

# Crawley Borough Council

## Minutes of Cabinet

Wednesday, 24 June 2020 at 7.00 pm

### Councillors Present:

P K Lamb (Chair)	Leader of the Council
I T Irvine	Cabinet Member for Housing
G S Jhans	Cabinet Member for Environmental Services and Sustainability
C J Mullins	Cabinet Member for Wellbeing
P C Smith	Cabinet Member for Planning and Economic Development and Deputy Leader

### Also in Attendance:

Councillor D Crow, R D Burrett and T Rana

### Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal, Democracy and HR
Ian Duke	Deputy Chief Executive
Karen Hayes	Head of Corporate Finance
Chris Pedlow	Democratic Services Manager
Heather Girling	Democratic Services Officer
Karen Dodds	Head of Crawley Homes
Clem Smith	Head of Economy and Planning
Louise Skipton-Carter	Sustainability Manager

### Apologies for Absence:

Councillor B A Smith

#### 1. Disclosures of Interest

No disclosures of interests were made.

#### 2. Minutes

The minutes of the meeting of the Cabinet held on 11 March 2020 were approved as a correct record and signed by the Leader.

### **3. Public Question Time**

There were no questions from the public.

### **4. Further Notice of Intention to Conduct Business in Private and Notifications of any Representations**

It was reported that no representations had been received in respect of agenda items 14 and 15: *Appointment of Supplier for the implementation and support of a new Fully Integrated Housing and Asset Management Database System* and *HRA Budget for Purchase of Land or Property*, respectively.

### **5. Matters referred to the Cabinet and any Report from the Chair of the Overview and Scrutiny Commission**

It was confirmed that no matters had been referred to the Cabinet for further consideration.

### **6. Treasury Management Outturn for 2019/20**

The Leader presented report [FIN/502](#) of the Head of Corporate Finance which set out details of the Council's annual treasury management review of activities and the actual prudential and treasury indicators for 2019/20. The Cabinet noted that regulations required treasury management policy to be reviewed annually. It was noted that the Council's financial decisions for 2019/20 were taken in line with the Ethical Investment Policy.

Councillor Rana presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 22 June 2020, which included:

- That confirmation had been provided that the major repairs reserve reduction had been spent throughout the year on capital spend mostly on new council dwellings.
- Acknowledgment that investments were restricted as the Council was governed by CIFPA and the Government, and that the Treasury Strategy prioritises investments accordingly whilst providing an appropriate balance between security, liquidity, yield and ethical considerations.
- Recognition that investment properties were evaluated annually and the neighbourhood parades were classed as non-operational properties, along with others with a similar description within the portfolio.

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

For the recommendations:

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

Against the recommendations:

None.

Abstentions:  
None.

## **RESOLVED**

That the Cabinet:

- a) approves the actual 2019/20 Prudential and Treasury Indicators as set out in the report;
- b) notes the Annual Treasury Management Report for 2019/20.

### **Reasons for the Recommendations**

The Council's financial regulations, in accordance with the CIPFA Code of Practice for Treasury Management, requires an annual review following the end of the year describing the activity compared to the Strategy. This report complies with these requirements.

## **7. Financial Outturn 2019/20 Budget Monitoring - Quarter 4**

The Leader presented report [FIN/500](#) of the Head of Corporate Finance which set out a summary of the Council's outturn for both revenue and capital spending for the financial year running from 1 April 2019 to 31 March 2020. It identified the main variations from the approved spending levels and any potential impact on future budgets. The Cabinet noted that the report had been prepared toward the beginning of the COVID-19 crisis, and thus the full financial consequences of the crisis were not included within the report and would instead be reported on in future Budget Monitoring reports.

