

Crawley Borough Council

Minutes of Cabinet

Wednesday, 10 March 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
B A Smith	Cabinet Member for Public Protection and Community Engagement
P C Smith	Cabinet Member for Planning and Economic Development and Deputy Leader

Also in Attendance:

Councillor T G Belben, R D Burrett, D Crow and K McCarthy

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ian Duke	Deputy Chief Executive
Karen Hayes	Head of Corporate Finance
Heather Girling	Democratic Services Officer
Diana Maughan	Head of Strategic Housing
Gill Narramore	Senior Environmental Health Officer
Chris Pedlow	Democratic Services Manager
Nigel Sheehan	Head of Projects and Commercial Services
Clem Smith	Head of Economy and Planning
Kate Wilson	Head of Community Services

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Jhans	Proposed Extension of Crawley Air Quality Management Area Boundary (Minute 7)	Personal Interest – Lives in a property that would be covered by the proposed AQMA

Councillor Lamb	Proposed Extension of Crawley Air Quality Management Area Boundary (Minute 7)	Personal Interest – Lives in a property boarding the proposed AQMA
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2. Minutes

The minutes of the meeting of the Cabinet held on 3 February 2021 were approved as a correct record and signed by the Leader.

3. Public Question Time

The Cabinet received a written question which related to Item 9 Community Grants Allocations 2021/22 from Chris Cheshire (*Resident of Gossops Green, on behalf of Crawley Community Action trustees, beneficiaries & supporters*)

Question –

When the CEO of an organisation which has deservedly retained its funding, acknowledged their debt to Crawley Community Action, he added: ‘Should CCA not exist, it will lead to an increasing disconnect between organisations, impact the community, and leave organisations without a support mechanism.’ Does the Council really want to risk this?

In response Councillor Lamb commented

Issue relates to changes being made to Community Grants. The Council has suffered significant reduction in its income this year as a result of Covid19 and came after further reduction in its income. Obviously, you can’t have that source of change without it having an impact and the change in grants was one of the things that was agreed and consulted upon with the public who expressed support for this as way of dealing with the budget gap.

That amount of money for community grants remains far larger than any other council of our type and so it is still a generous amount of money, in addition to a substantial amount of property available to charities.

As part of these proposals Crawley Community Action, otherwise known as Crawley Community Voluntary Service it is proposed that the Council cease funding them and at the time of engagement they seemed to imply they had other sources of funding but certainly the goal of the local authority is to maintain as many charities as possible.

Crawley CVS receives a substantial amount of funding on top of a building at a peppercorn rent from which they can derive an income. They would still have the ability to access funding and maintain the building. It is not being put at risk. But if it was being put at risk the council could provide the services currently being provided by Crawley CVS and do them at a substantial cheaper rate. I am aware there is an independence from the council which is an advantage in terms of promoting voluntary services within the community but that is an independence that is no longer affordable given the Council’s financial situation. We can afford to provide the services so there is no risk to the charities seeking support.

Councillor B Smith also responded to the question, stating:

Community grants are at the heart of the community associations, but it is now time given the financial situation to consider where money is attributed. However, the Council will always be available to offer support.

NB: A copy of the responses will be sent to the questioner.

4. 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.

5. "One Town" - Draft Crawley Economic Recovery Plan

The Cabinet Member for Planning and Economic Development presented report [PES/385](#) of the Head of Economy and Planning. The report sought approval on the Council's draft Economic Development Recovery Plan (Plan) and for agreement to go out for public consultation. Councillor P Smith emphasis the purpose of the Plan was to show the clear direction of the Council in supporting the Town's recovery from the significant impact of Covid on the economy. By going out to consult on the draft Plan, it shows our partners, key stakeholders and business, what our thought were on the recovery to ensure ours align with theirs. As it was a draft, following feedback from the consultation, the Plan can then be adapted to ensure it was working for the best interest of all in the recovery of the Borough and its future. A further benefit of having a clear deliverable approach, endorsed by our partners, should allow the Council to access various pots of funding, such as the Town's Fund which was later the agenda, to ensure our aspirations were achieved.

