

Crawley Borough Council

Minutes of Cabinet

Wednesday, 23 November 2022 at 7.00 pm

Councillors Present:

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| M G Jones (Chair) | Leader of the Council |
| S Buck | Cabinet Member for Housing |
| G S Jhans | Cabinet Member for Environmental Services and Sustainability |
| 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 T G Belben, R D Burrett and D Crow

Officers Present:

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| Natalie Brahma-Pearl | Chief Executive |
| Siraj Choudhury | Head of Governance, People & Performance |
| Karen Hayes | Head of Corporate Finance |
| Kareen Plympton | Team Leader - Health, Safety and Licensing |
| Chris Pedlow | Democracy & Data Manager |

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 2 November 2022 were approved as a correct record and signed by the Leader.

3. Public Question Time

The Cabinet received the following questions by members of the public which also includes the responses by the appropriate Cabinet Members

Question by Mr Symonds (Ifield) to the Cabinet Member for Planning and Economic Development:

“What further action is this council taking - other than your very welcome visit to the ‘save west of Ifield - together’ stall at county mall last Saturday - to protect our ancient parish from Homes England’s ‘masterplan of madness’?”

Response by Councillor Nawaz (Cabinet Member for Planning and Economic Development):

In April 2020, this Council issued an objection to West of Ifield being proposed as a Strategic Site allocation in Horsham’s draft Local Plan. This was submitted to Horsham District Council’s Regulation 18 “early engagement” consultation.

In October last year, this Council passed a motion at Full Council confirming our strongest possible opposition to Homes England’s proposals.

Through officer engagement with them, we continue to challenge Homes England on their emerging evidence related to their draft West of Ifield masterplan, which they very recently consulted residents on.

The draft Horsham District Plan is due to be published shortly by Horsham District Council and when it is out for its Regulation 19 public consultation, this Council will submit a formal response to continue our challenge, should Horsham be minded to propose to allocate West of Ifield as a development site in their Local Plan.

Crawley Borough Council will also be a statutory consultee should Homes England submit a planning application next year to Horsham and this Council will not hesitate to challenge these proposals should they be submitted, particularly in relation to their impacts on Crawley and to the needs of Crawley’s residents.

Please be rest assured we will be very vocal about such challenges at both stages.

Supplementary Question by Mr Symonds:

“What progress is being made to turn Willoughby Fields Local Nature Reserve, Ifield Brook Meadows Local Green Space and Ifield Mill & Millpond Snci, into a Queen Elizabeth II National Nature Reserve?”

Response by Councillor Nawaz (Cabinet Member for Planning and Economic Development):

The areas you have mentioned are already, all, individually, designated open space within Crawley and such they area already have protections within Crawley’s Local Plan.

In addition, Ifield Village is a designated Conservation Area and we have 3 designated Local Wildlife sites at Ifield Brook Meadows, Willoughby Fields and Ifield Millpond.

Willoughby Fields is a Local Nature Reserve and Ifield Brook is a Biodiversity Opportunity Area.

Some of these areas also comprise areas of identified Ancient Woodland, structural landscaping and a number of listed buildings.

There are already a range of designations within Crawley’s Local Plan which provide effective protections for these areas in planning policy terms.

Question by Mr Eden (Ifield) to the Cabinet Member for Planning and Economic Development:

I've lived in Ifield Green for more than 50 years and still do so. We suffer from flooding and with the River Mole and Ifield Brook were up to dangerous levels. People in Strathmore close are really worried over more flooding, as we've been flooded out 3 times this century. The Full Council recently wrote a letter to Center Parc's objecting to their proposed building plans in Worth. So why haven't this Council collectively strongly raised concerns to prevent the concreting of West of Ifield and sent a similar letter to HorshamDC?

Response by Councillor Jones (Leader of the Council):

It was very clearly the policy this Council, that we do not support the development West of Ifield, for reasons including flooding, traffic, pollution etc. I would also say we have written to Homes England who are the Government organisation, overseeing the planning and development of the proposed development. They are not in charge of the local government planning decisions, which is HorshamDC. I'm very confident when it gets to a position of a planning decision, this Council would be making every representation to HorshamDC against the proposal.