Councillor Rana presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 22 June 2020, which included:

- Recognition that the flood programme had been reprioritised, allowing for Tilgate Lake bank erosion works to commence ahead of schedule.
- Confirmation that the under/over spend and slippage on the HRA improvement works had been listed as a whole programme of works as opposed to being broken down on individual projects. It was commented that further breakdown would be beneficial.
- Explanation sought and obtained on the reserves for expenditure in Tilgate Park and Nature Centre as part of the 5 year investment plan.
- Acknowledgement that revenue implications needed to be taken into account for new properties to avoid overspend.
- Whether the S106 money in 8.15 referred to the Ewhurst playing fields in Ifield (as documented in December 2013 Cabinet report) or Ewhurst Road Play Area as set out in recommendation in 2.2(b) (which is in West Green). It was requested Cabinet clarify the arrangement for the S106 funding given the inconsistencies.

It had since been confirmed that recommendation 2.2(b) concerned Ewhurst playing fields, Ifield.

Councillor Crow was invited to speak on the item. Matters raised included:

- Clarification was sought that the figure of £26,000 in savings, as a result of the cancellation of the May 2020 local elections, was correct.
- A query regarding the potential to create further savings in business rates, after a £42,000 saving was made due to the demolition of parts of the Town Hall building.
- Acknowledgement that expected effects on port health services due to Brexit did not materialise, resulting in unplanned income of £37,000.
- Recognition that budget-saving decisions may need to be taken by local authorities in the future, including by Crawley Borough Council, in order to 'balance the books'.

The Leader offered the following responses:

- May 2020 also saw the Local Police and Crime Commissioner election cancelled. It was expected that further savings in this area would be announced next quarter.
- Business rates paid by the Council on the Town Hall building could not be avoided.
- The expected decrease of £37,000 in port health services was predicted at the last budget, at which time a Brexit deal had not yet been established.
- Savings of around £2 million would need to be made, in conversation with residents, in order to reduce the impact of the economic consequences of COVID-19.

All Cabinet Members present spoke as part of the discussion on the report. It was acknowledged that the 2019/20 budget surplus of £245,000, although welcomed, was not expected to be maintained in the face of the predicted £4 million shortfall following the COVID-19 crisis. The implications on specific Cabinet Member Portfolios were also discussed. It was noted that the 2019/20 financial year was the fifth consecutive year that the Council had seen a budget surplus.

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

For the recommendations:

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

Against the recommendations:

None.

Abstentions:

None.

## **RESOLVED**

That the Cabinet

- a) notes the outturn for the year 2019/20 as summarised in this report and to note that future years impact as a result of Covid-19 will be presented in the monitoring report to Cabinet in September 2020.
- b) approves a supplementary capital estimate of £1,500 which will be funded from S106 contributions for the Ewhurst Road Play Area as outlined in paragraph 8.15 of the report.

That Full Council be recommended to

retrospectively approve a transfer of £1.192m to the business rates equalisation reserve as outlined in paragraph 9.2.

### **Reasons for the Recommendations**

To report to Members on the outturn for the year compared to the approved budget for 2019/20.

## **8. Forward Programme of Key Procurements**

The Leader presented report [FIN/501](#) of the Head of Corporate Finance which set out the procurement forward programme. The programme identified the Council's key procurements that will require tendering over the coming six month period, which consisted of the following contracts:

- Disabled Adaptations (Crawley Homes)
- Unified Telecoms
- Temp Agency Staff
- Building Repairs & Maintenance
- District Hear Network – Operation, Maintenance, Metering and Billing.

Councillor Rana presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 22 June 2020, which included:

- Recognition that the Council's procurement is governed by the EU Public Procurement Directives and the Public Contracts Regulations 2015 and Council's Procurement Code. Confirmation that when the UK leaves the EU, advertising may change but the EU Public Procurement Directives were enshrined in UK law.
- Recognition that after the award of contracts there was involvement and consultation with the relevant Cabinet Member as posed in recommendation 2.2(c). It was felt that this engagement should also be included in recommendation 2.2(b) at the award of contract stage so as to further enhance the greater transparency and involvement. It was subsequently recommended that recommendation 2.2(b) be amended to include consultation with the appropriate Cabinet Member. Following an unanimous vote, it was agreed that the Cabinet be requested to consider this addition and recommendation 2.2(b) would now read: '*delegates authority to the Leader of the Council in consultation with the appropriate Cabinet Member, the relevant Head of Service, and Head of Legal, Democracy and HR to approve the award of the contract following an appropriate procurement process*'.