Councillor P Smith then highlighted to the Cabinet that there had a been a proposed amendment to the draft Plan, to add in two futher bullet points and a slight revision to the recommendation. The rationale behind the changes were to strengthen the Plan by aligning in closer to the Council's Local Plan.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report [OSC/294](#) to the Cabinet following consideration of the matter at its meeting on 8 March 2021, which were in support of the draft Plan but requested that the final version of the Plan return to the Commission before its ratification.

Councillor Crow was invited to speak on the item

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

Councillor Lamb moved the report included the proposed changes which was seconded by Councillor P Smith.

A recorded vote was taken on the amended recommendation 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, B Smith and P Smith (6)

Against the recommendations:

None. (0)

Abstentions:

None. (0)

RESOLVED

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 [PES/385](#)) subject to the following amendments shown in **bold** below, being included to Recovery Plan in order to emphasise findings from the Local Plan review:

- Add to slide 3 – Crawley’s “One Town” Vision for 2050 the following bullet point: **‘new sites to provide for all Crawley’s employment growth sectors and help boost jobs for residents’**
- Add to slide 6 – *Plan to Restore Economic Success Post COVID-19, under “Structural Challenges”*: **‘Limited overall available employment land supply’**

Reasons for the Recommendations

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.

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”.

6. West Sussex Health and Care in Housing Memorandum of Understanding

The Cabinet Member for Housing presented report [SHAP/80](#) of the Head of Strategic Housing Services which sought endorsement for a proposal for local NHS partners to work together with West Sussex Local Authorities to develop a local agreement in the form of a Memorandum of Understanding (MOU). The MOU would form a statement of ambition and intent for future working and collaboration between health, housing and social care in planning for and meeting need at a local level.

Councillor Irvine commented that what the MOU did finally was to acknowledge that there was a clear link between poor housing and poor health and the only way to address this was with a joined-up approach. It was noted that there are 6 needs assessment, as shown in Section 6.5 of the report [SHAP/80](#), including tackling rough sleeping, that the MOU would be focusing upon. It was acknowledged that the MOU was the first step in a long process, but an important first step of the joint approach.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report [OSC/294](#) to the Cabinet following consideration of the matter at its meeting on 8 March 2021, which included:

- The Commission being pleased that the MOU would provide an opportunity to challenge rough sleeping in a sustained way and encourage agencies to provide support.
- That the MOU would provide a platform to engage with health services and providers to address the previous difficult challenges relating to mental health services and providing effective support long term.

Councillors Mullins also spoke on as part of the discussion on the report.

Councillor Lamb moved the report which was seconded by Councillor Irvine and in doing so thanked the Strategic Housing Team for the work it had done during the pandemic especially regarding rough sleepers.

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, B Smith and P Smith (6)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

That the Cabinet:

- a) 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 [SHAP/80](#), drawn from existing Council strategies.
- b) 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.

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

Reasons for the Recommendations

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.

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.

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.

7. Proposed Extension of Crawley Air Quality Management Area Boundary

The Cabinet Member for Environmental Services and Sustainability presented report [HCS/25](#) of the Head of Community Services which reported back on the recent consultation on a proposed variation to the designated boundary area of the Crawley Borough Council Hazelwick Air Quality Management Area (AQMA). The consultation occurred following the recording of pollution limits for nitrogen dioxide (NO₂) in the Hazelwick area were higher than as recommended by the Air Quality Regulations 2000. Previously the Council designated a Hazelwick AQMA order on 9 July 2015 and part of the consultation was to consider where any new AQMA should be covering. The report recommendation was to approve a new Hazelwick AQMA order which included an extension of the previous AQMA to allowed for a joined-up approach across all the locations within Hazelwick vicinity.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report [OSC/294](#) to the Cabinet following consideration of the matter at its meeting on 8 March 2021, which included:

- That the Commission support the recommendation of the AQMA and acknowledged that even through the air quality had improved during lockdown, it was important to continue to monitor going forward.
- It was recognised that having an AQMA was a recommendation within the recent Climate Change Scrutiny Panel final report

Councillors P Smith, Crow and Lamb spoke in favour of the recommendations as part of the discussion on the report.

