



Crawley Borough Council

Notification of Decisions

To: All Councillors

The decisions of the **Cabinet** held on **30 June 2021** are attached.

The Call-in Period ends at noon on the 5th day following publication, namely noon on the Tuesday 6 July 2021

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

Yours faithfully

A handwritten signature in black ink, appearing to be "G. Paul", written over a horizontal line.

Head of Legal, Governance & HR

Published on 1 July 2021

Item No.	Title	Decision
6.	Treasury Management Outturn 2020 – 2021	<p>RESOLVED</p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> a) approves the actual 2020/21 Prudential and Treasury Indicators as set out in report FIN/527; b) notes the Annual Treasury Management Report for 2020/21. <p>Reasons for the Recommendations</p> <p>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. Report FIN/527 complies with these requirements.</p>
Item No.	Title	Decision
7.	Financial Outturn 2020-2021: Budget Monitoring - Quarter 4	<p>RESOLVED</p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> a) notes the outturn for the financial year 2020/21 as summarised in report FIN/526. b) notes that this has been an exceptional year where it has been very difficult to do accurate financial projections. <p>Request Full Council to:</p> <ul style="list-style-type: none"> a) approve the increase the capital budget for purchase of temporary accommodation from £1.1m to £2.4m to be funded from specific homelessness grants, revenue and earmarked reserves for purchase of such properties. b) approve the transfers of reserves as outlined in section 9 of report FIN/526. <p>Reasons for the Recommendations</p> <p>To report to Members on the projected outturn for the year compared to the approved budget.</p>

Item No.	Title	Decision
8.	Leisure Contract - Extension of Variation Order	<p>RESOLVED</p> <p>That the Cabinet approves the extension of the contract variation with Everyone Active under the terms set out in section 5.8 of report HPS/27.</p> <p>Reasons for the Recommendations</p> <p>The recommendation facilitates the continued re-opening of the leisure centres from 1st July 2021 in accordance with the Government announcement on 22 February 2021 and in accordance with Procurement Policy Note 02/20 (Supplier Relief Due to Coronavirus).</p>
Item No.	Title	Decision
9.	Extension to Coronavirus Act Protections from Evictions for Crawley Homes	<p>RESOLVED</p> <p>That the Cabinet approves that for all Crawley Homes tenancies, to replicate the protections for evictions as set out in the Coronavirus Act 2020, until 31 May 2022.</p> <p>Reasons for the Recommendations</p> <p>The recommendation recognises the scale of economic hardship being faced by the town as a result of the Covid-19 pandemic, and the subsequent financial hardship this will cause for many local households. It is widely recognised that Crawley has been harder hit than most other places in the country and the administration therefore believes that additional protection is required.</p> <p>Whilst the Council does not have the ability to legislate for the town as a whole, it is able to make decisions around tenancies within its own housing units. This decision would therefore extend these protections for Crawley Homes residents for a further 12 months beyond that set out in the Coronavirus Act 2020.</p>
Item No.	Title	Decision
10.	Temporary Accommodation Modular Housing Solution	<p>RESOLVED</p> <p>That the Cabinet:</p> <p>a) delegates authority to the Head of Strategic Housing Services, following discussion with any relevant Ward</p>