Response by Councillor Nawaz (Cabinet Member for Planning and Economic Development):

Hopefully you heard my response to the previously question as I think it answer many of your queries along with Councillor Jones comments. Rest assured this Council will be very vocal in protecting our resident. In October 2021 the Full Council unanimously showed its opposition to West of Ifield. We have written to Homes England raising our opposition to the plans. We are on it and if it get put forward by HorshamDC we would be a statutory consultee and would be strongly objecting to it.

Supplementary Question by Mr Eden:

I appreciated what has been said and the 18-page document Councillor Jones has sent to me over the Council's concerns. But what seems to be missing in Crawley and in Ifield is the visibility. The Center Parcs letter was in the press. Nothing appears to be in the press, that I've seen about the proposed development.

Response by Councillor Jones (Leader of the Council):

There are a few people in the room believe there was a number of things in the press previously. I can't tell you exactly when, now though. I suppose one of the reasons why Old House Warren was in the press recently was we only wrote to Mid-SussexDC and Center Parcs last week.

Response by Councillor C Mullins (Cabinet Member for Wellbeing):

I would hate to think those in your campaign feel we are not supporting their cause. I represent Gossops Green and my residents would be affected significantly by the proposal especially because of the traffic. We saw the presentation recently showing the road scheme that goes down to Charlwood Road. That doesn't make sense it should be through to the A23 and through our Town and destroy Cherry Lane out to County Oak. We oppose the Plans and happy to say as such

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. **Review of Statement of Licensing Policy (Gambling) - Gambling Act 2005 (2023 - 2025)**

The Cabinet Member for Environmental Services and Sustainability presented report [HCS/050](#) of the Head of Community Services, which detailed the outcomes of the statutory consultation on the proposed revision of the Council's Statement of Licensing Policy. It was noted that as Crawley Borough Council was the Licensing Authority it was required under the Gambling Act 2005 to approve, following consultation, a Statement of its Licensing policy under the Gambling Act 2005 every three years.

The Cabinet noted the Overview and Scrutiny Commission's support for the recommendations from its meeting on [21 November 2022](#), as presented by Councillor T Belben and as detailed in the Commission's comments to Cabinet which included that the report had been put before the Licensing Committee, which supported adoption of the revised policy. The Commission proposed a further recommendation to the Cabinet relating to the report, *that the Council will write to the West Sussex CC Education Service to request that anti-gambling be included within the curriculum*, as the Commission were concerned over the ease of access children and young people did have to online gambling.

Councillors Buck, C Mullins, S Mullins and Jones spoke as part of the discussion on the report and showed their support of the proposal made by the Commission and the policy as a whole.

RESOLVED

That the Cabinet:

- a) considered and notes the feedback received following the consultation and consideration of the Licensing Committee (as set out in Section 8 of report [HCS/050](#)).
- b) agrees that the Council will write to the West Sussex CC Education Service to request that anti-gambling be included within the curriculum, as suggested by the Overview and Scrutiny Commission.
- c) requests that Full Council approves, adopts and authorises for publication the proposed revised Statement Licensing Policy (Gambling) for the period 2023-2025 as set out in Appendix A of report [HCS/050](#).

Reasons for the Recommendations

It is a statutory requirement under the Gambling Act 2005 for a Licensing Authority to prepare and publish a Statement of its Licensing Policy every three years. The Council is the Licensing Authority for gambling matters in the borough of Crawley. It is therefore necessary to agree and develop the proposed Statement of Licensing Policy (Gambling Act) to discharge the Council's role in its capacity of Licensing Authority for the 3 year period 2023 – 2025.

To ensure the Council's Statement of Licensing Policy (Gambling) is revised and published for the coming 3 years as required by Section 349 of the Gambling Act

2005 and that this is done in accordance with procedures, legislative requirements and is compliant with statutory guidance regarding consultation.

6. Budget Strategy Mid-Year Review 2022

The Leader presented report [FIN/596](#) of the Head of Corporate Finance. The report provided an update on the Council's Budget Strategy, it was immediately explained that it was very difficult to predict because of the national picture. Since the previous budget report in October there had been some changes including that there was an expected deficit of £202k for next financial year (met by reserves), which then increases £398k in the following year. Other changes included increase provision for a pay award based on rising inflation, expected increase in income over garages rents, and expected cost of homelessness support which will be increased for next year to £1.4mil. Water neutrality has played a factor with losses of £291k as it affected with the expected planning fees down by £120k, and the Council also missing out on new homes bonus and Council Tax income from new properties.

