

Crawley Borough Council

Cabinet

Agenda for the **Cabinet** which will be held in **Ashurst Main Hall - The Charis Centre**, on **Wednesday, 29 September 2021** at **7.00 pm**

Nightline Telephone No. 07881 500 227



Chief Executive

Membership:

Councillors

P K Lamb (Chair)
R S Fiveash

I T Irvine
G S Jhans

M G Jones

C J Mullins
P C Smith

Leader of the Council

Deputy Leader and Cabinet Member for
Resources

Cabinet Member for Housing

Cabinet Member for Environmental Services
and Sustainability

Cabinet Member for Public Protection and
Community Engagement

Cabinet Member for Wellbeing

Cabinet Member for Planning and Economic
Development

Please contact Democratic Services if you have any queries regarding this agenda.
democratic.services@crawley.gov.uk

Published 17 September 2021



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 are reminded that it is a requirement to declare interests where appropriate.	
3. Minutes	5 - 10
To approve as a correct record the minutes of the Cabinet held on 8 September 2021.	
4. Public Question Time	
To answer any questions asked by the public which are relevant to the functions of the Cabinet.	
Public Question Time will be concluded by the Chair when all questions have been answered or on the expiry of a period of 15 minutes, whichever is the earlier.	
5. Matters referred to the Cabinet and Report from the Chair of the Overview and Scrutiny Commission	
To consider any matters referred to the Cabinet (whether by a scrutiny committee or by the Council) and those for reconsideration in accordance with the provisions contained in the Scrutiny Procedure Rules, the Budget Procedure Rules and the Policy Framework Procedure Rules set out in Part 4 of the Council's Constitution.	
6. Community Grants Procedure & Outcomes Framework	11 - 22
<i>Public Protection & Community Engagement Portfolio</i>	
To consider report HCS/29 of the Head of Community Services, which was referred to the meeting of the Overview and Scrutiny Commission held on 27 September 2021.	
7. Leisure Contract - Extension of Variation Order	23 - 26
<i>Wellbeing Portfolio</i>	
To consider report HPS/28 of the Head of Major Projects and Commercial Services.	

8. Supplemental Agenda

Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.

This information is available in different formats and languages. If you or someone you know would like help with understanding this document please contact the Democratic Services team on 01293 438549 or email: democratic.services@ Crawley.gov.uk

This page is intentionally left blank

Crawley Borough Council

Minutes of Cabinet

Wednesday, 8 September 2021 at 7.00 pm

Councillors Present:

P K Lamb (Chair)	Leader of the Council
I T Irvine	Cabinet Member for Housing
M G Jones	Cabinet Member for Public Protection and Community Engagement
C J Mullins	Cabinet Member for Wellbeing
P C Smith	Cabinet Member for Planning and Economic Development

Also in Attendance:

Councillor R D Burrett, D Crow and K Khan

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Siraj Choudhury	Head of Legal, Governance and HR
Ian Duke	Deputy Chief Executive
Karen Hayes	Head of Corporate Finance
Matt Lethbridge	Community Services Manager
Chris Pedlow	Democratic Services Manager
Karen Rham	Neighbourhood Services Manager
Nigel Sheehan	Head of Projects and Commercial Services
Kate Wilson	Head of Community Services

Apologies for Absence:

Councillor R S Fiveash and G S Jhans

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 30 June 2021 were approved as a correct record and signed by the Leader, subject to a minor amendment to item 1 Declarations of Interest.

Agenda Item 3

Cabinet (14)
8 September 2021

The declaration should read:

Councillor P Smith	Replacement Article 4 Directions for Main Employment Areas (Class MA) (Minute 12)	Personal Interest – As Councillor P Smith is Local Authority Director of the Manor Royal Business
-----------------------	--	--

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 item 13 *Property Acquisition to Increase the Council's Portfolio of Temporary Accommodation*.

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

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

6. Petition – 'Keep your dog on a lead in Tilgate Park'.

The Cabinet Member for Wellbeing presented joint report [HCS/30](#) of the Head of Community Services and the Petitions Officer.

The report responded to the petition submitted from residents titled 'Keep your dog on a lead in Tilgate Park.' The petition documented the concerns and wished the council to increase signage and warden patrol around Tilgate lake to ensure dogs were kept on leads while walking around the lake and to implement the enforcement of rules when this was not adhered to:

"We the undersigned petition the council to Increase signage and warden patrol around Tilgate lake to ensure dogs are kept on leads while walking around the lake. To implement enforcement of rules are not adhered too. My dog was attacked while walking around the lake by a dog that was not kept on its lead. The rules are clear on the website, however there isn't sufficient signage and enforcement of rules for dog owners not adhering to the rules. Therefore increased presence of signage, policing and enforcement is required"

The principal petitioner was invited to address the Cabinet on their petition but declined the opportunity.

