

Crawley Borough Council

Minutes of Cabinet

Wednesday, 7 September 2022 at 7.00 pm

Councillors Present:

M G Jones (Chair)	Leader of the Council
S Malik	Cabinet Member for Resources
C J Mullins	Deputy Leader of the Council and Cabinet Member for Wellbeing
S Mullins	Cabinet Member for Public Protection and Community Engagement
A Nawaz	Cabinet Member for Planning and Economic Development

Also in Attendance:

Councillor A Belben, T G Belben, R D Burrett, D Crow and R A Lanzer

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Siraj Choudhury	Head of Governance, People & Performance
Richard Gammie	Commercial Asset Manager
Karen Hayes	Head of Corporate Finance
Chris Pedlow	Democracy & Data Manager
Jess Tamplin	Democratic Services Officer

Apologies for Absence:

Councillor S Buck and G S Jhans

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Nawaz	Final Report of the Council-owned Neighbourhood Parades Scrutiny Panel (Minute 5)	Disclosable Pecuniary Interest – a tenant of a retail unit owned by Crawley Borough Council. Councillor Nawaz left the room and took no part in the discussion or vote on this item.

Councillor S
Mullins

Final Report of the Council-
owned Neighbourhood
Parades Scrutiny Panel
(Minute 5)

Personal Interest – a previous
member of the Scrutiny Panel
(prior to becoming a Cabinet
Member).

2. Minutes

The minutes of the meeting of the Cabinet held on 6 July 2022 were approved as a correct record and signed by the Leader.

3. Public Question Time

There were no questions from the public.

4. 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.

5. Final Report of the Council-owned Neighbourhood Parades Scrutiny Panel

Councillor Nawaz left the room and took no part in the discussion or vote on this item.

Councillor Lanzer as Chair of the Council-owned Neighbourhood Parades Scrutiny Panel presented report [OSC/303](#), the Panel's final report to the Cabinet. The Cabinet was reminded that the main aims of the Scrutiny Panel were to examine the various roles of Crawley Borough Council's neighbourhood shopping parades, explore how effectively these were being discharged, and to consider any improvements that could be made.

The Cabinet was informed that the Scrutiny Panel's large number of recommendations were consciously framed with a whole Council approach, noting that contributions can be made by various departments beyond that responsible for the Property Strategy, and by partner organisations.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in report [OSC/304](#) to the Cabinet following consideration of the matter at its meeting on 5 September 2022, which included:

- Endorsement of the report and recommendations and thanks to all Panel members and officers involved in the process.
- Disappointment at the response rate to the parade tenant section of the consultation but recognition that further in-person consultation had been successful. The need for tenants to seek legal advice when signing a lease was discussed, and concerns were raised about the level of arrears owed.
- Some concern about the costs involved in some of the recommendations.

Councillor Crow was invited to speak on the item and in doing so thanked the Panel for its considerations and recognised the importance of the work that was done.

Concerns were raised regarding the appropriateness and viability of recommendations (a), (b), and (m).

Councillors C Mullins and S Mullins spoke as part of the discussion on the report. It was considered important to ensure the neighbourhood parades continued to be community hubs with their own identities – the work of the Panel reflected this, but there were hesitations about the financial implications of some of the recommendations especially as it would be difficult to fairly distribute funds or resources across all parades. It was highlighted that there were problems of crime and anti-social behaviour in some areas and this was a matter for Sussex Police; it would not be appropriate or fair to request the Council's community wardens to undertake further work on this issue. Also discussed was the extent to which the Council should have influence on the balance of trades at the parades.

The Leader of the Council, having heard the views expressed by the Cabinet and the Overview and Scrutiny Commission, concluded that it was possible to adopt some of the Panel's recommendations. Others however were not financially viable at present in light of the current financial restraints on the Council, or not practicable (for example, because it was difficult to exercise control over the balance of trades/uses). It was also highlighted that the Council needed to maintain a professional tenant-landlord relationship with shop tenants and some of the recommendations were seen to confuse or compromise the balance of responsibilities between the two. The Leader presented each of the Panel's recommendations in turn and summarised which were to be approved, amended, or rejected, and gave the reasons for doing so.

RESOLVED

That the Cabinet:

- i) Engages the Council's Business and Economic Development Team to signpost all neighbourhood parade tenants to business and training support, advice, and resources (e.g., the West Sussex Retail Hub) at the beginning of and, when appropriate, during their tenancy.
- ii) Incorporates into any future review of CCTV coverage in the borough an assessment of any blind spots at any neighbourhood parades, including through representations to the Safer Crawley Partnership.
- iii) Prepares and sends an annual questionnaire to parade shop tenants, with the process reviewed after the second year, based on the experience of the extent of demands on officer time this creates.
- iv) Subjects the lease agreement to an external test of the language used (e.g. Crystal Mark accreditation) and produces a summary version in plain language, accompanying while not substituting for the legal content of the main lease, for which tenants must continue to ensure they obtain their own independent legal advice before signing.
- v) Requests the Cabinet Member for Public Protection and Community writes to the local district commander at Sussex Police requesting that they enhance the arrangements of a zero-tolerance policy on alcohol consumption at the parades and increase patrols from Sussex Police/PCSOs.
- vi) Requests that Sussex Police provides tenants with updates on the mechanisms for crime and anti-social behaviour reporting.