On the HRA, with the Autumn settlement set social rents increases to 7%, which would relate to lost income to the Council of just under £169mil over the 30year HRA business plan, as it assumes increase by CPI inflation plus 1%. That would affect the Crawley Homes' ability to build more new homes and to implement some of the planned climate change initiatives.

In terms of Council Tax it proposed to increase a Band D property by £4.95.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on [21 November 2022](#).

Councillor C Mullins spoke as part of the discussion on the report.

RESOLVED

That the Full Council be recommended to approve the Budget Strategy Mid-Year Review 2022 and to:

- a) Agree the growth items for both the General Fund and Housing Revenue Account as outlined in sections 5.17 and 8.1 of report [FIN/596](#)
- b) Agree the inclusion of new capital schemes in future budgets with the value of £165,000 as identified in section 9.2 of report [FIN/596](#)
- c) Agree an increase in the capital programme for Park Tennis by £111,390 funded from Lawn Tennis Grant as outlined in paragraph 9.3 of report [FIN/596](#).
- d) Approve the revised Crawley Homes capital investment plan as outlined in Appendix B to report [FIN/596](#) which includes the financial year 2025/26 and the garage repairs which was transferred to the General Fund.
- e) Notes the following highlights of the Budget Strategy Mid-Year Review 2022:

- i Note 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.
- ii Note, for the purpose of projections, the current budget deficit of £201,792 for 2023/24 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. Future years gaps are shown in section 4.2 of report [FIN/596](#).
- iii Note that the Gap from 2024/25 will need to be addressed once the finance settlement is announced as there will be insufficient reserves in the long term to fund future gaps. The methodology of approaching the gap is outlined in section 7 of report [FIN/596](#).
- iv Note 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.
- v Note that the Budget is aligned to the Council's Corporate Priorities.

Reasons for the Recommendations

To continue with the implementation of the Council's Budget Strategy and to deal with the Council's projected budget deficit which is higher than previously anticipated due to the impact of increasing inflation, increased homelessness costs, future Council Tax and Business rates income projections and impact of the cost-of-living crisis on other income sources such as fees and charges.

To agree the revised Crawley Homes capital investment plan for inclusion within the capital budget.

To agree growth items and capital schemes outlined in the report.

To note that until the Local Government Finance Settlement is known in December 2022 these projections are highly likely to change.

7. 2022/2023 Budget Monitoring - Quarter 2

The Leader of the Council presented report [FIN/594](#) of the Head of Corporate Finance. The report set out a summary of the Council's actual revenue and capital spending for the quarters to September 2022 together with the main variations from the approved spending levels and impact on future budgets. It was noted that with regards to the General fund there was a projected variance of £900,000, leading to a transfer from reserves of £1,352,000. On the Capital programme, from a budget of £38m there was a projecting slippage of £1m into future years, whilst the HRA the deficit had increased from £174,000 at Quarter 1 to £218,000 at Quarter 2.

The Leader also proposed a renaming of a budget within Capital budget, suggesting that the Solar PV installations to the Council's operational buildings, be retitled "Climate Change Initiatives" and that the £60k remains in the budget.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on [21 November 2022](#) which included that the Commission supported the retitled of the "Climate Change Initiatives" budget.

Councillor Jhans spoke on the report in doing so confirmed his support for the renaming of the Capital budget to the Climate Change Initiatives budget.

RESOLVED

That the Cabinet

- a) agrees to note the projected outturn for the year 2022/2023 as summarised in report [FIN/594](#).
- b) approves the renaming of, within the capital programme, the Solar PV installations to the Council's operational buildings", budget to now called "Climate Change Initiatives" budget.

Reasons for the Recommendations

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

8. Treasury Management Mid-Year Review 2022-2023

The Leader of the Council presented report [FIN/593](#) of the Head of Corporate Finance. The report provided an update on the Council's Treasury Management Strategy for the first two quarters of 2022/23. The Leader emphasised that the Council had £139m invested at 30 September at an average rate of 0.84%. It was noted that those rates were lower than our comparators, but that was because the Council had invested for longer terms which had given better returns in the past, but as those deals mature, they would be replaced with investments at higher rates. It was noted that the Council prioritises its investments as security of capital, liquidity, yield and ethical.