The report also outlined the research that had been undertaken following receipt of the petition along with the key areas for consideration.

Agenda Item 3

Cabinet (15)
8 September 2021

Councillor Mullins, as Cabinet Member for Wellbeing, expressed his empathy for those that had signed the petition, as he was aware of the problem that the petition was highlighting, and he acknowledged that the Commission had held a good debate on the petition. He commented that the Commission had considered the options within the report and as shown in the Commission's comment sheet before the Cabinet, they supported option 2, but Councillor Mullins stated he was more than happy to put forward the stronger approach of option 3.

Councillor Khan read out report [OSC/296](#) the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 6 September 2021, which included:

- Acknowledged that the issue of dogs off leads attacking other dogs, people and other types of wildlife was not solely a Tilgate lake issues and such attacks had occurred across the Borough.
- That the Commission preferred option 2 as it was a stronger approach that the current method.
- They also felt that option 3, may be heavily resource intensive without resulting in behavioural change and minimum reward in comparison.

Councillor Crow was invited to speak on the item and commented he had first hand experience through a family member being attacked by an unleashed dog whilst they ran around Tilgate lake. He commented it was a difficult choice and wished Cabinet well in tackling this tricky matter.

The Cabinet held a long debate comparing the stronger approach of option 3 compared to opting for option 2, including the difference in cost against the likely outcomes, impact of the options on the Community Wardens and other Council services, how a PSPO could be used and where it should cover, the expectations of residents including the impact on dog walkers along with other factors. Arising from this discussion the Cabinet felt that they could not make an informed decision, without receiving more detailed analysis on the implication of option 3 and therefore agreed that a further report was required.

RESOLVED

That the Cabinet requests that Officers bring a further report back for its consideration, which provides more detail with regards to the potential implementation of option 3 referred to within the report [HCS/30](#).

In order for Cabinet to make an informed decision, the requested report should provide information on option 3, the possible changes to service delivery and personnel, expected financial implications and any legal aspects. This will include details on the use of bye-laws and the installation of a PSPO together with the associated statutory consultation requirements.

Reasons for the Recommendations

To ensure the procedure for petitions as detailed in the Council's Constitution is adhered to.

To ensure that Cabinet are making an full informed decision on the subject on the petition - 'Keep your dog on a lead in Tilgate Park.'

7. 2021/2022 Budget Monitoring - Quarter 1

The Leader presented report [FIN/531](#) of the Head of Corporate Finance. The report set out a summary of the Council's actual revenue and capital spending for the Quarter 1 of the 2021-2022 financial year. The figures showed an expected overspend of in the revenue budget of £1.529mill, but with use of the 'use of approved coronavirus budgets' reserve of £1.008mil and Grants' relating to sales, fees and charges of £250k, the predicted revised deficit would be £271k. It was explained the majority of the deficit was directly or indirect Covid related. The HRA was showing an underspend of £5k currently but that figure did not account for the potential repairs and maintenance overspend which was being investigated.

The capital budget expenditure to end of Quarter 1 was £9.033mil and with an estimate total capital spend for the year of £54.356mil. The report also detailed proposed redistribute funds within the ICT budget and proposals with regard to the Unsupervised Play Investment Programme.

Councillor Khan presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 6 September 2021, which included that they noted that the majority of the reasons overspent for this quarter were still Covid related and that they would want to be monitoring this in the next few Quarters' report, especially regarding K2 Crawley.

Councillor Crow spoken on the report acknowledging the uncertain times that the Council was functioning in, also added his support with regards to Recommendation 5 relating to the refurbishment of playgrounds.

Councillors Irvine and C Mullins also spoke regarding to issues relating respectively their Portfolios as part of the discussion on the report.

RESOLVED

That the Cabinet:

- a) notes the projected outturn for the year 2021/2022 as summarised in this report [FIN/531](#)
- b) notes the potential overspend on HRA responsive repairs as shown in paragraph 8.4 of report [FIN/531](#) .
- c) notes that the ICT budget has been increased by £100,000 for Hardware Renewals and that this will be funded from the ICT Renewals Reserve.
- d) approves the increase the capital budget by £35,000 in 2021/22 to purchase a Legal Case Management System this will be funded from New Burdens grant received from the government.
- e) approves the draw down from the existing refurbishment of playgrounds future schemes for the two play schemes as identified in paragraph 9.9 of report [FIN/531](#) which will be funded from available S106 (subject to delegated approval).

Agenda Item 3

Cabinet (17)
8 September 2021

Reasons for the Recommendations

To report to Councillors on the projected outturn for the year compared to the approved budget.

8. Cabinet Appointments to Outside Bodies and Organisations

The Leader presented report [LDS/172](#) and it was noted there were additional nominations to be sought for Cabinet Outside Bodies.

