

COUNCILLORS' INFORMATION BULLETIN

Wednesday, 27 July 2022

Bulletin No: IB/1141

INFORMATION ITEM	Pages
<p>1 Delegated Planning Decisions</p> <p>Delegated planning decisions for the week beginning 18 July 2022 are attached. Contact for enquiries: Jean McPherson, Group Manager (Development Management) on jean.mcpherson@crawley.gov.uk.</p>	3 - 4
<p>2 Temporary Traffic Regulation Orders and Road Closures</p> <p>The following documents are attached in relation to Temporary Traffic Regulation Orders and Road Closures:</p> <ul style="list-style-type: none"> • List of Temporary Traffic Regulation Orders. • Crawley Lane, Pound Hill (Appendix A). • Dorsten Square, Bewbush (Appendix B). 	5 - 10
<p>3 Action Taken Under Delegated Authority (Significant Operation Decision): Proposed Article 4 Directions for Main Employment Areas</p> <p>On 30 June 2021, the Cabinet of Crawley Borough Council approved the making of non-immediate Directions under Article 4(1) of the Town and Country (General Permitted Development) Order 2015 (as amended). Detail of this decision is provided in Report PES/387.</p> <p>Having considered all representations received during the consultation period, the Head of Economy and Planning in liaison with the Cabinet Member for Planning and Economic Development, is of the view that the Article 4 Directions are justified by robust evidence and are required to ensure there is no adverse impact on the economic role and function of the identified main employment areas or the wider economic function of Crawley. Therefore, on 22 July 2022, following a 12-month notification period and having considered all representations made during consultation, the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development, approved that the</p>	



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Article 4 Directions will come into force on 1 August 2022 in the following main employment areas:

- i. Manor Royal
- ii. Maidenbower Business Park
- iii. Lowfield Heath
- iv. Three Bridges Corridor
- v. Tilgate Forest Business Centre

From the date they come into force, the Article 4 Directions remove the Class MA permitted development right for Commercial, Business & Service (E) to residential (C3).

Further information is available on the Council's [website](#). Queries in relation to this decision can be directed to Anthony Masson, Senior Planning Officer.

4 **Action Taken Under Delegated Authority: Covid-19 Additional Relief Fund (CARF) - Revised** **11 - 18**

On 27 July 2022 Councillor Jones, as Leader of the Council, took the decision to approve the Council's revised Covid-19 Additional Relief Fund Discretionary Relief Guidelines and give delegated authority to designated senior officers to make relief awards within those guidelines.

To enable the Council to start supporting its businesses as soon as possible this decision was taken using the Special Urgency Procedures set out in the Constitution and has also been Protected from Call-In by the Chief Executive.

The report (Consideration Report FIN/582 of the Head of Corporate Finance) on which this decision was taken is attached.

5 **Staff Changes: June 2022** **19 - 20**

Staff changes for June 2022 are attached for Councillors only.

Note: Councillors are reminded that Part B items in the Bulletin can only be accessed using their Modern.Gov password. If Councillors need a replacement password they should contact Democratic Services (and not IT).

6 **Press Releases**

Press releases are available at www.crawley.gov.uk/news

CRAWLEY BOROUGH COUNCIL

DELEGATED PLANNING DECISIONS

The following decisions were issued, subject to conditions, under delegated powers for the period 18/07/2022 and 22/07/2022

