

Crawley Borough Council

Minutes of Full Council

Wednesday, 24 March 2021 at 7.30 pm

Councillors Present:

F Guidera (Mayor)

S Malik (Deputy Mayor)

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

Also in Attendance:

Mr Peter Nicolson Independent Person

Officers Present:

Natalie Brahma-Pearl Chief Executive

Ian Duke Deputy Chief Executive

Heather Girling Democratic Services Officer

Chris Pedlow Democratic Services Manager

1. A Moment of Reflection

The Mayor held a minute of silence to allow a moment of reflection to honour the 194 Crawley residents that have sadly passed away within the Borough as a result of Covid-19 and for those who have been affected by the virus. Also in respect of former Councillor David Barry who died recently.

The Mayor then invited the two Group Leaders Councillors Lamb and Crow respectively to say a few words over the impact of the pandemic on Crawley's residents including over the sad loss of life.

Councillors Lanzer and Mullins, then on behalf of the Council paid their respects to the passing of David Barry with heartfelt and touching tributes.

2. Disclosures of Interest

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

3. Minutes

The minutes of the meeting of the Full Council held on 24 February 2021 were approved as a correct record and signed by the Mayor.

4. Communications

The Mayor provided a brief update commenting that he was able to attend the Veterans' club breakfast club which was an honour.

The Mayor Councillor Guidera, then announced that he would be resigning as a Councillor in the coming days, due to personal reasons and the need to relocate to America to be with family. A copy of his resignation speech is attached as Appendix B to these minutes.

Councillor Crow and Lamb, then paid tribute to Councillor Guidera, for his service to the Town and his residents. Both members also wished him and his family very best for the future.

It was acknowledged that at the AGM that the Deputy Mayor would be in the Chair for the start of the meeting.

5. Public Question Time

There were no questions from the public.

6. Future Format of Council Meetings (Recommendation 1)

The Full Council considered report [LDS/165](#) of the Democratic Services Manager which set out the current legislative position on the format of Council meetings and requested that the Committee consider the potential options available in relation to those matters.

The report highlighted that:

- Unless the legal position changed or legislation was extended all Committee meetings from 8 May 2021 would need to revert to in-person meetings as virtual formal meetings would be unlawful. As of 11 March 2021 the legal position remained unchanged.
- Up to 21 June, meetings would be held in some form of lockdown.
- Whilst the Council offices remained in the current building, meetings in the committee rooms could include the use of Teams but it would not be possible to accommodate a fully hybrid style meeting. The new Town Hall would have in-built webcasting equipment which would facilitate fully hybrid meetings if required.

The item had been previously considered at the Governance Committee on 15 March 2021. Councillor Burrett moved the recommendation which was seconded by Councillor Lunnon. Councillors Crow, Mullins, Lanzer and McAleney also spoke during the debate on the recommendation

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

For the recommendation: Labour block vote of 15 votes, Conservative block vote of 17 votes, and Councillors Fiveash and Sudan. (34)

Against the recommendation: None (0)

Abstentions: (0)

The Mayor declared the recommendation was carried – votes in favour 34, and votes against 0 with 0 abstentions.

RESOLVED

That the Full Council be recommended to approve that:

- a) In principle and when possible, formal meetings of the Council be held in person and that informal meetings of the Council be digitally enabled.
- b) Dependent on any legislation which comes into force, the Full Council AGM on 28 May 2021 be held virtually.
- c) 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 suspended with the ability to reinstate them should it become necessary to do so.
- d) Should legislation come into force, the Monitoring Officer, in consultation with the Group Leaders and the Chair and Vice-Chair of the Governance Committee, be delegated authority to amend the Constitution to reflect the wishes expressed by the Committee (and the Full Council, if approved) that the next cycle of meetings (up to and including the 14 July 2021 Full Council meeting) be held virtually.

7. Notification of Decision Protected from Call-In - (Recommendation 2)

The Mayor introduced the item, which was set out on page 3 of the agenda that the Chief Executive on 10 March 2021, used her protection from Call-in authority in relation to a decision taken by the Cabinet on the Crawley Town Investment Plan – Heads of Terms. In line with Council's Constitution use of her protection from Call-in must be reported to Full Council.

The reasons for the protection was the deadline for the Chief Executive to submit the Heads of Terms back to the Government by 5pm on 24 March 2021 the same day as the Full Council meeting. The Mayor confirmed the Chief Executive had submitted the Heads of Terms back to the Government before the deadline.

The Mayor moved the recommendation which was seconded by the Deputy Mayor.