RESOLVED

That the Cabinet appointed the following Councillors to the Outside Bodies for 2021/2022:

Name of Organisation	2021/2022 Appointment
The Cycling Forum	Councillor Irvine
High Weald Area of Outstanding Natural Beauty Advisory Committee	Councillor Irvine
Gatwick Airport Noise Management Board	Vacancy
Gatwick Airport Noise Management Board Community Forum	Vacancy
Strategic Aviation Special Interest Group	Councillor Lamb

Reason for the Recommendations

To appoint to additional outside bodies in relation to Cabinet functions for 2021/2022.

9. 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 item 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.

10. Property Acquisition to Increase the Council's Portfolio of Temporary Accommodation

***Exempt Part B - By Virtue of Paragraph 3
Information relating to the financial or business affairs of any particular person
(including the authority holding that information)***

Agenda Item 3

Cabinet (18)
8 September 2021

The Cabinet Member for Housing presented report SHAP/83. The report sought approval to purchase a property on the open market to be used for Temporary Accommodation. The purchase will be funded through the approved budget for Temporary Accommodation.

Councillor Khan presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 6 September 2021, which included their general support as it would be a flexible approach to meet the demands of the service and acknowledged that consultation would take place as part of the planning process.

During discussion on the report Members of the Cabinet expressed their support for the report's proposal to help address some of the temporary accommodation needs within the Borough.

RESOLVED

That the Cabinet delegates the negotiation, approval and completion of all relevant legal documentation to complete the purchase/acquisition, to the Head of Strategic Housing Services, Head of Legal, Governance and HR and Head of Corporate Finance, in consultation with the Leader of the Council and the Cabinet Member for Housing.

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

Reasons for the Recommendations

The Council currently has 279 households in temporary accommodation, 100 of these in nightly paid accommodation, including 30 out of borough placements. This represents the highest level of need and demand for temporary accommodation faced by the Council to date.

The average net cost of nightly paid accommodation to the council per household per week is £211.50 equating to £21,150.00 per week / £1.1m per year for current numbers. This figure does not include any additional financial burdens arising from non-payment of contributions or ineligibility for benefits.

A raft of measures is being progressed both locally and at a countywide level to reduce the pressure on nightly paid accommodation. This report is focused on one of these work strands, namely to expand the portfolio of Council owned temporary accommodation.

This detached two storey property will provide an additional 6 units of temporary accommodation.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 7.50 pm

P K LAMB
Chair

Agenda Item 6

Crawley Borough Council

Report to Overview and Scrutiny Commission 27 September 2021

Report to Cabinet 29 September 2021

Community Grants Procedure & Outcomes Framework

Report of the Head of Community Services, **HCS/29**

1. Purpose

- 1.1 The purpose of this report is to agree the Community Grants Procedure and Outcomes Framework to the Voluntary and Community Sector.

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission:

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet.

- 2.2 To the Cabinet:

The Cabinet is recommended to:

- a) Approve the Community Grants Procedure and Outcomes Framework including the associated proposal, process, priorities and outcomes and decision making delegations as set out in sections 5.1 to 5.20.
- b) Approve a ring fenced sum of £140,569 for the new Community Advice and Support Service (CASS) contract from the strategic grants & commissioning allocation as set out in section 5.6.
- c) Delegate authority to the Cabinet Member for Public Protection and Community Engagement in consultation with the Head of Community Services, and Head of Legal, Governance and HR to enter into an Inter-Agency Agreement to support continued partnership working, and approve the award of the CASS contract following an appropriate procurement process.
- d) Delegate the negotiation, approval and completion of all relevant legal documentation, following the awarding of the contract to the Head of Community Services, Head of Legal, Governance and HR, Head of Corporate Finance, in consultation with the Cabinet Member for Public Protection and Community Engagement.

Agenda Item 6

3. Reasons for the Recommendations

- 3.1 The recommendation supports the Council to achieve a balanced budget position for 2022/23 onwards.
- 3.2 It responds to the approach agreed at Cabinet on 3 February 2021, to develop a strategic/commissioned and small grants funding programme with a focus on high quality outcomes that, with the new priorities, better responds to particular needs of our community.

4. Background

- 4.1 The 2021/22 grants programme was put on hold due to the context of the budgetary challenges and the remedial actions required to deliver a balanced budget.
- 4.2 As part of the budget setting process for 2021/22, the Council stated its intention to reduce the overall community grants fund by £212,000 in two tranches. The reduction in 2021/22 is £120,000, retaining a fund totalling £512,000. The total reduction of £211,000 applies for 2022/23 leaving an overall grants budget allocation of £421,000.
- 4.3 This allowed the Council to take a transitional approach to the reduction and fulfil its contractual obligation to Citizens Advice West Sussex for the local information and advice service in 2021/22.
- 4.4 Officers have actively engaged with all funded organisations in relation to the reduction to the community grants budget, the proposed changes to the allocation of funds, and the decision making process.
- 4.5 A closed main grants round was successfully completed for 2021/22, this only included organisations that had been in regular receipt of large grant funding from the Council over a number of years.
- 4.6 The budget and agreed approach to delivering the transitional year for the Community Grants programme was ratified at Cabinet on 3 February 2021.