Application Number	Location	Proposal	Date of Decision	Decision
CR/2022/0131/FUL	127 THREE BRIDGES ROAD, THREE BRIDGES, CRAWLEY	Erection of single storey rear extensions, hip to gable roof extension and alterations to porch	18 July 2022	PERMIT
CR/2022/0215/FUL	14 SYCAMORE CLOSE, LANGLEY GREEN, CRAWLEY	Proposed two storey side extension (amended plans received)	20 July 2022	PERMIT
CR/2022/0223/FUL	7 NETHERWOOD, GOSSOPS GREEN, CRAWLEY	Proposed front infill extension and flat roof over to match existing	22 July 2022	PERMIT
CR/2022/0224/192	16 EARLY COMMONS, THREE BRIDGES, CRAWLEY	Certificate of lawfulness for proposed 3 metre extension beyond the rear wall of the original house	22 July 2022	PERMIT
CR/2022/0255/FUL	WOODLAND COTTAGE, BALCOMBE ROAD, CRAWLEY	Erection of car port	22 July 2022	REFUSE
CR/2022/0314/P14	EXPLORER HOUSE, FLEMING WAY, NORTHGATE, CRAWLEY	Prior approval for installation of photovoltaic panels	20 July 2022	PRIOR APPROVAL REFUSED
CR/2022/0330/TEL	GRASS VERGE ADJ TO 51 WOODFIELD ROAD, NORTHGATE, CRAWLEY	Prior approval for proposed 15.0m phase 8 monopole c/w wraparound cabinet at base and associated ancillary works (CRA11067)	21 July 2022	PRIOR APPROVAL REFUSED
CR/2022/0400/TEL	TELECOMMUNICATIONS SITE ON GRASS VERGE ADJ TO CROWNE PLAZA, LANGLEY DRIVE, LANGLEY GREEN, CRAWLEY	Prior notification under regulation 5 for the removal of 20m high street furniture style mast incorporating 3no. antennas in GRP shroud, (RAL7035 grey); 1no. cabinet (RAL6009 green) and all ancillary development, installation of 20m high street furniture style mast incorporating 6no. antennas (RAL7035	21 July 2022	OBJECTION

Application Number	Location	Proposal	Date of Decision	Decision
		grey); 3no. cabinets (ral 6009 green); and all ancillary development		
CR/2022/0410/CON	GRASS VERGE OUTSIDE 11-13 DURHAM CLOSE, TILGATE, CRAWLEY	Notification from Openreach for the installation of 9 metre wooden pole for the provision of FTTP fibre broadband	20 July 2022	NO OBJECTION
CR/2022/0411/CON	GRASS VERGE OUTSIDE 1 LINCOLN CLOSE, TILGATE, CRAWLEY	Notification from Openreach for the installation of 9m wooden pole for the provision of FTTP fibre broadband	20 July 2022	NO OBJECTION

Agenda Item 2

The following documents are attached in relation to Temporary Traffic Regulation Orders and road closures:

- List of Temporary Traffic Regulation Orders and road closures.
- Crawley Lane, Pound Hill (Appendix A).
- Dorsten Square, Bewbush (Appendix B).

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PUBLIC NOTICE

WEST SUSSEX COUNTY COUNCIL TEMPORARY TRAFFIC REGULATION

CRAWLEY LANE, CRAWLEY

NOTICE IS hereby given that in pursuance of the provisions of Section 14(2) of the Road Traffic Regulation Act, 1984, as amended, the use of (and parking on) **Crawley Lane, Crawley** from junction with **Moat Walk to The Rise** is temporarily prohibited from **01/08/22 at 09:30 until 01/08/22 at 15:30**

The restriction will be in place off peak only between 09.30-15.30

This closure is necessary to allow **Balfour Beatty to undertake urgent carriageway pothole repairs on behalf of WSCC**

Emergency vehicle, Residential and Pedestrian access will be maintained at all times

The alternative route for traffic will be signed on site

This restriction will be effective for a maximum of 5 days from the start date given above

Any queries about the effect of the closure on traffic using the highway please contact West Sussex County Council on 01243 642105

Any queries about the works please contact **Balfour Beatty on 01243 642105**

Dated **20 July 2022**

Matt Davey
Director of Highways, Transport and Planning

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Road Closure Date Notification: Dorsten Square, Bewbush (05.08.2022) - Carriageway Resurfacing – Crawley

Please be advised that the below roads are due to be closed on the dates and times specified below for Carriageway Reconstruction and Resurfacing. The work that will be carried out will involve replacing the original construction and to increase the strength of the road in order to provide a smooth, durable running surface on which the buses run. A small section of the carriageway leading into the car park will also be resurfaced. No public access will be allowed into the working area while these works are being carried out. Most of our works will be contained within the bus stop area and should not have a significant impact on the local community. However, when we resurface the section of Dorsten Place which coincides with the exit from the bus stop, access to and egress from the car park will be prohibited while our resurfacing works are being carried out

Please note that these works are weather dependant, we will endeavour to inform you should there be significant changes to the programme.

This road closure is covered by the 14.1 order made on 11th January 2022.