RESOLVED

That the Full Council notes use of the protection from Call-In by the Chief Executive

8. Notice of Motion - Crawley's Peoples Future

The Council considered the Notice of Motion 1 - 'Crawley's Peoples Future' as set out in the Full Council's agenda. The Motion was moved and presented by Councillor Sudan in do so gave further explanation behind the reasoning behind the Notice of Motion. Councillor Fiveash then seconded it.

Councillor Crow then moved and presented the Conservative amendment, (*as shown in Supplementary Agenda Order Paper*). The amendment was seconded by Councillor McCarthy.

Councillor Lamb then moved a Procedural Motion in relation to FCPR 11.1 (m) *That the item/issue now be voted upon*. The Procedural Motion was then seconded by Councillor Lunnon.

Clarification was provided to the Full Council on what the moved Procedural Motion meant in practical terms, namely if it was carried, then there would be no further debate on the Notice of Motion and the associated Amendment and voting then commence, on both.

The Mayor then invited the Democratic Services Manager to commence the voting process on the Procedural Motion.

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

Against the recommendation: Councillors Fiveash and Sudan (2)

Abstentions: Councillor Pickett (1)

The Mayor declared the Procedural Motion was carried – votes in favour 31, and votes against 2 with 1 abstention.

RESOLVED

That the Full Council approves Procedural Motion in relation to FCPR 11.1 (m) *That the item/issue now be voted upon*, namely that the vote commence immediate on the Notice of Motion and the related Amendment

The Mayor asked the Democratic Services Manager to commence the voting process on the proposed Conservative Amendment on the Notice of Motion, as moved by Councillor Crow and Seconded by Councillor McCarthy.

For the Amendment: Conservative block vote of 17 votes. (17)

Against the Amendment: Labour block vote of 14 votes, Councillors Fiveash and Sudan (16)

Abstention: Councillor Pickett (1)

The Mayor declared Amendment was carried – votes in favour 17, and votes against 16 with 1 abstention.

The Mayor asked the Democratic Services Manager to commence the voting process on the proposed Substantive Notice of Motion as amended.

For the Substantive Notice of Motion: Labour block vote of 14 votes, Conservative block vote of 17 votes, Councillors Fiveash and Sudan. (33)

Against the Substantive Notice of Motion: None (0)

Abstention: Councillor Pickett (1)

The Mayor declared Substantive Notice of Motion as carried – votes in favour 33, and votes against 0 with 1 abstention.

RESOLVED

Crawley's economy has been hit hard throughout the pandemic, largely (but not wholly) due to the hit taken by Aviation and related businesses. This council has done all it can to support the Town's economy in securing a thriving future – perhaps, for better or worse, less reliant on aviation.

Difficult decisions have had to be made and the need to focus on Crawley's economic recovery is justified. Difficult decisions will no doubt need to be made in the future and it is right that the focus has been on economic recovery because the well-being of Crawley's residents depends on it.

There is no dispute that Crawley has been severely affected by the pandemic and we know that the highest cost, both socially and financially, will be borne by the ordinary people of our Town.

Just as the well-being of the people of our town depends on its economic well-being, our Town's economy needs Crawley people. Difficult decisions have been taken and will need to be taken in the future. Budgets are about prioritising, and this council resolves to ensure that the needs of Crawley people – those of us who live here and whose council tax has paid, and will continue to pay, the bills – remain paramount at every stage and at every level. We recognise that, in our efforts to make Crawley a nice, attractive place to work and do business, there is a danger of widening the divide between those who live here and those who come here to work.

This Council resolves to ensure that, whatever the future holds, the interests of Crawley people will continue to be paramount and reaffirms its commitment to community engagement and public consultation.

9. Councillors' Questions Time

Name of Councillor asking Question	Name of Cabinet Member Responding
Councillor Fiveash to the Leader of the Council I feel that with the answer I've been given by Councillor Lamb that I would like to state that with regards to the officers of the council I haven't sneered at them, I believe they've done a wonderful job, both over the course of the pandemic and	