5. Proposals

- 5.1 The Council will implement a refreshed funding programme for 2022/23 consisting of three distinct components; strategic grants, commissioned services (contracts) and a small grants offer including crowdfunding. The total annual budget for the programme is £421,000 and will be provisionally allocated as follows;
 - £371,000 for strategic grants and commissioning
 - £50,000 for small grants and crowdfunding

Strategic Grants

- 5.2 The Strategic Grants application process will launch in October 2021 with funding awarded to successful applicants commencing from April 2022.
- 5.3 The following revised priorities and outcomes will apply to the new grants programme 2022/23 and be revised periodically as required;

Agenda Item 6

Priority 1 - Known Vulnerable

- Reducing homelessness and the impact of homelessness
- Improving health and wellbeing outcomes for those with a dementia diagnosis and their carers

Priority 2 - Emerging Vulnerable

- Bringing people closer to the job market and securing employment
- Reducing domestic abuse and violence
- Narrowing inequalities within our diverse community

Priority 3 - Future Vulnerable

- Supporting those who have experienced adverse childhood experiences to increase educational attainment and achievement and improve social mobility

Priority 4 - Community Spirit

- Supporting events that promote community spirit & cohesion
- 'Connecting' community groups and residents through the delivery of positive events and activities

Commissioned Service

- 5.4 It is envisaged that a revised Countywide 'Community Advice and Support Service' (CASS) will remain as a jointly commissioned service. This will provide for an information and advice service such as currently provided by Citizens Advice West Sussex to be delivered in Crawley.
- 5.5 West Sussex County Council will manage the joint procurement process, working in partnership with the Borough and District Councils, from September 2021 for the new service to commence 1 April 2022. The new service will have a Local Delivery Plan to be agreed by Crawley Borough Council (the Head of Community Services and the Cabinet Member for Public Protection and Community Engagement). The following decision making process is recommended for the commissioning plan.
- 5.6 It is envisaged that the level of annual funding required for the new CASS contract will remain in line with the current commitment of £140,569 per annum. Therefore, £140,569 will be ring fenced from the strategic grants and commissioning allocation of £371,000. If the full amount is not required for the new contract, the remaining funds will be added to the strategic grants allocation.
- 5.7 Delegate authority to the Cabinet Member for Public Protection & Community Engagement in consultation with the Head of Community Services, and Head of Legal, Governance and HR to enter into an Inter-Agency Agreement to support continued partnership working, and approve the award of the CASS contract following an appropriate procurement process.
- 5.8 Delegate the negotiation, approval and completion of all relevant legal documentation, following the awarding of the contract to the Head of Community Services, Head of Legal, Governance and HR, Head of Corporate Finance, in consultation with the appropriate Cabinet Member.

Agenda Item 6

Small Grants

- 5.9 The new small grants scheme will be implemented from October 2021 with an online application process to support local groups in need. The budget for 2021/22 is £63,024 (funds provided for the transitional period).
- 5.10 From April 2022, the 2022/23 budget £50,000 will be allocated as listed below, and reviewed annually by the Head of Community Services and the Cabinet member for Public Protection and Community Engagement;
- £30,000 funding pots for a revised small grants scheme (for awards of up to £2,500).
 - £10,000 funding pot for a crowdfunding pilot scheme (such as Spacehive or a similar platform for awards of £2,501 - £5,000).
 - £10,000 further funding pot to be allocated to boost either the small grants or crowdfunding funds to be allocated in consultation with the Cabinet member for Public Protection and Community Engagement (providing flexibility as new funding schemes).
- 5.11 The overarching aim of the new small grants scheme is to “**Foster greater levels of community connectivity and cohesion**”. Further outcomes will be aligned with those priorities stated within the outcomes framework document.
- 5.12 The Crowdfunding scheme will follow the same framework and generate additional funding by individual giving. Crowdfunding is the practice of funding a project or venture by raising small amounts of money from a large number of people, typically via the Internet. The Council currently has access to the Spacehive platform for Crowdfund Crawley which already promotes the Neighbourhood Improvement Fund.