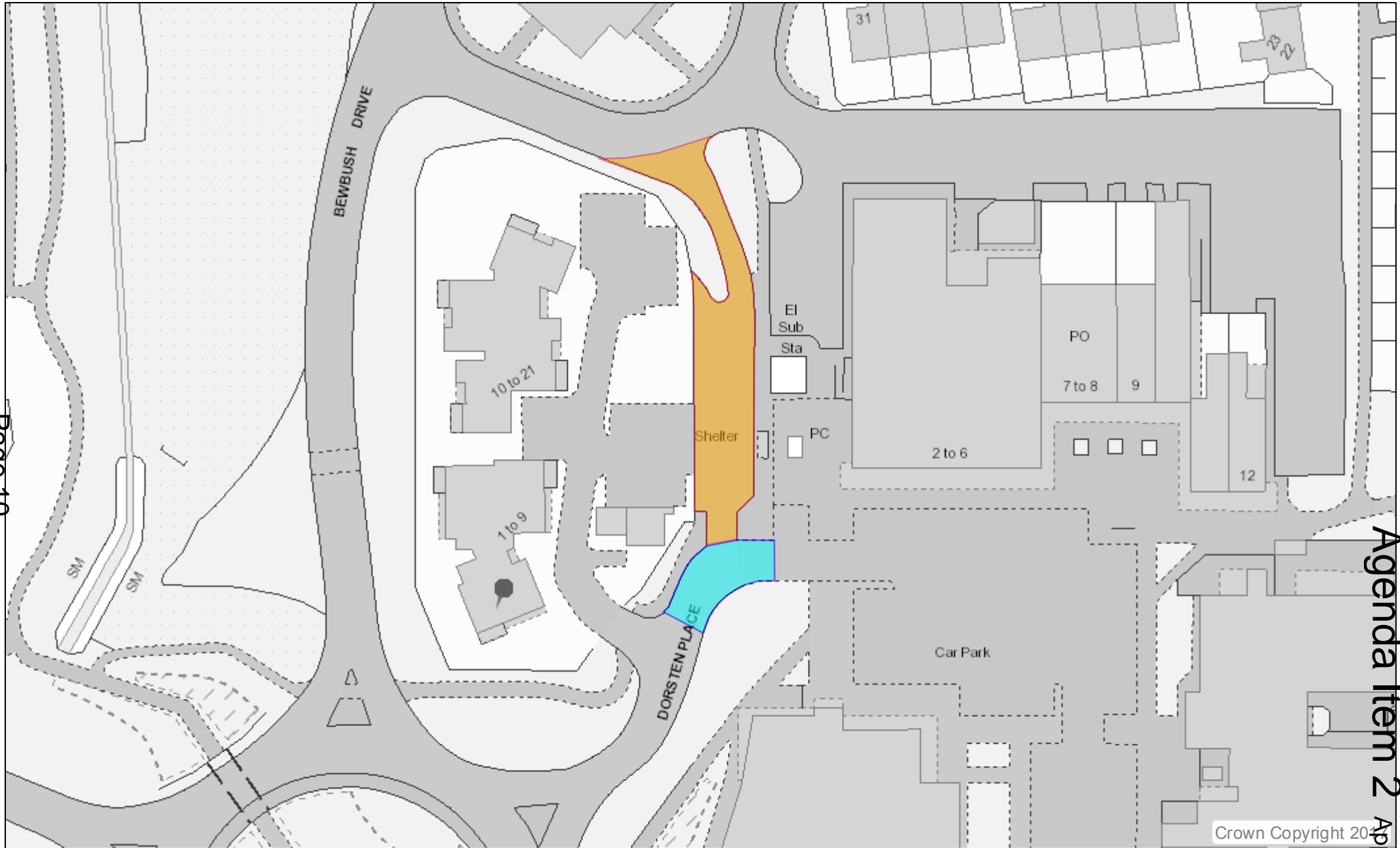
Road Name	Location	Date (from and to)	Timing of Closure (eg, 24hr, off peak 09:30 to 16:00, Night 08:00 to 06:00)
Bus Stop Closure <i>Drainage investigation and minor civils</i>	Bus Stop area	05/08/2022 – 06/08/2022	08:00 – 18:00
Bus Shelter Closure <i>Carriageway Reconstruction</i>	Bus Stop area	08/08/2022 – 11/08/2022	08:00 – 18:00
Dorsten Place <i>Carriageway Resurfacing</i>	Bus Stop area and Dorsten Square	12/08/2022	08:00 – 18:00

For exact location details, please see attached the phasing plan.

If you have any questions regarding this specific closure, please reply to this email directly.