Cabinet Members agreed that the proposed amendment to recommendation 2.2(b) be accepted.

A recorded vote was taken on the recommendations, including amended recommendation 2.2(b), in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:  
Councillors Irvine, Jhans, Lamb, Mullins, and P Smith. (5)

Against the recommendations:  
None.

Abstentions:  
None.

## **RESOLVED**

That the Cabinet

- a) approves the procurement forward programme June 2020 – December 2020.
- b) delegates authority to the Leader of the Council in consultation with the appropriate Cabinet Member, the relevant Head of Service, and Head of Legal, Democracy and HR to approve the award of the contract following an appropriate procurement process.
- c) delegates the negotiation, approval and completion of all relevant legal documentation, following the awarding of the contracts to the relevant Head of Service, Head of Legal, Democracy and HR, Head of Corporate Finance, in consultation with the appropriate Cabinet Member.

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

### **Reasons for the Recommendations**

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

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

## **9. EV Charging Infrastructure Network**

The Cabinet Member for Environmental Services and Sustainability presented report [PES/364](#) of the Head of Economy and Planning. In December 2019, West Sussex County Council (WSCC) adopted an Electric Vehicle (EV) Strategy which set out a

plan to procure a supplier to deliver a county-wide EV charging network. It had been requested that Crawley Borough Council partake in the scheme and nominate sites for the erection of EV charging points.

Councillor Rana presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 22 June 2020, which included:

- Reduced emissions were welcomed but it was noted that the vehicle batteries had a finite lifetime and could not be recycled - however there were second uses for batteries such as energy storage.
- The additional pressure on the existing power infrastructure should be considered.
- Recognition that the list of sites was not definitive nor confirmed and was also in addition to those proposed by WSCC, and that there was currently an option to recommend sites on the WSCC website.
- Concerns surrounding the number of spaces and potential concentration of the sites, which may overwhelm some areas. Consultation with ward Councillors would be welcomed.
- Acknowledgement that the issue of parking remained throughout the town and enforcement could take place through the usual channels for penalty use of EV charging points.

Councillors P Smith, Lamb, Mullins, and Jhans spoke as part of the discussion on the report. Cabinet Members expressed general support for the proposals, and it was noted that creation of sufficient infrastructure for EV would facilitate a reduction in carbon emissions. The figure that 30% of households in the borough do not have off-road parking and thus would be unable to install an EV charging point was queried. Concerns were also raised about the potentially inhibitory cost of electric cars. It was recognised that there would be potential for the Council to suggest changes to the WSCC strategy, including the charging point sites, at a later date.

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

For the recommendations:

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

Against the recommendations:

None.

Abstentions:

None.

## **RESOLVED**

That the Cabinet

- a) approves, in principle that the Council takes part in the EV Charging Infrastructure Network scheme, led by WSCC who will procure an EV infrastructure provider, through a concession contract to deliver an extensive EV charging network across the Borough.

- b) delegates authority to the Head of Economy and Planning, to undertake further discussions with WSCC, including consideration of any necessary associated documentation to progress the delivery of these services to benefit the borough.\*
- c) delegates authority to the Head of Economy and Planning, in consultation with the Leader of the Council and the Cabinet Member for Environmental Services and Sustainability, the approval of the Council entering into the scheme depending on the results of the tender process\*

*\*(Generic Delegation 7 will be used to enact this recommendation).*

## **Reasons for the Recommendations**

### **Tangible Action in response to the Climate Change Emergency Declaration**

Transport contributes over a third of the carbon emission across Crawley Borough (250 ktCO<sub>2</sub> pA) and is the one sector that is on an upward trend, and therefore in order to meet the obligations of our Climate Emergency declaration, the Council should work as quickly as possible to enable residents to switch to low emissions vehicles.

### **Lack of EV Charging Infrastructure is holding back EV take up**

One of the main barriers to increased take-up of low emissions vehicles is the lack of charging infrastructure. We know that residents would prefer to charge their car at or near their homes. We also know that 30% of households do not have access to off road parking and will find it hard to make the switch to EV. Providing chargers for these people is vital, and the scheme proposed by WSCC will address this.

