

Crawley Borough Council

Minutes of Full Council

Wednesday, 15 December 2021 at 7.30 pm

Councillors Present:

M Flack (Deputy Mayor)

Z Ali, J Bounds, R D Burrett, D Crow, K L Jaggard, G S Jhans, K Khan, M G Jones, P K Lamb, R A Lanzer, T Lunnon, S Piggott and P C Smith

Officers Present:

Natalie Brahma-Pearl Chief Executive

Chris Pedlow Democracy & Data Manager

Mez Matthews Democratic Services Officer

Apologies for Absence:

Councillor M L Ayling, A Belben, T G Belben, S Buck, B J Burgess, R G Burgess, C R Eade, R S Fiveash, I T Irvine, S Malik, K McCarthy, J Millar-Smith, M Morris, C J Mullins, S Mullins, M Mwagale, A Nawaz, D M Peck, A Pendlington, M W Pickett, S Raja and B A Smith

Note by the Head of Legal, Governance and HR: -

It was asked that, in respect of the Apologies for Absence, it be recorded that the Deputy Mayor, in discussion with both Group Leaders, had agreed to reduce the number of Councillors present at the meeting of the Full Council. That decision had been taken on health and safety grounds following the recent rise in the number of Covid cases due to the Omicron variant. As such, the absence of all Councillors listed as having sent their apologies was due to reducing the risk of exposure to, and transmission of, Covid.

1. Minutes

The minutes of the meeting of the Full Council held on 20 October 2021 were approved as a correct record and signed by the Deputy Mayor.

2. Disclosures of Interest

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

3. Communications

The Deputy Mayor informed the Full Council that in light of the reduce membership at the meeting, she was going to delay presenting the long service badges to the Councillors, detailed within the agenda, until the next Full Council meeting which was due to be held on 23 February 2022, so that more Councillors would be present. Also at that meeting she would provide a full update on her Deputy Mayoral events.

4. Public Question Time

There were no questions from the public.

5. Budget Strategy 2022/23 – 2026/27- (Recommendation 1)

The Full Council considered report [FIN/537](#) of the Head of Corporate Finance. The Leader of the Council presented the report which set out the projected financial position for 2022/23 to 2026/27 for the General Fund, Housing Revenue Account, capital programme and the underlying assumptions. The report also set the policy framework for the budget process, recognising that there were a range of options for capital investment, income generation, savings and Council Tax levels; none of which could be considered in isolation. The overall objective in the past had been to work towards a balanced General Fund budget over a three year period, this however, due to the impact of the pandemic this had been increased to four years in the Budget Strategy report to Cabinet in November 2020.

It was noted that there was currently a budget gap £138,566 for 2022/23 before use of reserves and before any savings are identified, on the basis of a Council tax increase of 2.31% which was £4.95 on a Band D in property 2022/23. It was proposed also to budget a further £948,460 for new capital schemes.

The item had been previously considered at the Overview and Scrutiny Commission and Cabinet meetings on 22 November 2021 and 24 November 2021 respectively. Councillor Lamb moved the recommendation which was seconded by Councillor P Smith. Both Councillor Lamb and Councillor P Smith spoke on the report.

Councillor Crow also spoke on the item and the recommendation.

The Deputy Mayor then called for the vote on the Recommendation, which was carried unanimously.

RESOLVED

That the Full Council approves the Budget Strategy 2022/23 to 2026/27 and:

- a) Notes the uncertainties around Government funding prior to the settlement in December and the delay in Local Government Funding reforms such as business rates retention and the future of New Homes Bonus.
- b) Notes, for the purpose of projections, the current budget deficit of £138,566 for 2022/23 before use of reserves, on the basis of a Council tax increase of 2.31% which is £4.95 on a Band D in property 2022/23.
- c) Works towards balancing this over a four-year period, including putting back into reserves when the Budget is in surplus. There may be a need to use reserves over the next three to four years to balance the budget together with ongoing savings, efficiencies and additional income through the transformation programme.
- d) Notes there was a report on the Climate Change Emergency Action Plan at the Cabinet meeting on 24 November 2021. The costs identified in 2022/23 are

included within existing budgets, however there will be a need to fully cost the Plan over the coming years and decisions will be required on how to fund the Plan.

