).

Abstentions:

None.

RESOLVED

Permit subject to the conclusion of a Section 106 agreement and the conditions set out in report PES/359c (as amended).

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.53 pm

J Purdy (Chair)

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NOTICE OF PRECEPT 2021/22 – ‘COUNCIL TAX RESOLUTION’ (Recommendation 8) (FIN/523)

1 BACKGROUND

- 1.1 The Localism Act 2011 has made significant changes to the Local Government Finance Act 1992, and now requires the billing authority to calculate a Council Tax requirement for the year, not its budget requirement as previously.
- 1.2 Since the meeting of the Cabinet the precept levels of other precepting bodies have been received. These are detailed below.

2 PROPOSALS

2.1 Crawley Borough Council

The Crawley Borough Council Precept for 2021/22 totals £7,476,253. The increase in the Band D Council Tax for Crawley Borough is 2.37% and results in a Band D Council tax of £213.84 for 2021/21.

2.2 West Sussex County Council

West Sussex County Council met on 12 February 2021 and set their precept at £52,812,047.66 adjusted by a contribution to the Collection Fund of £5,611,179.40 (Council Tax: £449,113.40; Business Rates: £5,162,066.00). This results in a Band D Council Tax of £1,510.56. The County Council’s charge includes an additional 3% for Adult Social Care.

2.3 Police and Crime Commissioner for Sussex

The Police and Crime Commissioner for Sussex met on 29 January 2021 and set their precept at £7,513,661.93 adjusted by a contribution to the Collection Fund of £62,403.40. This results in a Band D Council Tax of £214.91.

2.4 Total Band D Council Tax

If the formal Council Tax Resolution is approved (in Recommendation 5 below), the total Band D Council Tax will be as follows

	2020/21 £	2021/22 £	Increase %
Crawley Borough Council	208.89	213.84	2.37
West Sussex County Council	1,438.74	1,510.56	4.99
Police and Crime Commissioner for Sussex	199.91	214.91	7.50
Total	1,847.54	1,939.31	4.97

RECOMMENDATION 8

That the Full Council, following the receipt of the notice of precept from the Police and Crime Commissioner for Sussex and West Sussex County Council and the approval of the Council's budget be RECOMMENDED to approve of the following:

1. That it be noted that on 20 January 2021 the Leader of the Council under delegated powers calculated the Council Tax Base 2021/22 for the whole Council area as **34,961.9** [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 2021/22 is calculated at £7,476,253.
3. That the following amounts be calculated for the year 2021/22 in accordance with Sections 31 to 36 of the Act:

(a)	£116,146,244	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)	£108,669,991	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£7,476,253	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)	£213.84	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)	£213.84	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 2021/22 for each part of its area and for each of the categories of dwellings.

COUNCIL TAX SCHEDULE 2021/22

	CRAWLEY BOROUGH COUNCIL	WEST SUSSEX COUNTY COUNCIL	POLICE AND CRIME COMMISSIONER FOR SUSSEX	TOTAL
BAND A	142.56	1,007.04	143.27	1,292.87
BAND B	166.32	1,174.88	167.15	1,508.35
BAND C	190.08	1,342.72	191.03	1,723.83
BAND D	213.84	1,510.56	214.91	1,939.31
BAND E	261.36	1,846.24	262.67	2,370.27
BAND F	308.88	2,181.92	310.43	2,801.23
BAND G	356.40	2,517.60	358.18	3,232.18
BAND H	427.68	3,021.12	429.82	3,878.62

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 2021/22 is NOT excessive in accordance with principles approved by the Secretary of State under Section 52ZC of the Act.

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