Further information can also be found via [one.network](#)

Dorsten Place, Crawley - Phasing Plan





Date: 26/07/2022

Author: EM

Scale 1:750

Map Notes:

 Friday 5th August - Thursday 11th August 2022

 Friday 12th August 2022

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West Sussex County Council
100023447 (2019)

Agenda Item 4

Crawley Borough Council

Consideration Report for Delegated Decision by the Leader

Not before 27 July 2022

Covid-19 Additional Relief Fund (CARF) – Revised

Report of the Head of Corporate Finance (FIN/582)

1. Purpose

- 1.1. To seek approval for the Council's COVID19 Additional Relief Fund (CARF) Discretionary Relief to local business ratepayer guidelines.
- 1.2. The Council has been given £5,303,160 to grant COVID19 additional relief fund (CARF) discretionary relief to business ratepayers within Crawley. The guidelines seek to provide guidance to staff and stakeholders on how this CARF Discretionary Relief is to be made and what factors are considered when making an award.
- 1.3. At its meeting on 24 November 2021 the Cabinet considered the Budget Strategy 2022/23 - 2026/27 (report FIN/537) and in doing so delegated authority 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.
- 1.4. A scheme has been previously approved but there was very low take up across the Council's in West Sussex that agreed the joint scheme. Therefore a revised scheme of 'Direct Award' with the option for the business to refuse has been designed. The deadline for allocating the relief is the 30th September 2022. Teams across West Sussex have been working on the 'Energy Rebate' scheme and therefore have not had the resource to work through the CARF scheme over the last four months.

2. Recommendations

- 2.1. That the Leader:
 - a) Approve the Council's Covid-19 revised Additional Relief Fund Discretionary Relief Guidelines.
 - b) Give delegated authority to designated senior officers to make relief awards within these guidelines.

3. Reasons for the Recommendation

- 3.1. The Council has been given £5,303,160 to grant COVID19 additional relief fund (CARF) discretionary relief to business ratepayers within Crawley. These guidelines seek to provide guidance to staff and stakeholders on how this CARF Discretionary Relief is to be made and what factors are considered when making an award.

Agenda Item 4

4. Background and Issue to be Resolved

- 4.1. On 15 December 2021 the Government announced that it would provide Local Authorities with additional funding to help businesses pay their business rates to offset the impact of the ongoing COVID-19 pandemic.
- 4.2. [Government guidance](#) for the scheme was issued on the 15 December 2021. The Government Guidance introduced a rates relief scheme to replace the legal right to appeal to the Valuation Office Agency on Material Change of Circumstances grounds due to COVID19.
- 4.3. Billing authorities will be responsible for designing the discretionary relief schemes that are to operate in their areas. However, in developing and implementing their schemes local authorities based on the Government guidelines
- 4.4. Crawley Borough Council has agreed these revised guidelines (attached as an appendix to this report) with all other West Sussex Boroughs and District Councils. The guidelines are in line with the guidelines issued by the Government.

5. Other Options Considered

- 5.1. The options considered in this report are the only ones available to the Council as the Council seeks to become more transparent in the use of its discretionary financial assistance to local business during the current COVID19 outbreak. The application process had very low take up across West Sussex, therefore a direct award scheme will ensure maximum delivery of the relief.

6. Urgency of Decision

- 6.1. Due to the urgent nature of this decision the Special Urgency Procedure Rule has been used for this decision as it has been impracticable to publish a Forthcoming Decision Notice for the 28 clear days period and publish the consideration report 5 clear days before the decision is taken. The Chair of the Overview and Scrutiny Commission has agreed the use of this provision. In addition, due to the urgent nature of this decision the Chief Executive has Protected the decision from Call-In, so that the Council can start supporting our businesses as soon as possible

7. Financial Implications

- 7.1. The government grant allocated by the Department for Levelling Up, Housing and Communities (DLUHC) in respect of the COVID19 Additional Relief Fund is £5,303,160. This is a cash limited fund and any relief incurred over and above this must be funded by the Council. There is currently no additional funding identified within the Council to support Discretionary Relief, which means that expenditure will need to be contained within the cash limited.

