



# Crawley Borough Council

## Notification of Decisions

To: All Councillors

The decisions of the **Cabinet** held on **10 March 2021** are attached.

The Call-in Period ends at noon on the 5<sup>th</sup> day following publication, namely noon on the Tuesday 16 March 2021

The call-in form is attached for your use if required. For further information please refer to the relevant sections of the [Constitution](#).

Yours faithfully

A handwritten signature in black ink, appearing to read "A. M. Fennell", written in a cursive style.

**Chief Executive**

Published on 11 March 2021

Item No.	Title	Decision
5.	"One Town" - Draft Crawley Economic Recovery Plan	<p><b>RESOLVED</b></p> <p>That the Cabinet approves, to go out to public consultation for a period of six weeks, the draft Crawley Economic Recovery Plan (Appendix A to report <a href="#">PES/385</a>) subject to the following amendments shown in <b>bold</b> below, being included in the Recovery Plan in order to emphasise findings from the Local Plan Review:</p> <ul style="list-style-type: none"> <li>• Add to slide 3 – Crawley’s “One Town” Vision for 2050 the following bullet point: <b>‘new sites to provide for all Crawley’s employment growth sectors and help boost jobs for residents’</b></li> <li>• Add to slide 6 – <i>Plan to Restore Economic Success Post COVID-19, under “Structural Challenges”</i>: <b>‘Limited overall available employment land supply’</b></li> </ul> <p><b>Reasons for the Recommendations</b></p> <p>Cabinet approval is sought to go out to public consultation in order to seek feedback and input to help develop the draft Plan and to secure broad support for the proposals.</p> <p>Crawley’s Local Plan Review process has included a thorough Economic Growth Assessment and an Employment Land Availability Assessment to ensure the Borough’s projected economic growth can be accommodated and this reveals that Crawley has a forecast employment land deficit over the period to 2037 and that as a result additional employment land allocations will be required.</p>
6.	West Sussex Health and Care in Housing Memorandum of Understanding	<p><b>RESOLVED</b></p> <p>That the Cabinet:</p> <ol style="list-style-type: none"> <li>endorses and agrees the development of a local health, housing and social care MOU based on the priorities for action set out in 6.5 of report <a href="#">SHAP/80</a>, drawn from existing Council strategies.</li> <li>delegates authority to the Head of Strategic Housing Services to act as signatory to the MOU and any associated protocols arising from it on the Council’s behalf and to approve any revisions required to ensure it continues to reflect the Council’s priorities.</li> </ol>

		<p><i>(Generic Delegation 3 will be used to enact this recommendation).</i></p> <p><b>Reasons for the Recommendations</b></p> <p>Historically achieving the effective engagement of health service partners in addressing the often complex needs of those trying either to access accommodation or to sustain their existing accommodation has proved challenging.</p> <p>A clear and shared understanding of a set of key commitments by health, social care and housing partners to address the greatest needs across local communities would complement, support and work alongside existing strategies, including the Council's Homelessness and Rough Sleepers Strategy, in delivering improved outcomes and preventing and relieving homelessness.</p> <p>The development of a local Health, Social Care and Housing MOU provides a reset opportunity for our relationship with health partners and a platform for improved engagement.</p>
7.	Proposed Extension of Crawley Air Quality Management Area Boundary	<p><b>RESOLVED</b></p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> <li>a) notes and acknowledge that it appears following the annual review and assessment of air quality, that the annual mean nitrogen dioxide objective as specified in the Air Quality Regulations 2000 is not being achieved within the area outlined in red on the plan in Schedule 1 of Appendix A of report <a href="#">HCS/25</a> (comprising the whole of the designated area under the Hazelwick AQMA and an area adjacent thereto) and;</li> <li>b) agrees to extend the designated area of the existing Hazelwick AQMA by making an order pursuant to section 83 of the Environment Act 1995 in the terms set out in the draft at Appendix A to report <a href="#">HCS/25</a>.</li> </ul> <p><b>Reasons for the Recommendations</b></p> <p>The council has a statutory duty under the Environmental Act 1995 to declare an Air Quality Management Area in areas where, following an air quality review, it appears that any of the National air quality objectives are not being met.</p> <p>The Council monitors and reviews air quality across the borough annually to identify those areas where prescribed air quality objectives, are being, or are likely to be,</p>