In the capital programme there was a budget of £60,000 for further solar PV installations and other climate change related works, under the new budget title of "Climate Change Initiatives".

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on [21 November 2022](#) including that the Commission acknowledged that whilst the current returns appears to be low but the finance team had made some very good long term investments which has always better than previous bank rate of 0.25%.

Councillor Crow was invited to speak on this item. Matters raised included that he was disappointed the level of recent investment returns due to the level of interest rates achieved on the Council's investment. He commented also that he felt that Council might want to consider revising the Ethical investment policy, to allow investment into the armomancy manufacturing, especially in light of Ukraine conflict and how Britain was the second largest military assistance to Ukrainian people.

Councillors C Mullins and S Mullins both spoke as part of the discussion on the report.

RESOLVED

That the Cabinet notes report [FIN/593](#) and the treasury activity for the first two quarters of 2022/2023

Reasons for the Recommendations

The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management recommends that members be updated on treasury management activities regularly (Treasury Management Strategy, annual and mid-year reports). This report, therefore, ensures this Council is implementing best practice in accordance with the Code.

9. UK Shared Prosperity Fund

The Leader presented report [DCE/14](#) of the Deputy Chief Executive. The report sought approval to receive, manage and distribute the Crawley allocation of £1mil over 3 years of the UK Shared Prosperity Fund. The funding was weighted to the third year where £762k would be available. To receive the funding, an evidence-based criteria was used to consider performance against the UKSPF investment priorities and missions which highlighted the disparities and inequalities within the borough. This identified Bewbush, Broadfield and West Green as to areas where the funding should be used. A subgroup of the Towns Board would be overseeing the funding and its usage, with the Council responsible for delivery and reporting.

It was noted that there was a small error in the report the 4% management fees should not be £25k but in fact £40k.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on [21 November 2022](#), which included their support for the funding.

Councillor Crow was invited to speak on the item and commented that he was also in support of the report and the funding.

Councillor S Mullins also spoke as part of the discussion on the report.

RESOLVED

That the Cabinet:

- a) approves the Council's intention to secure the funding based on the approach agreed at the Town's Fund Board as set out within the submission ([Appendix A](#) of report DCE/14)

- b) delegates authority to the Deputy Chief Executive in consultation with the Leader of the Council to approve the governance arrangements for the programme.
- c) delegates authority to the Deputy Chief Executive, in consultation with the Head of Governance People and Performance, to negotiate, approve and complete all relevant documentation including legal requirements.

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

- d) requests that Full Council be recommended to approve the financial provision for the receipt and allocation of the UK Shared Prosperity Fund funding.

Reasons for the Recommendations

Crawley has been allocated £1m over three years under the UK Shared Prosperity Fund (UKSPF), part of the Government's Levelling-Up agenda. To obtain that funding a submission has been submitted by the Council following an approach agreed at the Towns' Fund Board. As the accountable body, the Council must put in place suitable arrangements to receive, manage and distribute the funding in such a way as to ensure delivery.

10. Forward Programme of Key Procurements (January - June 2023)

The Leader presented report [FIN/595](#) of the Head of Corporate Finance. The report sought approval for the Procurement forward programme which identifies the council's key procurements over a contract value of £500k that will require tendering over the coming six month period.

RESOLVED

That the Cabinet:

- a) endorses the procurement forward programme January – June 2023 (Appendix A of report [FIN/595](#)).
- b) delegates authority to the Leader of the Council in consultation with the relevant Cabinet Member, relevant Head of Service, and Head of Governance, People & Performance to approve the award of the contract following an appropriate procurement process.
- c) delegates the negotiation, approval and completion of all relevant legal documentation, following the awarding of the contracts to the relevant Head of Service, Head of Governance, People & Performance, Head of Corporate Finance, in consultation with the appropriate Cabinet Member.

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

Reasons for the Recommendations

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

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

11. Anti-Bribery Policy

The Leader presented report [FIN/597](#) of the Head of Corporate Finance. It was noted that the proposed policy represented an important part of the Council's approach to deal with the risk of fraud corruption. The Policy sought to complement the Anti-Fraud and Corruption Policy and Whistleblowing Policy and contributes to the overall Corporate Governance framework established to ensure that the Council is well managed fulfils its statutory and regulatory duties in a proper and responsible manner. The report sought approval for the Policy.