8. Background Papers

- [COVID-19 Additional Relief Fund \(CARF\)](#): Local Authority Guidance (Department for Levelling Up, Housing and Communities (DLUHC))
- [Budget Strategy 2022/23 – 20236/27 – FIN/537](#) (Overview and Scrutiny Commission on 22.11.21 & Cabinet on 24.11.21)

Report author and contact officer: Karen Hayes (Head of Corporate Finance)
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**WEST SUSSEX COUNCILS' GUIDELINES
COVID19 ADDITIONAL RELIEF FUND (CARF)
GUIDELINES**

Introduction

1. This guidance is intended to businesses liable for business rates in 2021/22 only applying to certain West Sussex local authority Boroughs and Districts for a grant from the COVID19 Additional Relief Fund (CARF), announced by the government on the 15th December 2021. Only businesses occupied and liable for business rates on the 1st April 2021 in 2021/22 are eligible to apply for the Fund and any relief must be applied for by the 30th September 2022. These guidelines supersede any previous ones.
2. West Sussex Boroughs and Districts have access to relatively limited funds from the government for this fund (please see [this link](#)), which has replaced the legal right to appeal to the Valuation Office Agency on Material Change of Circumstances grounds due to COVID. It is expected therefore that most relief allocations to successful applicants will be limited to a certain percentage, which means that businesses who do qualify will still have some business rates to pay. In the event applications exceed the available funding local authorities have to award to businesses, individual local authorities will make decisions as to how to support businesses as reasonably as possible within the funding at their disposal.
3. The West Sussex local authority Boroughs and Districts utilising these updated guidelines are:
 - Adur District Council
 - Arun District Council
 - Chichester District Council
 - Crawley Borough Council
 - Horsham District Council
 - Mid Sussex District Council
 - Worthing Borough Council
4. This guidance sets out the criteria under which businesses will qualify for the COVID19 Additional Relief Fund (CARF), and is aligned with the government guidance issued on 15th December 2021 and any revisions, which can be found via [this link](#).

5. The Government wants Local Authorities to exercise their local knowledge and discretion and recognise that economic need will vary across the country, so the Government are setting some national criteria for the relief but allowing Local Authorities to determine which relief application cases to support within this stated criteria.
6. The Government suggests that Local Authorities may wish to consider collaborating as they design their relief schemes to ensure there is consistency where they are working across a functional economic area. The seven Council's in West Sussex, listed above, have agreed and approved these guidelines, although it is up to each individual Local Authority which amounts of relief are given and which types of businesses they award relief to. This will be displayed on the individual Local Authority website..

Which types of business should the COVID19 Additional Relief Fund prioritise?

7. The government guidance issued on 15th December 2021 gives the above Councils discretion over the COVID Additional Relief Fund, and their decisions on the awarding of relief as part of the Fund will be final. However. To ensure good practise there will be a review process to a senior independent officer

Scope and Eligibility

8. Billing authorities will be responsible for designing the discretionary relief schemes that are to operate in their areas. However, in developing and implementing their schemes local authorities:-
 - a. must not award relief to ratepayers who for the same period of the relief (eg for the period from the 1ST April 2021 to the 31st March 2022) either are or would have been eligible for the Extended Retail Discount (covering Retail, Hospitality and Leisure), the Nursery Discount or the Airport and Ground Operations Support Scheme (AGOSS),
 - b. must not award relief to a hereditament for a period when it is unoccupied (other than hereditaments which have become unoccupied temporarily due to the government's advice on COVID19), and
 - c. should direct their support towards ratepayers who have been adversely affected by the pandemic (in a way that prevents success or development; harmfully or unfavourably) and have been unable to adequately adapt to that impact.
9. In line with the legal restrictions in section 47(8A) of the Local Government Finance Act 1988, billing authorities may not grant the discount to themselves or to a precepting authority (eg Town Council, Parish).

10. Telephone masts, Car Park Spaces (apart from Airport Parking) and some advertising rights within West Sussex will be ineligible for this relief. This list is not exhaustive and individual Local Authorities may add to this list eg for financial institutions.
11. To be eligible for relief you must be a ratepayer liable and occupying the property for business rates in West Sussex during the financial year 2021/22 (for a period of a day or more) as at the 1st April 2021.
12. If there is no business rates liability or other business rates relief (other than transitional relief or small business rates relief with a rateable value greater than £12k) already granted to the business during the relief period, the business will not be eligible for this relief. An individual Local Authority may choose to pay additional CARF to an organisation that received this previously by application.
13. Please note individual Local Authorities within West Sussex may apply additional mechanisms to determine local need within their own Local Authority.

Evidence Required for Discretionary Grant Fund application

14. The award will be made automatically but anyone qualifying will be contacted (by letter or email) to demonstrate that they meet the eligibility criteria stated. They will be required to advise the Council if they believe they do not qualify.