Funding Decision-Making Process

Strategic Grants

- 5.13 The revised grants programme will launch in October 2021 with successful bidding organisations receiving allocated funding from April 2022. Organisations should apply online securely via the Council’s website.
- 5.13 All bids will be assessed according to the eligibility criteria and the new outcomes framework. An initial assessment will be undertaken by a panel of Community Services officers, consisting of;
- Community Services Manager
 - Funding and Commissioning Officer
 - Community Development Manager
- Additional council officers may be consulted where an application is relevant to their service area of expertise.
- 5.14 Recommendations for funding will be made to the Head of Community Services and the Cabinet Member for Public Protection and Community Engagement, who will have the authority to make a decision. Awards will be from £5,000 for projects or services.
- 5.15 Successful and unsuccessful applicants will be notified in writing. Applicants who do not agree with the outcome will be able to submit a valid and detailed appeal in writing within 15 working days of the decision. In the event of an eligible appeal the

Agenda Item 6

[Grants Appeal Panel](#) will convene. This currently consists of 5 Councillors drawn from the pool of Councillors appointed to the Grants Appeals Panel and their decision is final.

- 5.16 On completion of the decision making process, funding agreements will be issued setting out the standard terms and conditions or any special conditions. Funding will commence from the start of the new financial year.
- 5.17 Quarterly performance monitoring meetings will be mandatory for commissioned services and those organisations in receipt of a strategic grant award.

Small Grants

- 5.18 The small grants scheme and Crowdfunding scheme will commence annually in April subject to available funds. All grant funding requests (including crowdfunding 'pitches') will be submitted by way of a simple online application process.
- 5.19 All funding applications will be assessed according to the published eligibility criteria and the outcomes framework. An assessment of the case for support will be undertaken by Community Services.
- 5.20 Recommendations for funding will be made to the Community Services Manager and the Cabinet Member for Public Protection and Community Engagement, who will have the authority to make a decision.
- 5.21 Awards are for up to £2,500 and £5,000 for small grants and crowdfunding respectively. Standard funding terms and conditions will apply. An end of project report will be required.
- 5.22 The following comparison table provides an overview of the process and decision making delegation for all funding types. If a Cabinet Member is unable to act, the Leader may act on their behalf or authorise another Cabinet Member to do so. (Leader and Cabinet Procedure Rules in the [Constitution](#))

Funding type	Level	How to apply	Decision making Delegation
Small Grants	Up to £2,500	Online - open	Community Services Manager in consultation with the Cabinet Member
Crowdfunding	Up to £5,000	Online – from April 2022	Community Services Manager in consultation with the Cabinet Member
Strategic Grants	From £5,000	Online – Autumn 2021	Cabinet Member
Commissioning/Contract	As required/specified	Procurement process	Cabinet Member

Agenda Item 6

6. Implications

6.1 Financial

Report [FIN/514](#) 2021/2022 Budget and Council Tax, section 6.4 outlines the long term savings requirement of £212,000, however, the Lower Tier Services Grant allows a transition, with a savings requirement of £120,000 in 2021/22, and of £212,000 in 2022/23.

6.2 Legal

WSSC will lead the countywide procurement process for the new West Sussex Community Advice and Support Service. This contract is due to be awarded before the new contract commences on 1st April 2022. If the Borough Council continues with the WSSC arrangement then this will be a contractual obligation.

Any future funding awards that are deemed suitable for a commissioning process will then become legally binding contracts.

Grants awarded are not legally binding contracts however performance is expected and will be monitored.

6.3 Equalities

An Equalities Impact Assessment has been completed and can be found at Appendix A.

7. Background Papers

[Report to OSC & Cabinet Community Grants Future Options HCS24 1 & 3 February 2021](#)

[Report to OSC & Cabinet Budget Strategy 2021/22 - 2025/26 FIN/508 23 & 25 November 2020](#)

[Report to OSC & Cabinet 2021/2022 Budget and Council Tax FIN/514 1 & 3 February 2021](#)

Report author and contact officer:

Kate Wilson. Head of Community Services.
Kate.Wilson@ Crawley.gov.uk

EQUALITY IMPACT ASSESSMENT

Name of activity:	Community Grants Policy Review 2020-21	Date Completed:	01/09/21		
Directorate / Division responsible for activity:	Community Services	Lead Officers:	Craig Downs/Matt Lethbridge		
Existing Activity	<input type="checkbox"/>	New / Proposed Activity	<input type="checkbox"/>	Changing / Updated Activity	x

What are the aims / main purposes of the activity? (Why is it needed? What are the main intended outcomes?)

Community Services has recently undertaken a range of service redesign exercises to transform, improve and enhance our current service delivery and in offering the most efficient services that offers both financial and social value. Our initial assessment of the grants process was that it was no longer fit for purpose and it would be beneficial to review policy and practice and the underpinning infrastructure and objectives of our funding support model. The grants programme was last reviewed in 2013 and receives regular audit and oversight. This review supports the development of Community Services and the wider corporate priorities and pressures.