		<p>Councillors and in consultation with, and agreement in-principle from the Leader of the Council and Cabinet Member for Housing to identify suitable sites. <i>(Generic Delegation 7 will be used to enact this recommendation)</i></p> <p>b) delegates authority to the Head of Strategic Housing Services to progress with procurement to address the need for temporary accommodation. <i>(Generic Delegation 7 will be used to enact this recommendation).</i></p> <p>c) delegates authority to the Leader of the Council in consultation with the Cabinet Member for Housing, Head of Strategic Housing Services, Head of Legal, Governance and HR to approve the award of the contract following an appropriate procurement process.</p> <p>d) delegates the negotiation, approval and completion of all relevant legal documentation, following the awarding of the contracts to the Head of Strategic Housing Services, Head of Legal, Governance and HR, Head of Corporate Finance, in consultation with the Leader of the Council and the Cabinet Member for Housing. <i>(Generic Delegations 2 & 3 will be used to enact this recommendation)</i></p> <p>Reasons for the Recommendations</p> <p>The Council currently has 265 households in temporary accommodation, with 97 of these presently in nightly paid accommodation, including 26 out of borough placements. This represents the highest level of need and demand for temporary accommodation across the County. These levels will inevitably rise significantly with the lifting of the ban on evictions.</p> <p>The average cost of nightly paid accommodation to the council per household per week is £211.50 equating to £21,154.00 per week for current numbers (rent arrears and ineligibility for benefits not included in this figure). There are also the additional costs and burdens on Housing Benefit to process and pay the associated claims.</p> <p>Nightly paid temporary accommodation is the most expensive and least desirable form of accommodation, particularly where there are children in the household and as a result, such households can only be placed into this type of accommodation in an emergency, and then only for a maximum period of six weeks.</p> <p>A raft of measures are being progressed both locally and at a county-wide level to reduce the pressure on nightly paid accommodation. This report is focused on one of these</p>
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		<p>work strands, namely the modular housing solution with its rapid pace of delivery.</p> <p>The Council has recently secured £600k capital funding from the Government towards the provision of 10 additional units as part of a temporary housing pathway to support the prevention of homelessness and rough sleeping. Linked to this capital grant is a further £240k in revenue funding that has been awarded over a 3-year period to provide wrap around support services. The grant conditions require these units to be delivered within the current financial year or this funding will be lost.</p> <p>Due to the volumetric design concept of modular housing, it is necessary to first select the particular modular provider. The scheme is then designed in accordance with their volumetric design, and progressed through the planning process while gearing up the off-site construction. A short period of on-site works then follows to complete the development. The delegated authority being requested will enable Officers to progress this procurement, and for the Leader (in consultation with those mentioned in 2.2c) to award any contracts that will allow this initiative to derive the full benefits of fast-track housing delivery that modular housing offers.</p> <p>The selection of any particular modular housing provider will be procurement compliant, and the site selection and planning application will follow the usual internal and external consultation, and will be fully policy compliant, including meeting national space standards. It will be delivered in accordance with an approved planning application, and to the high levels of efficiency and sustainability as is expected for Council housing.</p>
Item No.	Title	Decision
11.	Forward Programme of Key Procurements (July - December 2021)	<p>RESOLVED</p> <p>That the Cabinet</p> <ul style="list-style-type: none"> a) approves the procurement forward programme July – December 2021. b) delegates authority to the Leader of the Council in consultation with the relevant Cabinet Member, Opposition Leader, 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

		<p>awarding of the contracts to the relevant Head of Service, Head of Legal, Governance and HR, Head of Corporate Finance, in consultation with the appropriate Cabinet Member. <i>(Generic Delegations 2 & 3 will be used to enact this recommendation)</i></p> <p>Reasons for the Recommendations</p> <p>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.</p> <p>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.</p>
Item No.	Title	Decision
12.	Replacement Article 4 Directions (Class MA) in Main Employment Areas	<p>RESOLVED</p> <p>That the Cabinet:</p> <p>a) approves the making of non-immediate Article 4 Directions under the Town and Country (General Permitted Development Order) 2015 (as amended) to remove the Class MA permitted development right for Commercial, Business & Service (E) to residential (C3) at the Main Employment Areas shown at Appendix A, these being:</p> <ul style="list-style-type: none"> i. Manor Royal ii. Maidenbower Business Park iii. Lowfield Heath iv. Three Bridges Corridor v. Tilgate Forest Business Centre <p>b) delegates authority to the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development to formally confirm the non-immediate Article 4 Directions following the 12 month notification period, if having fully considered all representations made during the consultation period, they are of the opinion that the Article 4 Directions should be made.</p> <p>Reasons for the Recommendations</p> <p>Crawley is firmly established as one of the key economic</p>