RESOLVED

That the Cabinet:

- a) approves the Anti-Bribery Policy ([Appendix A](#) of report FIN/597) for adoption and subsequent publication.
- b) delegates authority to the Head of Corporate Finance, in consultation with the Leader, to review and make minor amendments to the Anti-Bribery Policy as further changes to legislation and statutory guidance are introduced.

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

Reasons for the Recommendations

To fulfil the Council's duty to review and publish guidance relating to the Anti-Bribery Policy.

12. Anti-Money Laundering Policy

The Leader presented report [FIN/598](#) of the Head of Corporate Finance. The Policy represented an important part of the Council's approach to dealing with the risk of fraud corruption. The Policy sought to complement the Anti-Fraud and Corruption Policy and Whistleblowing Policy and contribute to the overall Corporate Governance framework established to ensure that the Council is well managed fulfils its statutory and regulatory duties in a proper and responsible manner. The report sought Cabinet approval for the Policy.

RESOLVED

That the Cabinet:

- a) approves the Anti-Money Laundering Policy ([Appendix A](#) of report FIN/598) for adoption and subsequent publication.
- b) delegates authority to the Head of Corporate Finance, in consultation with the Leader, to review and make minor amendments to the Anti-Money Laundering Policy as further changes to legislation and statutory guidance are introduced.

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

Reasons for the Recommendations

To fulfil the Council's duty to review and publish updated guidance relating to the Anti-Money Laundering Policy.

13. Warm Hubs

The Leader presented report [CH/198](#) of the Head of Crawley Homes. The report sought approval for the Council's warm hub proposal, which were sadly required due to the soaring cost of energy and a cost-of-living crisis. The proposal sought the approval of 6 warm hubs based at community centre across the Borough, where residents could go to venue with heating and some hot drinks at no cost. It was noted that at each hub, there would also be some sign posting available regarding cost of living and wellbeing advice, the uses of the hub require it.

The Cabinet were informed that the proposal was ambiguous with the aim to run Hubs from 28 November 2022 to 31 March 2023 but would be flexible to adapt to the needs of residents. It was noted that there was as strong communication plan behind the proposal and the Council webpages would be constantly updated to ensure the most update information on the hubs was available residents.

Councillors Jhans, S Mullins, Nawaz and C Mullins spoke as part of the discussion in support of the proposals contained within the report.

RESOLVED

That the Cabinet:

- a) approves the proposal for the Council's warm hub provision as detailed within report [CH/198](#).
- b) delegates authority to the Head of Crawley Homes and Head of Community Services in consultation with the Leader of the Council to approve changes to the supply of Council warm hub provision.

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

- c) delegates authority to the Section 151 Officer in consultation with the Head of Crawley Homes and Head of Community Services to approve funding to the

Voluntary and Community Sector (VCS) to deliver warm space provision and associated cost of living requirements from existing cost of living budgets and reserves.

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

- d) delegates authority to the Head of Crawley Homes, Head of Community Services in consultation with the Head of Governance, People and Performance, to negotiate, approve and complete all relevant documentation including legal requirements.

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

Reasons for the Recommendations

With the rising cost of living there is concern that residents will struggle to heat their homes, although this is only one of many areas of concern in relation to the current economic climate. Households are facing unprecedented challenges including increasing difficulties in paying household bills, housing costs, increasing borrowing and use of credit, less access to food and ability to save.

The concept of warm hubs is to provide a space to residents who cannot afford to heat their homes; the warm hub is available to them as a space to spend time, at no cost with heating.

The idea of warm hubs has taken off across the country with delivery by local authorities and the VCS. We have completed a mapping exercise for Crawley and the VCS are already mobilising with warm hub type provision and so our model is to ensure there is a minimum provision available in the borough, as well as complementing existing and emerging provision to ensure coverage across a range of neighbourhoods, particularly the most deprived.

Council warm hubs will not just be a place where residents can spend time in a heated location, residents will also have access to hot drinks (at no cost) and will be able to receive basic signposting advice on cost of living and well-being by council staff and/or VCS staff. Where possible will also aim to provide a snack, although this will be subject to demand (Crawley Homes contractors, Mears and Wates, are set to donate non-perishable snacks to the hubs).

Over the longer term the Council will work with the VCS to explore options for additional wrap around support at council hubs and/or move to a co-delivery model where the VCS take the lead with support from us.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.43 pm

M G JONES
Chair