What are the main actions and processes involved?

The purpose of the grants review was to:

- Move from a position of discretionary grant giving to an investors approach
- Be able to better measure impacts and outcomes in and with our communities and with individuals
- Deliver a fit for purpose funding model that is needs led, and evidenced based
- Maximise our investments, making our money work for us, by seeking a rate of return both socially and financially
- Reduce the dependant nature of existing relationships with those who receive grants

Who is intended to benefit & who are the main stakeholders? (e.g. tenants, residents, customers or staff. How will they benefit?)

The review is based on wanting the best outcomes, for our residents, the sector and in evidencing outcomes and impacts that offer value for money and offer a good rate of return (financial and social) on our investments and we do this by:

- Building alliances, to ensure that all the resources in a community are mobilised to develop resilience, capacity and capability.
- Actively listening to sections of the community that are most dependent on services and protecting their interests when funding and spending decisions are being made.
- A commitment to collaborative working and alliance building, where each partner has an equal voice and brings a different perspective, offering both challenge and support.

- A needs-led approach, responding to evidence of needs among local people, rather than previous priorities, or benevolent acts that can shift the power paradigm.
- Building on extensive local knowledge that encourages a stronger sense of community and of identity and place.
- Common values, partners agree on a common vision, mission and plan of action to improve a place in terms of somewhere to live, work, visit and study.

Have you already consulted on / researched the activity? (What consultation has taken place & what were the key findings?
What evidence already exists? Are there any gaps that need further investigation? What still needs to be done?)

A project group of officers has looked at funding tools and options and is testing a new online application form with input from voluntary and community groups to ensure the application process is easy to use.

Impact on people with a protected characteristic (What is the potential impact of the activity? Are the impacts high, medium or low?)

Protected characteristics / groups	Is there an impact (Yes / No)	If Yes, what is it and identify whether it is positive or negative
Age (older / younger people, children)	Yes	<u>Positive Impact</u> The redesigned grants programme has children as a priority group, in terms of prevention in respect of those who are able to be supported in terms of developing unnecessary and unavoidable vulnerabilities and disadvantage. More universally the proposed changes need to be read in the context of our play, health and wellbeing approaches.
Disability (people with physical / sensory impairment or mental disability)	Yes	<u>Positive Impact</u> It is envisaged that through our whole service review, that we will better represent individuals who might face additional barriers in accessing services and or support, or who require more specialist approaches to level the playing field in terms of equity.
Gender reassignment (the process of transitioning from one gender to another.)	No	
Marriage & civil partnership (Marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognised for same-sex couples)	No	

Pregnancy & maternity (Pregnancy is the condition of being pregnant & maternity refers to the period after the birth)	No	
Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)	Yes	<u>Positive Impact</u> The grants review, and subsequent changes to the process is designed to have improved representation and reach.
Religion & belief (religious faith or other group with a recognised belief system)	Yes	<u>Positive Impact</u> The grants review, and subsequent changes to the process is designed to have improved representation and reach.
Sex (male / female)	No	
Sexual orientation (lesbian, gay, bisexual, heterosexual)	Yes	<u>Positive Impact</u> Equalities and need are at the heart of our new ways of working, and key to our developments are those who may face additional challenges, prejudice and discrimination, this approach will more ably celebrate our LGBTQ+ communities.
Whilst Socio economic disadvantage that people may face is not a protected characteristic; the potential impact on this group should be also considered	Yes	<u>Positive Impact</u> A new model of delivery is predicated on delivering the best services for Crawley residents through an Asset Based Community Development (ABCD) approach, creating greater synergy across the Council and partner organisations. The outcomes will include; <ul style="list-style-type: none"> - Increasing Social Mobility - Reducing health inequalities - Improving Community connectivity and cohesion - Supporting a resilient and sustainable VCSE sector

What evidence has been used to assess the likely impacts? (e.g. demographic profiles, research reports, academic research, benchmarking reports, consultation activities, staff surveys, customer surveys, public surveys, complaints, grievances, disciplinary cases, employment tribunal cases, ombudsman cases, media reports)

This EqIA is based on a detailed review of our current grants offer, its processes and beneficiaries, this process has been subject to financial scrutiny, wide stakeholder consultancy, bench marking comparisons, market analysis and has been subject to significant internal partnership input.

What resource implications are there to deliver actions from this EqlA? (Quantify: people, time, budget, etc.)

The resources are not anticipated to increase as a result of these actions, the investment made into the review, releases savings, efficiencies and the changes in our grants process will realise greater capacity, capability and in our evidence measures that relate to impact and outcomes.