- e) Notes that savings previously agreed and included in the Budget Strategy are required to ensure a sustainable budget.
- f) Delegates to the Leader of the Council in consultation with the Chief Executive and the Head of Corporate Finance to approve a discretionary business rates scheme to distribute the share to Crawley Borough Council of the £1.5b business rates relief as outlined in Section 5.3 of report [FIN/537](#).
- g) Notes that items for the Capital Programme are driven by the need for the upkeep of council assets and environmental obligations and schemes will also be considered that are spend-to-save or spend-to-earn, but that such prioritisation should not preclude the initial consideration of capital projects that could deliver social value.
- h) Agrees the inclusion of new capital schemes in future budgets with the value of £948,460 as identified in Table 8 of report [FIN/537](#).
- i) Reduces the Gigabit capital programme of £2.7m to £1.35m funded from the West Sussex business rates pool to avoid duplication with Towns Fund Gigabit scheme as identified in section 9.3 of report [FIN/537](#).
- j) Approves the revised Crawley Homes capital investment plan in Appendix D of report [FIN/537](#) which includes the financial year 2024/25 and the garage repairs capital budget which was transferred to the General Fund.
- k) Notes that the Budget is aligned to the Council's Corporate Priorities

6. **Crawley Homes Rent Overcharge (Recommendation 2)**

The Full Council considered report [DCE/11](#) of the Deputy Chief Executive which had been previously considered by the Overview and Scrutiny and Cabinet meetings on 22 November 2021 and 24 November 2021 respectively. Councillor Lamb, as the Leader of the Council, presented the report and recommendations, which detailed the reasons behind the rental overcharge, the actions being taken to rectify this and the associated financial impact; and along with the proposal of the necessary financial changes that were before the Full Council for its consideration and approval.

Councillor Lamb moved the recommendation, which was seconded by Councillor P Smith. Both Councillor Lamb and Councillor P Smith spoke on the report.

Councillor Lanzer spoke on the item and the recommendation; in doing that he asked that that the Leader whether he would be happy to provide Councillors with the financial cost and the amount of resource which had been incurred by the Council as a result of dealing with the rents over charge.

As part of his right to reply Councillor Lamb confirmed that work had been undertaken within the Council day to day resource, but tracking the cost was currently being undertaken. He would ask officers that once the exercise had been completed, an item be including in the Councillors' Information Bulletin, detailing the total cost to the Council in responding to the rents over charge.

The Deputy Mayor then called for the vote on the recommendation, which was carried unanimously.

RESOLVED

That the Full Council

- a) Notes on the reasons behind, and the actions being taken to rectify, the rent overcharge.
- b) Agrees the necessary financial provision for both for the refund of rent and the lower income anticipated within the Housing Revenue Account in both the current and future years. The cost in the current and future financial years will result in less resource to fund future housing.
- c) Notes that the cost of the refunds made to tenants/DWP will impact in the current financial year the sum that will be transferred to the major repairs reserve for investment in future housing stock. This will be reported in the Quarter 3 Budget Monitoring Report.

7. Crawley Innovation Centre - Draft Business Case (Part B Report) - Recommendation 3

The Full Council considered exempt report PES/392 of the Head of Economy and Planning, which had been previously considered by the Overview and Scrutiny Commission and Cabinet meetings on 22 November 2021 and 24 November 2021 respectively. The Cabinet Member for Planning and Economic Development presented report which detailed the business case for the design, build and delivery of the Crawley Fusion Innovation Centre, proposed to be located in Manor Royal, fully financed by the government's Getting Britain Building Fund through the Coast to Capital Local Enterprise Partnership.

Councillors Lanzer and Burrett also spoke on the item and in support of the recommendation.