<p>in general. My questions were about the comments ending the pandemic and about what work the council had done to do that. I can see from Councillor Lamb's response that I assumed we all knew what a pandemic was but clearly that's not the case. I realise that's not a question but a statement, so no I don't have a question.</p>	
<p>Councillor Bob Burgess to the Cabinet Member for Wellbeing</p> <p>I wish to thank the Cabinet Member for his answers but within his answer it states that the total cost of the petanque pitch both installation and maintenance was £5315 and over time this figure will rise. Given the financial pressures the council is under (not just with the pandemic), how can the Cabinet member justify this continued outlay especially when there are no usage figures?</p>	<p>Councillor Mullins, Cabinet Member for Wellbeing</p> <p>There was a delay in the pitch being built in the winter season of 2018 and that was prior to the pandemic. Obviously because of Covid there hasn't been a lot we've been able to do with marketing and publicity. A new facility will take time to establish and hopefully once we are through the pandemic usage and demand will increase. I did want to do a lot of charity and mayoral events there. It is a minority activity and interest but in Crawley we try to accommodate everyone. There is a cost associated with the pitch, but it is not extortionate and involves simple maintenance and it was built with good intentions.</p>
<p>Councillor Purdy to the Leader of the Council</p> <p>At the Cabinet meeting of 10 March 2021 Councillor Mullins expressed the view <i>"any future housing development in Crawley could be council housing. I think we really have got enough private housing in the town and we should be able to concentrate on council housing"</i>. I, and my fellow members of the Conservative group feel the future housing, albeit in our very crowded town must be a broad mix of house types and tenures and we should not be sending the message to our aspirational residents that if you want to own your own home you need to move out of Crawley. Is the Leader of the Council in agreement with his fellow Cabinet member and if he is, how does he propose that all future houses will be council houses, how does he propose to circumnavigate the planning laws to achieve this?</p>	<p>Councillor Lamb, Leader of the Council</p> <p>You can do whatever you can around planning and preparation but I'm delighted to hear Councillor Purdy's remarks. Affordable housing is one of the biggest challenges we face as a local authority. When this town was built the majority of the housing was council housing. To try to claim that there's a shortage of private housing is to ignore the fact that the majority of it has been sold off. And it was sold off at an undervalue now we find ourselves as a local authority with a list of over 2000 on a housing list. To try and maximise the affordable housing is an ongoing duty and when furlough ends and we see the true effect of the pandemic we are going to be swamped with people wanting an affordable place to live. Private housing can be taken on by anyone. Council housing has to be taken on by someone already living here with a long term local connection. Any housing being built</p>

<p>Whilst I understand much of what your answer was about, I don't believe you actually answer the question which was do you believe we should actually break planning law by only permitting affordable housing within our town?</p>	<p>should be going to those that need it. There are many private homes already available if that's what people want but what people write to me about is the lack of affordable housing. Within the Local Plan in 2015, we put forward 40% affordable housing and I think Councillor Mullins was speaking on behalf of the great majority of this town once again being about affording housing at a reasonable price.</p> <p>Neither Councillor Mullins nor I believe that. Councillor Mullins was expressing the desire to catch up with the housing list to be in a position to provide people with housing they can afford in the town which we are trying to provide the maximum amount of affordable housing within current rules.</p>
<p>Councillor Crow to the Leader of the Council</p> <p>Last month we passed the budget, his 7th as Leader (6 entire Labour budgets). The first in 2015 was a council tax freeze then the subsequent five have all been around 2.5%. However over the same period, inflation has been in all those years, lower than the amount of council tax rise than this local authority has imposed. For example, in 2015 inflation was 0.37% 2016 1% 2017 2.5% 2018 2.3% 2019 1.74% 2020 0.77% Last month 0.4%</p> <p>What is my interest in council tax rises and inflation rises? I and many people in Crawley have seen a Facebook feed a claim from the Crawley Labour party that under Labour this council has actually delivered an 11.2% council tax reduction in real terms compared to inflation. Although the actual post also doubles the amount of inflation since November 2012 when Katy Bourne became PCC. Could the Leader confirm what have been the council tax rises compared to inflation over the time he's been setting the budget and does he agree with me that the Facebook post is entirely misleading and inaccurate?</p>	<p>Councillor Lamb, Leader of the Council</p> <p>I don't have the inflation figures to hand. I can say that inflation figures the Labour Party used elsewhere were sourced from the Bank of England's own inflation calculator. In terms of this council's own council tax increase, they tend to be far lower than other districts/boroughs. If looking at the breakdown of the council tax, 78% of WSCC and 11% of Police and Crime Commissioner and when you look at what's happening to their increases over time you can clearly see how is putting up the council tax bills by percentage terms.</p>