Outcome following initial assessment

Does the activity have a positive impact on any of the protected groups or contribute to promoting equality, equal opportunities and improving relations within target groups?	Yes	If yes, record the evidence below. If no STOP and re-examine the activity. Yes for all priority groups as VCSE sector support is more targeted by the council.
Does the activity have a negative impact on any of the protected groups, i.e. disadvantage them in any way.	No	If yes, identify necessary changes and record appropriate actions below. If no, record the evidence and assessment is complete.

Decision following initial assessment

Continue with existing or introduce new / planned activity	Yes	Amend activity based on identified actions	N/A
---	-----	---	-----

Action Plan (Has the EqlA identified any positive or negative impact on any of the protected groups which requires action? E.g. adjustments to the approach or documents, changes to terminology, broadening parameters of policy, etc. If so record any actions to be undertaken and monitored)

Impact identified	Action required	Lead Officer	Deadline

Monitoring & Review

Date of last review or Impact Assessment:	N/A
Date of next 12 month review:	Reviewed on 3 year cycle, unless there is a significant change to the programme or administration.

Date of next 3 year Impact Assessment (from the date of this EqIA):	September 2024
--	----------------

Date EIA completed:	01/09/21
Signed by Person Completing:	Craig Downs (Funding & Commissioning Officer) Community Services
Date Sent to HR and Equalities Team:	01/09/21
Approved by Head of Service:	Kate Wilson (approved final draft)

NB – The original signed hard copy & an electronic copy should be kept within your Department for audit purposes. Send an electronic copy to the OD Officer in HR & Development. Also, please complete the summary document overleaf. This will be included on the Council's website.

The EIA Toolkit provides guidance on completing EIAs & HR&D can provide further advice.



Completed Equality Impact Assessment	Key findings	Future actions
<p>Directorate / Division:</p> <p>Function or policy name:</p> <p>Officer completing assessment (Job title):</p> <p>Date of assessment:</p>	<ul style="list-style-type: none"> • Community Services • Community Grants • Craig Downs • 01/09/21 	<ul style="list-style-type: none"> • Review in September 2024 or earlier if required

Agenda Item 7

Crawley Borough Council

Report to Cabinet 29th September 2021

Leisure Contract – Extension of Variation Order

Report of the Head of Major Projects and Commercial Services, **HPS/28**

1. Purpose

- 1.1 This report sets out the arrangements the Council has entered into with Everyone Active (EA) following the initial lockdown in March 2020 and recommends the Council extend the variation order to facilitate the continued opening of the leisure centres over the period 1 October 2021 – 31st March 2022.

2. Recommendations

- 2.1 To the Cabinet

The Cabinet is recommended to approve the extension of the contract variation with Everyone Active under the terms set out in section 5.7 of this report.

3. Reasons for the Recommendations

- 3.1 The recommendation facilitates the continued re-opening of the leisure centres providing the opportunity to grow customer base and membership numbers while adhering to the Government's Procurement Policy Note 02/20 (Supplier Relief Due to Coronavirus).

4. Background

- 4.1 As part of the Covid-19 response, between 20 March 2020 and 29th March 2021, the Government required leisure centres to either be fully closed or to be partially open with restrictions applied to capacity, social distancing and other specific infection control measures.
- 4.2 Also commencing on 20 March 2020, the Government published Procurement Policy Note 02/20 (PPN02/20) (Supplier Relief Due to Coronavirus). This note advised contracting authorities to put in place 'appropriate payment measures to support supplier cashflow and ensure suppliers who are at risk continue to be paid as normal'. Reflecting PPN02/20, the Council agreed a Deed of Variation (DoV) with Everyone Active for an initial three-month period (April – June 2020) which would permit non-payment of the contract fee (£76K per month) and underwrite EA's operational deficits. The DoV has subsequently been extended and the current agreement expires at the end of September 2021.
- 4.3 From March 29th 2021, a phased re-opening of leisure centres was permitted on the following basis:

Agenda Item 7

- 29 March : Outdoor Activities (3G Pitches / Athletics)
- 12 April: Gym, children's indoor sport including learn to swim programme, café (takeaway)
- 17 May: Group exercise classes, adult indoor sport, café (indoor table service)
- 19th July: Majority of services to resume as normal albeit with some protocols regarding distancing and other specific disease control measures remaining in place.

- 4.4 With this phased re-opening, the operational deficit over the period 1st April to 30th June 2021 was projected at £260,100, however, the actual take up has significantly exceeded the projections and the actual deficit for the quarter was £51,000.
- 4.5 Everyone Active has reported continued increases in usage in Q2 of the financial year with the return of events and continued growth in membership numbers.
- 4.6 In December 2020, the Council was successful in applying for a grant of £220,000 to the Department of Culture, media and sport (DCMS) to support the costs of re-opening leisure centres. With the subsequent, lockdown between January and March 2021, DCMS required 70% of this funding (£154,000) to be allocated to offset costs in the financial year 2021/22.
- 4.7 Further, guidance issued to s151 officers in August 2020 gave a new income support scheme to cover 75% of losses as a result of lost income due to the pandemic. There is a top slice deductible from 5% of all sales, fees and charges. This funding effectively enabled the Council to recover approximately £53,000 of the £76,000 monthly contract fee which would otherwise be payable to the Council. This scheme expired on 30th June however and there is currently no indication that it will be replaced or extended.