Councillor Jhans moved the recommendation with it seconded by Councillor Lamb.

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, B Smith and P Smith (6)

Against the recommendations:

None. (0)

Abstentions:

None. (0)

RESOLVED

That the Cabinet:

- 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 [HCS/25](#) (comprising the whole of the designated area under the Hazelwick AQMA and an area adjacent thereto) and;
- 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 [HCS/25](#).

Reasons for the Recommendations

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.

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, 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.

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.

8. Community Grants Allocations

The Leader presented report [HCS/27](#) of the Head of Community Services. The report sought approval for the Community Grants applications to the voluntary and community sector for 2021/2022.

The Leader explained that the report sets out the proposed approach for the dealing with the community grants in the future, with the majority of the grants being used to essentially contracting in services from charities and 3rd Sector organisations. That contracting or commissioning would be for key part of the Town's infrastructure particularly in where the Borough Council plays a significant role such as housing and homelessness, where Open House for example would receive funding. The remained would be based on a crowdfunding model which would allow residents to access funding for the voluntary services, as long as other residents were also supporting that proposal. This was a new approach the Council was using and may change going forward, but this revised approach has been required as the Council has had to reduce the Grant funding by a third recently. The Commission has asked to keep an eye on how the approach was going and that was fine and appropriate.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report [OSC/294](#) to the Cabinet following consideration of the matter at its meeting on 8 March 2021, which included:

- The Commission confirming their support of the proposed approach and that they would like to key an eye on how the new grant process proceed.
- The Commission acknowledged that the Council's grant funding pot was still large and generous compared to most Borough and District Councils.

- Regarding CCA the Commission was reassured that they had alternative means of funding and reserve that could be used to continue their activities.

Councillor Lamb moved the report included the proposed changes which was seconded by Councillor B Smith.

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, B Smith and P Smith (6)

Against the recommendations:

None. (0)

Abstentions:

None. (0)

RESOLVED

That the Cabinet approves the allocation of Community Grants in 2021/22, as is set out the table in paragraph 5.9 of report [HCS/27](#).

Reasons for the Recommendations

The recommendation supports the Council to achieve a balanced budget position for 2021/22 onwards.

It responds to the approach agreed at Cabinet on 3 February 2021, that 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.

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.

9. Annual Community Infrastructure Levy (CIL) Statement

The Cabinet Member for Planning and Economic Development presented report [PES/370](#) of the Head of Economy and Planning. Councillor P Smith introduced the report which provided an update on the collection and administration of CIL monies together with seeking approval for the proposed CIL strategic infrastructure spend priorities and extension to the Spacehive contract.

Councillor Lamb moved the report which was seconded by Councillor P Smith

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, B Smith and P Smith (6)

Against the recommendations:

None. (0)

Abstentions:

None. (0)

RESOLVED

That the Cabinet:

- a) notes the funds received to date and the need to revisit CIL income calculations on Local Plan viability grounds.
- 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.
- c) approves that the proposed CIL strategic infrastructure spend priorities to end March 2025 (Section 7.4 of report [PES/370](#)) remain as per the previous year 2020/21.
- d) approves that the Infrastructure Business Plan (Appendix A of report [PES/370](#)), 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
- 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.

Reasons for the Recommendations

To provide clarity on the way forward for Crawley's Infrastructure Business Plan and the priority schemes for the CIL Strategic Infrastructure strand spend.

To ensure continuity for the ongoing delivery of the "Crowdfund Crawley" initiative, pending the above community grants programme review.