Subsidy Allowance

15. There is a requirement for all grants made under this Discretionary Grants fund to be subsidy allowance compliant. Please see further government guidance on this via [this link](#) (Section 19-29).

How relief will be provided

16. Local Authorities will be responsible for evaluating COVID19 Additional Relief Fund (CARF) awards, selecting the successful business applicants and then administering and delivering relief to those successful applicants.
17. Local Authorities responsible for making relief awards of COVID19 Additional Relief Fund (CARF) to successful business applicants will be those authorities who are business rate billing authorities in England.
18. Local Authorities will endeavour, subject to due diligence checks, to make awards as quickly as possible to support successful business applicants, who are struggling financially.

How much funding will be provided to successful businesses

19. The West Sussex Councils have access to limited funds from the government for this scheme and it is expected therefore that most relief awards will be up to 30 per cent. The percentage will vary at each individual Local Authority.
20. Local Authorities have discretion to make relief awards of any amount. It will be for Local Authorities to adapt this approach to local circumstances, such as providing support for businesses that are crucial for their local economies.
21. In taking decisions on the appropriate level of grant particularly in exceptional circumstances, Local Authorities may also want to take into account the number of employees and the scale and risk of potential job losses, whether businesses have had to close completely, whether you had staff placed in furlough and are unable to trade online, the consequent scale of impact of COVID19 losses including the broader impact of the business on local economic activity.
22. The level of funding for these discretionary reliefs will be decided by the individual Local Authority within the above guidelines. There is no formal right of appeal, but an independent officer will review the decision if additional information is provided. The only further review will be by legal challenge.

The Process

23. All Local Authorities in West Sussex will manage their own process. For more details please consult the web site of the relevant local authority.
24. The CARF recipients will need to state when applying online that by accepting the relief payment, the business confirms that they are eligible for the relief scheme, including that any relief accepted will be fully in compliance with Subsidy Allowance requirements.
25. The individual Local Authority reserves the right to cancel any award of this relief fund if subsequent information comes to light.
26. There is a set limited budget provided by the Government for this relief scheme. Once the fund has been fully utilised the CARF relief scheme will end unless further funding is provided by the Government.
27. As a condition of relief being awarded, we will expect the business applying to sign a declaration stating that they are not committing any fraud and that they are fully complying with any subsidy allowance limits, as well as giving the Local Authority permission to share data to check such compliance and that these guidelines are complied with.
28. As well as meeting the criteria it is the intention for the discretionary relief to prioritise support to local businesses whose intention it is to continue to trade and do business in the local area after COVID19. although at the discretion of individual Local Authorities support may be given to a closed business.

The COVID19 Additional Relief Panel

29. These guidelines have been approved by the named West Sussex Borough and District Chief Executives and where applicable elected Members.
30. The decision of the senior officers will be final. There is no right to appeal although there will be a review process by an independent senior officer.
31. All decisions will be communicated by email or an amended business rates bill to businesses, with relief awards if approved made quickly, subject to due diligence checks. A remittance notice will accompany any grant payment.

Award of Relief

32. All awards of this relief will be by a credit against the business rates bill. No cash payments will be made.
33. If a business has already paid its business rates in full for 2021/22 a refund will be offered to that business. Should the business request this this refund could be used as a part payment against the 2022/23 business rates.
34. If any court or enforcement costs have been incurred during 2021/22 by a business that will qualify for this relief it will be entirely at the discretion of the Local Authority whether these are cancelled or not.

Managing the risk of fraud

35. All Local Authorities administering the relief in West Sussex will not accept deliberate manipulation and fraud - and any business caught falsifying their records to gain relief awarded will face prosecution and any relief awarded will be subject to claw back, as may any relief awarded in error.
36. All information is subject to internal and external audit check, as well as Government body check.

Sharing Information

37. By receiving a COVID19 additional relief all applicants give authority to administering Local Authorities to share data for efficient system administration and to protect the Public Purse, subject to the GDPR. This will include sharing data with West Sussex and other Local Authorities.
38. The Councils will be required to share data with Government Departments for monitoring and other reasons. By receiving a COVID19 additional relief all applicants give authority for this.

Other Information

39. The Councils do not accept any liability for any issues that may arise for businesses because of applying for, receiving, or not receiving relief awards under this scheme.

Agenda Item 5

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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