- vii) Considers a capital resource allocation to assess a further round of neighbourhood parade improvements, to maintain the benefits delivered by the previous programme.
- viii) Requests that officers circulate to all councillors details of the Asset Team's small budget allocated for improvement works on the neighbourhood parades.
- ix) Raises awareness among parade businesses on options for putting together their own Business Improvement Districts (BIDs) if they consider that matters such as an enhanced inspection and cleaning regime and dedicated warden patrol patterns would be desirable as an increased priority for the neighbourhood parades.
- x) Gives instructions to the Asset Team that confirm that they must pro-actively prevent the build-up of unacceptably high tenant debt in the interests of the tenants and Council taxpayers, to include the realistic consideration of an early termination of tenancy in preference to allowing an increasing debt with no prospect of repayment.
- xi) Continues to maintain a web presence for all neighbourhood parade shops that wish to be represented, with this forming part of the offer of a new lease assignment.

Reasons for the Recommendations

The Panel's recommendations reflected the objectives set out in the scoping framework. The main aims of the Panel were to examine the various roles of Crawley Borough Council's neighbourhood shopping parades, explore how effectively these were being discharged, and to consider any improvements that could be made.

The recommendations were consciously framed with a whole Council approach, noting that contributions can be made by various departments beyond that responsible for the Property Strategy, and by partner organisations.

The Cabinet chose to adopt only those recommendations which it considered practical and viable considering the current financial restraints on the Council. The parades are run as a commercial concern and the need to do this helps in part to support paying for the Council's wider work and provision of services.

6. Crawley Borough Council's Equality, Diversity & Inclusion Statement 2022-2026

The Cabinet Member for Resources presented report [LDS/181](#) of the Head of Governance, People & Performance which sought approval of the Council's refreshed and updated Equality, Diversity & Inclusion (EDI) approach, including a revised statement and action plan.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report as detailed in [OSC/304](#) to the Cabinet following consideration of the matter at its meeting on 5 September 2022, which included:

- Comments that the report and appendices were interesting and thorough.

- A wish to ensure detailed training is provided for councillors and officers to supplement the EDI documents. Whilst it would be ideal to hire specialist external trainers, the additional cost of this was recognised.
- Discussion of various inclusion matters such as assistance dogs, hearing loops, and suitable parking.

Councillors C Mullins and Jones spoke as part of the discussion on the report. There was agreement that the updated approach demonstrated the Council's commitment to equality, diversity and inclusion. It was considered essential to support the approach with training for councillors and officers on a range of EDI matters.

RESOLVED

That the Cabinet:

- a) approves the proposed EDI Statement 2022-2026 ([appendix A](#) of report LDS/181)
- b) approves the proposed EDI Action Plan 2022-2023 ([appendix B](#) of report LDS/181)
- c) approves the proposed Equality Impact Assessment template (EIA), ([appendix C](#)) together with the proposed guidance notes ([appendix D](#) of report LDS/181).
- d) delegates authority to the Head of Governance, People and Performance, in consultation with the Cabinet Member for Resources, to make minor amendments to the EDI Strategy, EDI Action Plan and EIA as further changes to legislation and statutory guidance are introduced and following an annual review of the action plan. (Generic Delegation 7 will be used to enact this recommendation).

Reasons for the Recommendations

The new approach and documents will:

- Refresh the Council's Equality, Diversity & Inclusion (EDI) approach.
- Ensure better communication with regards to the Council's EDI approach to employees, Councillors and to the local community.
- Ensure that the Council is undertaking the steps necessary to comply with the Equality Act 2010.
- Ensure that the Council factors in EDI when initiating new projects and when making important decisions.

7. Leisure Contract - Extension of Variation Contract

The Cabinet Member for Wellbeing presented report [HPS/32](#) of the Head of Major Projects and Commercial Services. The report recommended approval of the extension of the contract variation to 31 March 2023 with Everyone Active for the Sport & Leisure Management Contract. The recommendation facilitated the continued re-opening of the leisure centres providing the opportunity to continue to grow the customer base and membership numbers while ensuring the Council was using mechanisms within the contract with EA to ensure a legally compliant approach.

The Head of Major Projects and Commercial Services provided the Cabinet with supplementary information about the current membership and attendance rates at K2

Crawley leisure centre, which were steadily increasing but had not yet returned to pre-pandemic levels.

Councillor Crow was invited to speak on the item and in doing so welcomed the growing membership and attendance figures. It was suggested that there should be no further extensions to the contract variation past March 2023.

Councillors S Mullins and Jones spoke as part of the discussion on the report. It was highlighted that the relationship between the Council and Everyone Active was important and that the proposed extension to the variation would allow attendance at leisure centres to continue to increase over the coming months. Cabinet members agreed that they hoped to return to the original contract in April 2023.

RESOLVED

That the Cabinet:

- a) approves the extension of the contract variation with EA under the terms set out in section 5 of report [HPS/32](#).
- b) requests a further report be brought to Cabinet in Spring 2023 to apprise councillors of the future of the leisure contract and associated payments.

Reasons for the Recommendations

The recommendation facilitates the continued re-opening of the leisure centres providing the opportunity to continue to grow the customer base and membership numbers while ensuring the Council is using mechanisms within the contract with EA to ensure a legally compliant approach.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.16 pm

M G JONES
Chair