10. Procurement Shared Service Extension

The Leader presented report [FIN/519](#) of the Head of Corporate Finance. The report sought approval for the procurement shared service model to continue for a further four years with an option to extend for a further four years from 1 April 2022 with

Crawley acting as the lead authority, providing services under an Inter-Authority Agreement on behalf of Horsham, Mid Sussex and Mole Valley District Councils.

Councillor Crow also spoke in support of the report and the continuing good work of the shared service

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:

Councillor Lamb moved the recommendation with it seconded by Councillor P Smith.

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins, B Smith and P Smith (6)

Against the recommendations:

None. (0)

Abstentions:

None. (0)

RESOLVED

That the Cabinet

- 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.
- 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.
- 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.
- 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.
- 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 subject to performance review and in consultation with the Leader of the Council.

Reasons for the Recommendations

The current joint working arrangement with Horsham District Council, Mid Sussex Council and Mole Valley District Council is due for renewal on 31st 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.

11. Microsoft Enterprise License Agreement 2021-24

The Cabinet Member for Planning and Economic Development presented report [DAT/04](#) of the Head of Digital and Transformation. Councillor P Smith introduced the report sought approval for procuring IT software licensing and services to ensure required governance and approvals continue via a framework procurement exercise for a key fundamental system for the Council.

Councillor Lamb moved the report which was seconded by P Smith.

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, B Smith and P Smith (6)

Against the recommendations:

None. (0)

Abstentions:

None. (0)

RESOLVED

That the Cabinet delegates

- 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).
- 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 & HR, in consultation with the Cabinet Member for Planning and Economic Development.

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

Reasons for the Recommendations

To provide a key decision that will enable the procurement process to be awarded under delegated authority once the tender process has concluded.

12. Leisure Contract - Extension of Variation Order

The Cabinet Member for Wellbeing presented report [HPS/26](#) of the Head of Major Projects and Commercial Services. The report sets out the arrangements the Council has entered into with Everyone Active (EA) following the initial lockdown in March

2020 and recommends the Council extend the variation order to facilitate the continued opening of the leisure centres over the period 1 April 2021 – 30 June 2021.

Councillor Lamb moved the report and presented the report with Councillor Mullins seconding also commenting on the report.

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, B Smith and P Smith (6)

Against the recommendations:

None. (0)

Abstentions:

None. (0)

RESOLVED

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 [HPS/26](#).

Reasons for the Recommendations

The recommendation facilitates the re-opening of the leisure centres from 29 March 2021 and the phased opening of 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

The Cabinet considered an urgent report [PES/386](#) of the Head of Economy and Planning, which had been protected from Call-in by the Chief Executive. The Leader introduced the report stating the Council had been awarded provisionally £21.1m, which would be made available in April 2022. To access the funding the Council was required to sign the Heads of Terms along with the Crawley Town Deal Board (CTDB) and return them to the Government by the end of the month. As a result of this tight timescale the report had to be dealt with under urgency provisions and also protected from Call-in. The report sought delegated approval for the Chief Executive to sign the Crawley Town Deal Heads of Terms and return to Government, subject to the prior approval of the CTDB.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report [OSC/294](#) to the Cabinet following consideration of the matter at its meeting on 8 March 2021, which included:

- Recognition that Crawley was one of 101 towns across England to have been selected to benefit from the government's Towns Fund budget. Crawley was one of 4 towns in south east England to have been selected and awarded £21.1m for the Crawley Town Investment Plan.

- It was hoped alternative funding sources could be obtained for the balance of the programme.
- General support for the report and funding. Appreciation was noted for the work undertaken by officers and partners in order to compile the submission

Councillor Lamb moved the report, which Councillor P Smith seconded and spoke in support of the report.

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, B Smith and P Smith (6)

Against the recommendations:

None. (0)

Abstentions:

None. (0)

RESOLVED

That the Cabinet:

- a) authorise the Chief Executive to sign the Crawley Town Deal Heads of Terms, as set out in Appendix A to report [PES/386](#).
- 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.

Reasons for the Recommendations

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.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.20 pm

P K LAMB
Chair