Councillor Lamb moved the recommendation which was seconded by Councillor P Smith.

The Deputy Mayor then called for the vote on the Recommendation, which was carried unanimously.

RESOLVED

That the Full Council approves the increase to the capital programme budget for the Innovation Centre by £8.6m subject to receiving approval from the LEP that the bid is successful and that they will provide the £8.6m grant. This is also subject to a viable business case that satisfies the s151 officer being received on the revenue financial implications to the Council of the project.

8. Notice of Motion 1 - Amending the Targets Within the Climate Emergency Action Plan

The Full Council considered the Notice of Motion 1 - '*Notice of Motion 1 – Amending the Targets within the Climate Emergency Action Plan*' as set out on page 73 of the Full Council's agenda. The Motion was moved and presented by Councillor Crow who, in doing so, gave further explanation behind the reasoning for the Notice of Motion, emphasising that the Motion was not a criticism of the Climate Emergency Action Plan, but that the Motion intended to challenge the Council by having more aspirational targets on reducing emissions, rather than targets that were still challenging but were seemingly achievable.

Councillor Piggott seconded the Motion and spoke in support of it.

Councillors Lamb, Lanzer, Jhans, Burrett, Jaggard, P. Smith and Ali also spoke in support of the Motion.

The Deputy Mayor then called for the vote on the Notice of Motion, which was carried unanimously.

RESOLVED

The recent COP26 summit was an important event for the world in seeking to address climate change by working to limit global temperature rise to 1.5°C. It was widely agreed at COP26 that this decade, the 2020s, is a make-or-break decade for the world to act. Whilst several promising agreements were reached, it is widely recognised that there is more for the world to do.

In November 2021, this Council's Cabinet agreed the Council's Climate Emergency Action Plan which pledged to reduce emissions by 45% by 2030 and to reach net zero by 2050.

This Council notes that:

Nearly two thirds of English local authorities have pledged to reach net zero by 2030, including our own local upper tier authority, West Sussex County Council, as well as other District and Borough Councils within West Sussex.

This Council resolves that:

Crawley Borough Council's Climate Emergency Action Plan is amended to pledge to reduce emissions by at least 50%, and as close to net zero as possible by 2030, and to reach net zero by 2040 at the very latest.

9. Councillors' Questions Time

Question	Response
<p>Councillor Crow to the Leader of the Council –</p> <p><i>We are all well aware of what is happening with Omicron, the new Covid-19 variant, and the ambition of the government to rapidly ramp up the booster programme. We know we are in a race against time to save lives, reduce hospital admissions, and not put the NHS in crisis over the winter period. Is there anything we can do as a council to help with the vaccination programme? I've seen lots of things going on nationally so perhaps we could, if council staff are available, suggest they volunteer to help with the vaccination programme and the council give time off in lieu as long as their jobs are not impacted. I would be supportive of anything we could do to support the booster vaccination programme.</i></p> <p><i>Thank you for your answer. We all recognise that vaccination is the best thing we can do. I am pleased to hear that the council is having conversations with partners. I'm contactable over the Christmas period if the Leader or the Chief Executive wants to contact me for any kind of support. We're all in this together and we hope the vaccination programme will be successful, and anything we can do to help my group will be supportive of that.</i></p>	<p>Councillor Lamb (Leader of the Council) –</p> <p><i>We stand ready to do anything necessary to help the vaccination programme. Clearly we have facilities we can make available, we also have a workforce that can be made available though it would depend upon the jobs that need doing. We are in conversation with the local NHS about this but the problem is there is a lack of people who have the medical qualifications to give the vaccinations. That's where the major shortage is in the system – and ultimately we don't have the trained staff. But if there is a need for volunteers in non-active vaccination roles then we can certainly provide that. We also need to send a very clear message about the importance of vaccination. It's the safest thing you can do for your own health, for the people you love, and for your community. If there's one thing to take from this evening's meeting it's that this is the first time in the town's history we've had to do a meeting like this – strip attendance down to the quorum in order to do it safely – if we're taking it this seriously it shows the need for local people to do the same. Ultimately people should get out there and get their vaccine and their booster, it's the only way life will get back to normal.</i></p>

Councillor Jaggard to the Leader of the Council –

The council purchased Kingsgate car park around three years ago. As it's going to take approximately four months to bring it up to a safe standard, with hindsight was it value for money and was there enough oversight and scrutiny given to the pre-purchase survey that was undertaken? I'm confused as to how this rather dangerous building slipped through that survey.