### **No Maintenance Liability or Cost to CBC**

WSCC will be procuring a concession contract to install a network of EV charge points across the county. With the option to extend, the 7 year concession contract will be delivered entirely by the preferred supplier, who will be responsible for joint planning, funding, building, marketing and operating a publicly accessible charge point network across West Sussex, as well as providing an on-going 24/7 service (including the management of payments and support), with full responsibility for maintenance and repair to ensure the network is fully operational at all times.

### **The “Fast Track” roll out of EV Charging Infrastructure**

The scheme will use a portfolio based approach using commercially attractive sites to support less viable sites. Fast and rapid charge points will be installed on-street, in public sector car parks, and on community assets county wide, providing charging primarily for those residents and businesses who do not have access to off road parking. The provider will be contractually obliged to fast track infrastructure roll out.

### **Crawley will benefit from EV Infrastructure going elsewhere in West Sussex**

Horsham, Adur & Worthing, Arun and Mid Sussex District Councils are all planning to be involved in the scheme. The contract will be made available to other defined Contracting Bodies to join, such as district, boroughs, parish councils and incorporate parish halls, community centres etc. over the lifetime of the contract.

### **Improvements to Air Quality in Crawley**

Recent analyses pre-COVID 19 crisis have indicated that the air quality situation in parts of the Borough was getting significantly worse, particularly as regards NO<sub>x</sub> and particulate pollution. The rapid uplift in available EV charging infrastructure will incentivise conversion to electric vehicles to help enhance air quality.

## 10. Local Cycling and Walking Infrastructure Plan

The Cabinet Member for Environmental Services and Sustainability presented report [PES/363](#) of the Head of Economy and Planning which set out details of the draft Local Cycling and Walking Infrastructure Plan (LCWIP); a costed plan developed in line with Department for Transport guidance that aimed to establish borough-wide cycling and walking areas through a programme of infrastructure improvements. The draft LCWIP was to be approved for public consultation in order to identify further areas for inclusion in the Plan.

Councillor Rana presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 22 June 2020, which included:

- The need to instil public confidence in cycling and walking through separate space for cycling lanes, bike security and encouraging active travel. On balance, those who were not able to easily travel should not be at a disadvantage by the infrastructure established.
- Acknowledgement that five sets of cycle counters were in place to evaluate cycle trips. Whilst not monitoring speed it was proposed that all newly developed cycle routes would include a plan for monitoring and evaluating their use and effectiveness.
- Concern was raised regarding some of the traffic management plans proposed within the appendices. It was noted these may have a detrimental effect on other users and it was therefore suggested that it would be beneficial that ward and county councillors were included in the consultation of any potential scheme.

Councillor Crow was invited to speak on the item. Matters raised included the costing of the LCWIP, which was estimated at £23.5 million, and the possibility that the LCWIP could be seen by members of the public to penalise motorists instead of ensuring a balance to benefit all road and pavement users.

All Cabinet Members present spoke as part of the discussion and expressed general approval for the proposals in the report. Discussion occurred on parking, the climate emergency, and air quality in the borough, as well as the need to ensure the safety of cyclists and pedestrians. It was noted that the cost of the proposed plans was an estimate. The Cabinet also noted that the plans formed part of a national Government initiative to improve walking and cycling infrastructure.

Upon receiving a query regarding who was to be responsible for the ongoing maintenance of the proposed plans in the LCWIP, the Cabinet Member for Environmental Services and Sustainability suggested that this would fall to the Highways authority at WSCC.

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

For the recommendations:

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

Against the recommendations:

None.

Abstentions:  
None.

## **RESOLVED**

That the Cabinet:

- a) approves the draft Crawley LCWIP that has been developed for consultation
  - b) delegates authority to the Head of Economy and Planning\*, in consultation with the Cabinet Member for Environmental Services and Sustainability, to consider the responses to the consultation and either:
    - i) make minor amendments to the Crawley LCWIP in response to the consultation and adopt the amended the LCWIP\*
- or**
- ii) if there are major amendments required to the draft plan then produce an updated version of the Crawley LCWIP follow further Cabinet consideration and adoption.