<p>Would the Leader be able to provide me with the inflation figures that he is using as he must be assuming that inflation must have been over 2.5% for the last few years, which obviously is not the case, so the figures and how this relates to council tax increases would be very helpful.</p>	<p>I will provide a hyperlink to the necessary details.</p>
<p>Councillor Jaggard to the Cabinet Member for Environmental Services and Sustainability</p> <p>I understand the aim of the Licensing fees and charging scheme is for it to be self-funding. That is for it just to cover the costs of the administration. For most licences, eg horse riding establishments, animal boarding, kennels, tattoo parlours this is in fact the case. At the last Licensing meeting we were told that Crawley Borough Council ie Crawley taxpayers are subsidising one type of licensing business by over £5,000 in 2017, which was then increased pre-Covid to £25,000 for the year 2019 and it is now in 2021 heading towards £55,000 for a business sector which is still able to trade during the lockdown. This is a subsidy of council tax payers' money. What are you doing to address this? Is the aim for all licence applications to be self-funding and if so how are you planning to achieve it?</p>	<p>Councillor Jhans, Cabinet Member for Environmental Services and Sustainability</p> <p>Thank you for your question. I am aware that at the last Licensing Committee meeting, it was voted in favour to increase the fees by 2%. Around the technicality of the subsidy I'm afraid I do not have the full individual details to hand. However I am happy to provide a written answer to you.</p>
<p>Councillor Sudan to the Cabinet Member for Public Protection and Community Engagement</p> <p>The Leader of the Conservative Group is to be commended for devoting the whole of his column in the Crawley Observer this week to the critical issue of women's safety, both in the home and on our streets, and the importance of urgent and robust action of central government. With that in mind, can the Cabinet member for Public Protection and Community Engagement please tell the women and girls of Crawley what action she's now taking locally to guarantee their safety both night and day as they go about their daily lives in and around our town.</p>	<p>Councillor B Smith, Cabinet Member for Public Protection and Community Engagement</p> <p>I can't claim to be taking any personal action to ensure people, particularly women are safe. I think we have to rely on the good officers of the police and they are doing the good job that we expect from them. I do not believe it is a personal responsibility of mine. But I am content at this time with the actions being taken to protect women, girls and men also.</p>

<p>Councillor Pendlington to the Cabinet Member for Wellbeing</p> <p>My question is about the community centres. Obviously the council has lost a lot of income with facilities being closed for the majority of the last 12 months. What is your plan now to ensure people start using them again and to start making that money back?</p>	<p>Councillor Mullins, Cabinet Member for Wellbeing</p> <p>Clearly, it's much wider that the community centres, it's a similar situation with K2 Crawley and the Hawth. It is a problem that we have to get back to normal when the government give us permission to do so. We cannot simply book centres again which are small areas where large numbers of people would potential gather, for parties or meetings. Once we get the licence to proceed we can look more closely at how we can operate safely. There's lots of scope for the community centres as I'm sure people may want to meet up or continue their regular booking slot in some form, but they are only some of the venues within the portfolio to consider.</p>
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10. Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees including Items for Debate

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

RESOLVED

That the following reports be received:

- Licensing Committee – 2 March 2021
- Audit Committee – 3 March 2021
- Overview and Scrutiny Commission – 8 March 2021
- Planning Committee – 9 March 2021
- Cabinet – 10 March 2021
- Governance Committee – 15 March 2021

The following item which were not Full Council Recommendations were selected as Items for Debate:

Agenda Page no.	Committee/ Minute no.	Item
p.68	Cabinet 10 March 2021 (Minute 7) Conservative Group	Proposed Extension of Air Quality Management Area.

11. Item for Debate - Proposed Extension of Air Quality Management Area - Cabinet, 10 March 2021 (Minute 7)

Councillor Purdy explained the rationale for bringing forward this item for debate was that as the Hazelwick AQMA was declared in 2015 to satisfy the requirements of the Environment Act 1995, to monitor air quality and mitigate air borne pollution. It was disappointing that air quality had not improved and as a consequence the extension to the AQMA was proposed. Investigating the extension was one of the many recommendations from the Climate Change Scrutiny Panel and it was welcomed that this was being addressed so early. A single management area should enable a holistic air quality action plan to be implemented in a co-ordinated manner.

Councillors R Burgess, P Smith, Burrett, B Burgess and Lamb also spoke on this item.

Councillor Jhans responded on this item included that air quality in Crawley in generally good and he welcomed the extension to the AQMA and noted that it was recommendation from the Climate Change Scrutiny Panel to have an AQMA in the Hazelwick area.

Closure of Meeting

With the business of the Full Council concluded, the Chair declared the meeting closed at 9.38 pm

**F Guidera
(Mayor)**