Supplementary question –

The refurbishments that we're going to be doing are good for the safety of customers, particularly upgrades to the security and lighting to bring it up to the standard of Orchard Street car park. Obviously it's unfortunate timing for the NCP to abandon its contract just before Christmas. What were we doing as landlord before this to ensure the building wasn't deteriorating? Do we, on buildings we own, undertake regular inspections to make sure they're not deteriorating? And if not, why not?

Councillor Lamb (Leader of the Council) –

Some of that I can't answer for legal reasons but I can assure you there are things being investigated. In terms of the building itself, it was a really good purchase. One of the biggest concerns we've had around the leasing of floors in the new town hall building – which is essential if we are going to manage to afford the climate change plan, to maintain services and get them back to normal – was the lack of parking space. By having the most immediately adjacent car park to the building in the council's possession, and the changes we're making to it, we're effectively integrating that into that site. The long term plan was always to take it back from NCP, but better cooperation from the NCP would have been useful. The asset itself is good but the circumstances in which we took it back have not been great. But long-term we are effectively going to control most of the town's car parking supply moving forward which is not a bad position to be in. There may be other buildings that we can identify that might not have been great purchases, but the car park itself feeds into our wider strategies on a number of levels.

Response to supplementary question –

Each one of these buildings has been purchased by the council with an existing lease, and the terms of that lease will be the basis on which we'd be operating with that particular tenant. We'd be undertaking checks in line with the leases, but unfortunately not having drafted those leases we are not in a position to have a uniform policy across all sites. There will be a lot fewer of those previous tenants moving forward and we're going to have a lot more control over setting the terms and conditions in line with what we have elsewhere. Certainly when you look at the council's property elsewhere there is a very thorough regime in terms of inspecting them, such as on the shopping parades.

<p>Councillor Ali to the Leader of the Council –</p> <p><i>In regard to the rent overcharge situation – how far along are we in the process of contacting residents and issuing refunds or account credit?</i></p> <p>Supplementary question –</p> <p><i>Thank you. I understand that legally, as was mentioned earlier, we could have kept that money but I'm very pleased the officers and the council as a whole agreed to do the right thing and refund the money back to our residents. It was mentioned to me that we have identified at least one resident who was evicted due to the error of this rent overcharge. Have we managed to contact or re-house this family? And have we come across any other similar cases?</i></p>	<p>Councillor Lamb (Leader of the Council) –</p> <p><i>We have contacted everyone affected – at this time they have been written to twice. Of those, 61% have engaged with us. We're still waiting for the other 39% to engage but will continue to reach out to them. A lot of people are choosing to leave money on their rent account – they can take it back or leave it in their account – presumably because it's nice to have a bit of cash in there in case something happens down the road. But wherever they've asked for it back, we have been paying it back. There is one group which we haven't been able to refund yet, and that's because, after a certain date the Department for Work and Pensions doesn't have data on what their level of benefit was and how that related to their overall amount of money received. The DWP will be subtracting a certain amount from that, but it's all on their end at the moment. We had hoped to get it all done before Christmas, but due, to that there are some that won't be able to be paid until afterward. If you get contacted, email Ian Duke who can get back to residents to let them know what's happening. We've been successful in reaching out to everyone we have contact details for, which unfortunately in most cases is only an address and not a telephone number.</i></p> <p>Response to supplementary question –</p> <p><i>It's only one case at the moment, and we are offering them a Crawley Homes property. I don't think it's necessarily appropriate to go into more detail about the case of a specific family but certainly we are working to try and ensure that anyone who has lost out is put back to where they should have been had the overcharge not happened. And for those who are in receipt of universal credit where the DWP hasn't been able to work out the figures, which is the vast majority of them, they'll actually be financially better off than if this had never happened.</i></p>
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10. Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees including Items for Debate