5. Description of Issue to be resolved

- 5.1 On the 22 February 2021, the Government announced a phased re-opening of leisure centres with effect from 29 March 2021. With social distancing and public health requirements in place, the guidance under PN02/20 continues to apply and it is recommended that the Council extend the contract variation for a further six months (covering the period 1st October 2021 – 31st March 2022) to enable the continued phased re-opening and re-building of the customer numbers.
- 5.2 To provide controls on expenditure for the Council, it has been agreed with EA that:
- (i) Should any of the major expenditure items exceed the amount stated in the monthly projections, specific Council authorisation will be required for this expenditure.
 - (ii) EA will present income and expenditure projections to the Council on a fortnightly basis to demonstrate that all reasonable efforts are being made to maximise income and mitigate costs.
 - (iii) Should the overall net deficit exceed the projection in a given month, EA and the Council will commit to a review as soon as reasonably practical which will seek to ensure the deficit in the subsequent month(s) is at or below the projection figure for that period.

Agenda Item 7

- 5.7 It is recommended that the Council extends the DoV for a six month period (1st October 2021 – 31st March 2022) with the projected monthly deficits over this period being:

- October £23,445
- November £27,744
- December £57,626
- January £35,053
- February £38,147
- March £18,823

- 5.8 Extending the contract variation for a six month period will provide time for the market to further recover and ensure compliance with PPN2/20. The Council has procured contract advice in respect of the change in law and any potential longer term contract implications. These are however unknown at this point and the 6 month extension of the DoV will provide further time for longer term market implications to be understood and tested.

6. Information & Analysis Supporting Recommendation

- 6.1 The two main alternative options which the Council could consider are to close the leisure facilities or to terminate the existing contract with EA. It is felt that both of these options would be more costly to the Council and would lead to an extended period of disruption without the service and a longer recovery to return to a normalised service position.

7. Implications

Financial

- 7.1 The Budget and Council Tax 2021/22 [FIN/514](#) report to Cabinet on 3 February 2021 and Full Council on 24 February 2021 Table 2 and section 5.5.5 included a provision of £813,000 in respect of additional costs and lost income in respect of Covid-19 funding for 2021/22. In addition to that, there was a provision for lost income due to the pandemic of £300,000 giving a total of £1.13m for current year losses.
- 7.2 The 2021/2022 Budget Monitoring report – Quarter 1 [FIN/531](#) to Cabinet on 8th September 2021 identified a projected budget shortfall of £1.258m (Section 6.1). After applying for Government support at 75p in each £1 which is available for the first quarter of the year this reduces the deficit to £1.008m. This will result in using all of the £813,000 as identified in 7.1 above.
- 7.3 Within the projected budget shortfall, there were projected additional costs and reduced income in respect of the leisure contract of £592,000 for the year. This allows for the use of the £154,000 grant as identified in paragraph 4.6 above. The assumption at that time was assuming some additional support to Everyone Active but that gradually turning into a profit making position later in the financial year resulting in payments being made to the Council.
- 7.4 The projected loss of £592,000 for the year is lower than the estimates received from Everyone Active. The projections submitted by Everyone Active have generally assumed a worst case scenario however and, as evidenced in Q1, the actual results (£51,000 deficit) have been better than the more cautious projections (£260,000 deficit). Assuming the strong return to leisure centre use continues, it would be

Agenda Item 7

reasonable to assume the actual deficit will be lower than the October – March projection of £200,838 shown in paragraph 5.7.

- 7.5 The contract costs will be carefully monitored during the financial year and reported to Councillors through the quarterly monitoring process.
- 7.6 The Medium Term Financial strategy will be reported to Cabinet in November 2021. There is currently no allowance within the strategy for lost income as a result of the pandemic. Were there to be no income from the leisure contract in the next financial year, this would result in lost income of £912,000. This has not been factored into projections at this time. If this level of losses remains budget savings would have to be sought for future financial years. This will be discussed at an all Member Seminar in the Autumn.

8. Background Papers

- 8.1 Budget and Council Tax 2021/22 [FIN/514](#) report to Cabinet on 3 February 2021.

9. Report author and contact officer:

Nigel Sheehan, Head of Major Projects and Commercial Services.
Nigel.sheehan@ Crawley.gov.uk. 01293 438728