*\*(Generic Delegation 7 will be used to enact this recommendation).*

## **Reasons for the Recommendations**

The LCWIP provides a key document to inform the planning authority Local Plan. This enables clear discussions with developers on providing safe, accessible, connected, people-centred neighbourhoods for homes and business, ensuring full linkage with the wider town cycle network and formally evaluated walking routes.

Having an LCWIP will put Crawley Borough Council in a favourable position to apply for government funding for walking & cycling schemes when this comes forward.

## **11. Exempt Information – Exclusion of the Public (Subject to Agenda Item 5)**

### **RESOLVED**

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

## **12. Appointment of Supplier for the implementation and support of a new Fully Integrated Housing and Asset Management Database System**

**Exempt Paragraph 3 – Information relating to financial and business affairs of any particular person (including the Authority holding that information)**

The Cabinet Member for Housing presented report CH/189 of the Head of Crawley Homes which sought Cabinet approval for the award of contract to the preferred successful bidder, following a competitive tender exercise and evaluation process, for

the award of a contract for the supply and implementation of a hosted housing management software solution.

It was noted that the proposed contract was for a six-year term period commencing on 13 July 2020, with a four-year optional extension period, subject to the suppliers' satisfactory performance.

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

For the recommendations:  
Councillors Irvine, Jhans, Lamb, Mullins, and P Smith. (5)

Against the recommendations:  
None.

Abstentions:  
None.

## **RESOLVED**

That the Cabinet

- a) approves the appointment of Bidder 3 for the supply and implementation of a fully hosted Housing Management software solution for a period of six years from 13 July 2020, with the option to extend for a further four years.
- b) delegates to the Head of Crawley Homes and the Head of Legal, Democratic and HR Services to complete and enter into the contract.\*
- c) delegates to the Head of Crawley Homes and the Head of Legal, Democratic and HR Services the ability to apply the four year extension at the end of the initial term subject to performance review.\*

\*(Generic Delegation 2 will be used to enact this recommendation).

## **Reasons for the Recommendations**

Following a tender exercise and evaluation, the provider identified in paragraph 2.2 of this report has submitted the most economically advantageous tender to ensure a fully integrated Housing and Asset Management Database System to assist in

### **13. HRA Budget for Purchase of Land or Property**

**Exempt Paragraph 3** – *Information relating to financial and business affairs of any particular person (including the Authority holding that information)*

The Cabinet Member for Housing presented report CH/190 of the Head of Crawley Homes which sought changes to agreed budgets and delegations to enable the Council to purchase land or property for the delivery of housing within the HRA.

Councillors Mullins also 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, and P Smith. (5)

Against the recommendations:

None.

Abstentions:

None.

## **RESOLVED**

That the Cabinet recommends to ask Full Council to:

- a) agrees to change to the budget heading of Acquisition Buy Back of Dwellings to Acquisition of Land or Dwellings.
- b) agrees to change the budget heading of Purchase of Edinburgh House to Purchase of Properties.
- c) delegates joint authority to the Head of Crawley Homes and the Head of Corporate Finance\* in consultation with the Cabinet Member for Housing and the Leader of the Council to purchase suitable land or property for the delivery of housing within the limits of the HRA budgets identified in 2.1 a and b.  
  
\*(Generic Delegation 8 will be used to enact this recommendation).
- d) amends the financial approval levels within the Constitution to ensure that they reflect the ability of the Council to purchase acquisitions efficiently within the agreed budgets

## **Reasons for the Recommendations**

There are opportunities to purchase either land or property that would benefit the council's ambition to develop affordable housing, but the process of agreement through Cabinet and Full Council means that the council is not able to act quickly and can lose out to other developers.

This will allow the Council to continue the delivery of dwellings funded from the HRA as part of HRA business plan and the Council's RTB Receipts (one-for-one) funding programme and provide housing for Crawley residents in need from the housing register.

**Closure of Meeting**

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.35 pm

**P K LAMB**  
Chair