	<p>drivers in the South East of England, representing the economic heart of the Gatwick Diamond and the wider Coast to Capital Local Enterprise Partnership (LEP) area. The COVID-19 pandemic has impacted substantially upon Crawley's economy and, whilst it is anticipated that the local economy will respond positively to the current challenges, it is vital that the right conditions are in place to support recovery.</p> <p>There remains significant need for business land in Crawley, with the adopted 2015 Local Plan identifying an overall need for 57.9ha new employment land in the period up to 2030. However, with an available land supply pipeline of 23ha, there is a deficit of some 35ha business land. The available business land has continued to reduce as sites are built out, and the land supply pipeline is currently 17.56ha, as per the Employment Land Trajectory (Base Date 1 September 2020). To help meet Crawley's employment needs, the Draft Submission (Reg. 19) Local Plan proposes the allocation of an industrial-led Strategic Employment Location at Gatwick Green, though in order to ensure a sufficient supply of employment land it is also critical to ensure that the function of borough's existing Main Employment Areas (MEAs) are protected.</p> <p>Crawley has already lost around 61,500sqm of commercial space to residential development via permitted development rights, and the presence of amenity-sensitive residential uses in the MEAs can constrain remaining business operations and erode market confidence. Some MEAs, for example Broadfield Business Park, have been undermined to such an extent by the introduction of residential uses that their overall employment function has effectively been lost. Of further concern is that working MEAs are not a suitable location for people to live, resulting in an isolated and poor quality of life that is contrary to the planned nature of Crawley as a New Town.</p> <p>The Council has been selective in identifying the MEAs within which Article 4 Directions apply, having made these only where they are necessary to protect local amenity, the existing local business function and employment base and the well-being of the area. The existing Article 4 Directions, whilst having helped address the concerns mentioned above, will not be effective against the new right for Use Class E (GPDO Class MA). Should the council wish to retain the current protections made by these Article 4 Directions, it will be necessary to bring into force replacement Directions relating to the new Use Class E (GPDO Class MA) permitted development right. This has been confirmed through legal advice.</p>
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Item No.	Title	Decision
16.	Telford Place Development Opportunity	<p>Exempt Paragraph 3 – <i>information relating to the financial or business affairs of any particular person (including the authority holding that information)</i></p> <p>RESOLVED</p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> a) approves the proposed procurement strategy towards achieving the objective of a policy-compliant residential development as detailed in section 5 of report SHAP/82. b) approves the development proposal for the purposes of delivering an affordable housing scheme, with the Council securing the affordable rent element, as detailed in section 6 of report SHAP/82. c) delegates authority to the Head of Strategic Housing Services, the Head of Corporate Finance and the Head of Legal, Governance & HR in consultation with the Leader of the Council and the Cabinet Member for Housing, to enter into the necessary contracts, and complete all relevant legal documentation to achieve the above recommendations. (<i>Generic Delegation 2 and 3 will be used to enact this recommendation</i>). d) in considering the Commission's views, asks that Officers and the developers consider ways, if possible, in which they can preserve the tree and increase the percentage parking on the site. <p>Reasons for the Recommendations</p> <p>The Council acquired the Telford Place site in 2015 for the purposes of developing a policy compliant residential scheme. Following two attempts to procure a development partner the market has failed to perform, but the Council is now presented with the opportunity to progress the development of this site as an all affordable housing scheme.</p>
Item No.	Title	Decision
17.	Approval to Award a Contract for Professional Services (Architects) - Proposed	<p>Exempt Paragraph 3 – <i>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</i></p>

	Housing Sites	<p>RESOLVED</p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> a) subject to the mandatory standstill period, approves the appointment of Bidder 'A' for the Professional Services Contract. b) delegates the negotiation, approval and completion of the all the relevant legal documentation and entering into the contract following the award to the Deputy Chief Executive, Head of Legal, Governance & HR, in consultation with the Cabinet Member for Housing. <i>(Generic Delegation 2 and 3 will be used to enact this recommendation).</i> <p>Reasons for the Recommendations</p> <p>Following a tender exercise and evaluation process, Bidder 'A' has submitted the most economically advantageous tender and is therefore recommended for appointment.</p> <p>The appointment will further enable the Council to adapt to best deliver new housing within the context of constrained land supply and in its compiling of site specific information in accordance with Local Plan policies when bringing sites forward for housing.</p>
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FORM OF NOTIFICATION OF SUPPORT FOR CALL-IN

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

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

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

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

Signatories

1. Signature of Councillor calling-in the decision

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Name in capitals

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2. Signature of Councillor Supporting the call-in

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Name in capitals

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3. Signature of Councillor Supporting the call-in

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Name in capitals

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4. Signature of Councillor Supporting the call-in

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Name in capitals

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