		<p>exceeded. Having identified locations in this area that are exceeding the limits for annual average nitrogen dioxide, the Council has a duty to declare an AQMA.</p> <p>Declaring the AQMA, enables an air quality action plan to be produced to target the sources of pollution in the locality and draw up measures to improve air quality in this area.</p>
8.	Community Grants Allocations	<p><b>RESOLVED</b></p> <p>That the Cabinet approves the allocation of Community Grants in 2021/22, as is set out the table in paragraph 5.9 of report <a href="#">HCS/27</a>.</p> <p><b>Reasons for the Recommendations</b></p> <p>The recommendation supports the Council to achieve a balanced budget position for 2021/22 onwards.</p> <p>It responds to the approach agreed at Cabinet on 3 February 2021, that being the implementation of a transitional year that supports the Council to develop and implement a high quality outcome focused commissioning and small grants programme from 2022/23 onwards that can better respond to our community's needs.</p> <p>It takes into account the needs of the organisations that we currently fund by factoring in their ability to deliver to the stated outcomes and their current financial position, in determining individual allocations. Alongside this, our intention is to provide support to organisations to build capacity and resilience through the development of dedicated transition plans, in readiness, where appropriate, for the 2022/23 funding programme.</p>
9.	Annual Community Infrastructure Levy (CIL) Statement	<p><b>RESOLVED</b></p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> <li>a) notes the funds received to date and the need to revisit CIL income calculations on Local Plan viability grounds.</li> <li>b) notes the outcome of the WSCC budget review which will impact upon the current arrangements for managing the Neighbourhood Improvement Strand of CIL funding through Crowdfund Crawley.</li> <li>c) approves that the proposed CIL strategic infrastructure spend priorities to end March 2025 (Section 7.4 of report <a href="#">PES/370</a>) remain as per the previous year 2020/21.</li> </ul>

		<p>d) approves that the Infrastructure Business Plan (Appendix A of report <a href="#">PES/370</a>), including the funding programme, will continue to be reviewed on an annual basis to take into account any changes in strategic infrastructure priorities and fluctuations in CIL receipts compared to the forecast. The next review is proposed to take place in March 2022</p> <p>e) approves a one year extension to the Spacehive contract to continue the “Crowdfund Crawley” initiative, pending a review of the community grants programme by Community Development.</p> <p><b>Reasons for the Recommendations</b></p> <p>To provide clarity on the way forward for Crawley’s Infrastructure Business Plan and the priority schemes for the CIL Strategic Infrastructure strand spend.</p> <p>To ensure continuity for the ongoing delivery of the “Crowdfund Crawley” initiative, pending the above community grants programme review.</p>
10.	Procurement Shared Service Extension	<p><b>RESOLVED</b></p> <p>That the Cabinet</p> <p>a) approves that Crawley Borough Council continue to act as lead authority and provide procurement services on behalf of Horsham District Council, Mid Sussex District Council and Mole Valley District Council from 1 April 2022.</p> <p>b) agrees to the provision of services under an Inter-Authority Agreement for a minimum period of four years commencing on 1 April 2022 to 31 March 2026 with an option to extend for a further period of up to four years.</p> <p>c) agrees to accept a delegation from Horsham District Council, Mid Sussex District Council and Mole Valley District Council of their procurement functions under Section 101 of the Local Government Act 1972.</p> <p>d) delegates authority to the Head of Legal, Governance and HR and Head of Corporate Finance to agree the terms of the Inter-Authority Agreement which reflects the principles outlined in the report.</p> <p>e) delegates to the Head of Legal, Governance and HR, and Head of Corporate Finance the ability to apply the four year extension at the end of the initial term</p>

