

Crawley Borough Council

Governance Committee

Agenda for the **Governance Committee** which will be held in **Virtual meeting - Microsoft Teams**, on **Monday, 15 March 2021 at 7.00 pm**

Nightline Telephone No. 07881 500 227



Chief Executive

Membership:
Councillors

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

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
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Switchboard: 01293 438000
Main fax: 01293 511803
Minicom: 01293 405202 DX:
57139 Crawley 1
www.crawley.gov.uk

Town Hall
The Boulevard
Crawley
West Sussex
RH10 1UZ

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

Part A Business (Open to the Public)

	Pages
1. 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	5 - 24
To approve as a correct record the minutes of the Governance Committee held on 26 January 2021.	
For clarification and noting, the final Temporary Polling Scheme (as approved by the Full Council) is attached as Appendix D to the minutes.	
4. Public Question Time	
To consider any written questions that were submitted in advance and accepted in line with the Constitution. These will be read to the Committee and be followed by a response. The questioner will receive an emailed copy of the response given at the meeting. There will be no supplementary questions.	
5. May 2021 Elections	
A verbal update by the Electoral Services Manager giving information on the Returning Officer's progress on the planning for operating polling stations and the counting of votes at the elections.	
6. Future Format of Council Meetings	25 - 28
To consider report LDS165 of the Democratic Services Manager.	
7. Review of Provisions Relating to Call-In and Urgency	
There has been one case, during the period since the last report, where an item has been protected from the Call-In Procedure on the grounds of urgency as provided for in Call-In Procedure Rule 8.	
In line with the Special Urgency provisions set out in paragraph 16.4 of the Access to Information Procedure Rules within the Constitution, on 17 November 2020 Councillor Peter Lamb, as Leader of the Council, approved the following under delegated powers:	

- The revised guidelines over the Business Grant Applications (Local Authority Additional Restrictions Discretionary Grants Fund) so that local business can apply for the further Discretionary Business Grant payments as soon as possible.
- That the use of the additional funding of £2,248,180 is available for Discretionary Business Grant payments to support Crawley local businesses, this is for the period up to 31st March 2022.
- Delegated authority to the Head of Corporate Finance in consultation with the Head of Economy and Planning, or another senior Officer, the decisions on individual business grant payments, subject to successful due diligence checks, application assessment and fraud checks.

The Chief Executive (as Head of Paid Service), had agreed that the decision should be Protected from Call-In under Call-In Procedure Rule 8 of the Constitution due to its urgent nature. This is so the Council could start supporting its businesses as soon as possible.

This decision was published in Councillors' Information Bulletin [IB/1054](#).

Due to the circumstances surrounding that Protection from Call-In it is not deemed necessary to change the provisions at this stage.

Recommendation

That no change to the provisions relating to Call-In and Urgency be made.

8. 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 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

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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.

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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

- 1) 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.
- 2) 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

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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).

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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

- 1) That the Full Council be recommended to 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

- 2) That the Full Council be requested to 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.

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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

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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).

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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

1. That the Full Council be recommended 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](#).
2. That authority is delegated 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.
3. 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)**

COUNCILLORS' ALLOWANCES SCHEME 2021/2022 to 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
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

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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

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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.

Final Temporary Polling Scheme (as approved by the Full Council)

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
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LJC	Pound Hill North and Forge Wood	Pound Hill	Wakehams Green Community Centre	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

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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
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LMD	Three Bridges	Northgate and West Green	The Town Hall	376	65	311
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Agenda Item 6

Crawley Borough Council

Report to Governance Committee

15 March 2021

Future Format of Council Meetings

Report of the Democratic Services Manager – LDS/165

1. Purpose

- 1.1. At its meeting on 1 February 2021 the Overview and Scrutiny Commission (OSC) requested that the Governance Committee look at the future format of the Council's formal and informal meetings and provide an initial steer as to which could be held in person, virtually, or in hybrid form.
- 1.2. In addition, should the necessary legislation come into force in time for the Full Council AGM on 28 May 2021, it will be necessary to decide in what format to hold that AGM meeting.
- 1.3. This report sets out the current legislative position on the format of Council meetings and requests that the Committee considers the potential options available in relation to these matters.

2. Recommendations

- 2.1. That the Governance Committee provides an initial steer as to which type of Council meeting should, in principle, be held in person, virtually, or in hybrid form.
- 2.2. That the Governance Committee recommends to the Full Council:
 - a) Which type of Council meeting should, in principle, be held in person, virtually, or in hybrid form.
 - b) Whether, dependent on any new legislation which comes into force, the Full Council AGM on 28 May 2021 should be held in person, virtually, or in hybrid form.
 - c) That, should further legislation not be enacted which allows the continuation of virtual meetings, meetings in public held by the Council revert back to in person meetings and the Virtual Committee Procedure Rules and Licensing Sub-Committee (Hearings) Virtual Procedure Rules be rescinded.
 - d) That, should legislation come into force, the Monitoring Officer be delegated authority to amend the Constitution to reflect the wishes expressed by the Committee and the Full Council to ensure that meetings are held in the most optimal way possible.