Moved by Councillor Flack

RESOLVED

That the following reports be received:

Overview and Scrutiny Commission – 1 November 2021

Overview and Scrutiny Commission – 22 November 2021

Cabinet – 24 November 2021

Planning Committee – 30 November 20

It was noted that there were no other items reserved for discussion.

Closure of Meeting

With the business of the Full Council concluded, the Deputy Mayor declared the meeting closed at 8.40 pm

**M Flack
Deputy Mayor**

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Disclosures of Interest Received

Councillor	Item and Minute	Meeting	Type and Nature of Disclosure
Councillor Lanzer	Budget Strategy 2022/23-2026-27 (Minute 4)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Member of WSCC
Councillor Burrett	Climate Emergency Action Plan (Minute 9)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Member of WSCC
Councillor Lanzer	Climate Emergency Action Plan (Minute 9)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Member of WSCC
Councillor Burrett	One Town – Crawley Economic Plan – Consultation Findings and Final Version (Minute 10)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Member of WSCC
Councillor Lanzer	One Town – Crawley Economic Plan – Consultation Findings and Final Version (Minute 10)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Member of WSCC
Councillor P Smith	One Town – Crawley Economic Plan – Consultation Findings and Final Version (Minute 10)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Local Authority Director of the Manor Royal Business Improvement District
Councillor P Smith	One Town – Crawley Economic Plan – Consultation Findings and Final Version (Minute 10)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Board member of the Town Centre Business Improvement District
Councillor Burrett	Crawley Innovation Centre – Draft Business Case (Minute 13)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Member of WSCC
Councillor Lanzer	Crawley Innovation Centre – Draft Business Case (Minute 13)	Overview and Scrutiny Commission 22 November 2021	Personal Interest – Member of WSCC
Councillor Burrett	Climate Emergency Action Plan (Minute 11)	Cabinet 24 November 2021	Personal Interest – Member of WSCC
Councillor Burrett	One Town – Crawley Economic Plan – Consultation Findings and Final Version (Minute 12)	Cabinet 24 November 2021	Personal Interest – Member of WSCC
Councillor P Smith	“One Town” - Crawley Economic Recovery Plan	Cabinet 24 November 2021	Personal Interest –

	Consultation Findings and Final Version (Minute 12)		As Councillor P Smith is the Council's representative to the Town Centre BID Board–
Councillor P Smith	“One Town” - Crawley Economic Recovery Plan Consultation Findings and Final Version (Minute 12)	Cabinet 24 November 2021	Personal Interest – As Councillor P Smith is the Council's representative to the Manor Royal BID Board
Councillor Burrett	Crawley Innovation Centre – Draft Business Case (Minute 13)	Cabinet 24 November 2021	Personal Interest – Member of WSCC
Councillor P Smith	Crawley Innovation Centre – Draft Business Case (Minute 15)	Cabinet 24 November 2021	Personal Interest – As Councillor P Smith is the Council's representative to the Manor Royal BID Board
Councillor Burrett	Planning application CR/2021/0243/FUL – Land East of Radford Road (and West of the Access Road to the Thames Sewerage Treatment Works), Radford Road, Crawley (Minute 4)	Planning Committee 30 November 2021	Personal Interest – had been approached by residents in his role as Councillor for Pound Hill North and Forge Wood to discuss the application site, but had expressed no view and remained impartial on the matter
Councillor Burrett	Section 106 Monies – Q4 2020/21 to Q2 2021/22 (Minute 5)	Planning Committee 30 November 2021	Personal Interest – Member of WSCC