		<p>subject to performance review and in consultation with the Leader of the Council.</p> <p><b>Reasons for the Recommendations</b></p> <p>The current joint working arrangement with Horsham District Council, Mid Sussex Council and Mole Valley District Council is due for renewal on 31<sup>st</sup> March 2022 and therefore there is a need for Members to agree how procurement services will be provided in the future in order to give partners assurance that services will continue beyond this date.</p>
11.	Microsoft Enterprise License Agreement 2021-24	<p><b>RESOLVED</b></p> <p>That the Cabinet delegates</p> <ul style="list-style-type: none"> <li>a) authority to the Head of Digital and Transformation (in consultation with the Cabinet Member for Planning and Economic Development) to approve the award of the contract for the renewal of the Council's Microsoft Licenses following the appropriate procurement process (within the appropriate existing budgets).</li> <li>b) the negotiation, approval and completion of the all the relevant legal documentation following the award of contract to the Head of Digital and Transformation, Head of Legal, Governance &amp; HR, in consultation with the Cabinet Member for Planning and Economic Development. <i>(Generic Delegation 2 &amp; 3 will be used to enact this recommendation).</i></li> </ul> <p><b>Reasons for the Recommendations</b></p> <p>To provide a key decision that will enable the procurement process to be awarded under delegated authority once the tender process has concluded.</p>
12.	Leisure Contract - Extension of Variation Order	<p><b>RESOLVED</b></p> <p>That the Cabinet approves the extension of the contract variation with Everyone Active under the terms set out in section 5.9 of this report <a href="#">HPS/26</a>.</p> <p><b>Reasons for the Recommendations</b></p> <p>The recommendation facilitates the re-opening of the leisure centres from 29 March 2021 and the phased opening of</p>

		additional facilities over the coming months in accordance with the Government announcement on 22 February 2021 and in accordance with Procurement Policy Note 02/20 (Supplier Relief Due to Coronavirus).
13.	Crawley Town Investment Plan - Draft Heads of Terms	<p><b>RESOLVED</b></p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> <li>a) authorise the Chief Executive to sign the Crawley Town Deal Heads of Terms, as set out in Appendix A to report <a href="#">PES/386</a>.</li> <li>b) delegates authority to the Chief Executive in consultation with the Leader of the Council and the Leader of the Opposition to submit to government on behalf of the Council further details of the plans and budget profiles for the individual projects within the Crawley Town Deal and a plan to address the Heads of Terms key conditions.</li> </ul> <p><b>Reasons for the Recommendations</b></p> <p>In order to be able to respond to the government by their set deadline of 24 March, Cabinet is requested to authorise the Chief Executive to sign and return the Crawley Town Deal Heads of Terms document, subject to Crawley Town Deal board sign off.</p> <p><b><i>Special Urgency Provision has been used for this item and the item has been Protected from Call-in by the Chief Executive)</i></b></p>

## FORM OF NOTIFICATION OF SUPPORT FOR CALL-IN

Any Councillor of the Council, calling in a decision, must then obtain within the five working days following the call-in, the support of three other Councillors of the Council.

In order to ensure that Call-In is not abused, nor causes unreasonable delay, the following requirements must be fully satisfied before a matter will be considered for Call-In:

- a) At least four Councillors (one of which will be the named signatory) must request Call-In of the decision. Failure to obtain the support of three other Councillors within this period will mean that the original decision will stand, on the sixth day, the decision will be implemented.
- b) The request for Call-In must specify the reason for the Call-In and provide evidence which demonstrates the alleged breach of at least one principle of decision making.
- c) The request for Call-In must be received by the Monitoring Officer by 12 noon on the fifth day following publication of the decision. The request for Call-In should either be submitted:
  - In Hard Copy: including the signatures of the Councillor requesting the Call-In and those Councillors supporting the Call-In.
  - Electronically: to [democraticservices@crawley.gov.uk](mailto:democraticservices@crawley.gov.uk). The Councillor requesting the Call-In must submit the form and each Councillor supporting the Call-In must send an email in support. All emails must be sent from the Councillors' individual Crawley Borough Council email address.
- d) The decision for which Call-In is requested must not have been subject to a prior Call-In request.
- e) Should the proposed Call-In decision have been considered by the Commission, the justification must also explain why the Councillor requesting the Call-In is of the view that, either:
  - The Commission did **not fully** scrutinise the decision in advance of it being taken; or
  - The views of the Commission were **not fully** considered or addressed by the Cabinet in their decision making.

Decision being called in (including item no.)	Which provisions have been breached and how?



## **Signatories**

1. Signature of Councillor calling-in the decision

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Name in capitals

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2. Signature of Councillor Supporting the call-in

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Name in capitals

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3. Signature of Councillor Supporting the call-in

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Name in capitals

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4. Signature of Councillor Supporting the call-in

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Name in capitals

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