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3. Reason for the Recommendations

- 3.1. To ensure that Council meetings are held in the most optimal way possible.

4. Background

- 4.1. In response to the COVID-19 pandemic, legislation was enacted by the Government which allowed Council meetings to be held virtually. Since this legislation came into force all the Council's public meetings have been held virtually and Virtual Committee Procedure Rules and Licensing Sub-Committee (Hearings) Virtual Procedure Rules have been introduced into the Council's Constitution.
- 4.2. Following a request by the Overview and Scrutiny Commission on 1 February 2021 and subsequent consideration by the Cabinet on 3 February 2021, the Full Council on 24 February 2021 resolved to request that the Governance Committee looks at the future format of the Council's formal and informal meetings and provides an initial steer as to which could be held in person, virtually, or in hybrid form. The definition of a hybrid meeting is any meeting (whether councillors only or councillors and public) which has some people in physical attendance and others participating virtually. It is sometimes referred to as a blended or integrated meeting. For the Committee's convenience a list of formal and informal meetings is attached as Appendix A.

5. Current and Potential Legislative Position

- 5.1. In response to the COVID-19 pandemic, the Government temporarily removed the legal requirement for physical attendance at (public) Council committee meetings. This meant that local authorities are able (until 7 May 2021) to hold public meetings remotely by using video conferencing technology and these Council meetings can be held in virtual locations as opposed to a physical place (i.e. a Council building). If there is no change in the legal position then, as from 7 May 2021, Council meetings will have to revert back to physical meetings only. Should this deadline however be extended or new legislation passed local authorities may be able to either continue to hold meetings virtually or in a hybrid format (which is not permitted under current legislation).
- 5.2. On 12 October 2020, the Local Government Association (LGA) wrote an open letter to the Secretary of State seeking an extension to the current May 2021 deadline. The latest position is that, if the Government is not minded to amend the regulations so as to extend the deadline, then two professional bodies – Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO) – having sought an Advice from a leading barrister, will be taking steps to obtain a legal Declaration from the High Court. The legal Declaration being sought will confirm that the Local Government Act 1972 allows meetings to be held remotely or in hybrid form when the current provisions under the Coronavirus Act and Regulations expire on 6 May 2021. Basically, it will be argued to the Court that remote attendance could satisfy the 1972 Act's requirements that somebody be present at a meeting while the actual place of a meeting could be a digital place. The situation regarding this is not certain by any means, the optimal position would be for primary legislation to allow remote meetings, but a Declaration from the Court will certainly clarify the legal position under the 1972 Act and enable the lawful continuation of virtual and hybrid meetings from 7 May 2021 onwards.

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6. Future Format of Formal and Informal Council Meetings

- 6.1. Following the request by the Overview and Scrutiny Commission that this Committee looks at the future format of the Council's formal and informal meetings, a list of Council meetings is attached as Appendix A. The Committee is asked to provide an initial steer as to which of these meetings could be held in person, virtually, or in hybrid form.
- 6.2. Any preference in meeting format will be dependent on potential new legislation. Therefore, should the Committee be minded that any Council meeting should, in principle, be held either virtually or in hybrid form the Committee, and in turn the Full Council, are asked to delegate authority to the Monitoring Officer to enact any changes in procedure in the Council's Constitution to reflect the steers provided by both this Committee and the Full Council.

7. Full Council AGM on 28 May 2021

- 7.1. In addition to the legislation relating directly to Council meetings, the Government's Covid-19 Response: Spring 2021's "Roadmap" anticipates that all legal restrictions in relation to COVID-19 will be lifted on 21 June 2021 at the earliest. With the Full Council's AGM due to take place on 28 May 2021 it may not be possible to hold the meeting with all Councillors in physical attendance. In light of this, the Committee is asked to consider how the Full Council AGM should be held and provide a recommendation to the Full Council on that basis.
- 7.2. After the AGM, the first committee meetings of the municipal year (Overview and Scrutiny Commission and Planning Committee) take place on 7 and 8 June 2021 respectively. Practically, given the health and safety issues involved regarding social distancing requirements it should be noted that 6 people only may safely attend at any one time in the committee room B.

8. Implications

- 8.1. The cost and practical implications of hybrid meetings are still under review and it is therefore not possible to provide detailed information at this time. However, it is a given that any introduction of hybrid meetings will incur additional costs to the Council, especially in advance of the move to the new Town Hall.

9. Background Papers

- [The Local Authorities and Police and Crime Panels \(Coronavirus\)\(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations](#)
- [LGA's Open Letter to the Secretary of State: 12 October 2020](#)
- [Government's Covid-19 Response: Spring 2021's "Roadmap"](#)
- [Council's Constitution](#)

Report author and contact officer:

Chris Pedlow (Democratic Services Manager)
chris.pedlow@crawley.gov.uk 01293 43 8549

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