



## Crawley Borough Council

### Notification of Decisions

To: All Councillors

The decisions of the **Cabinet** held on **31 January 2024** are attached.

The Call-In period ends at noon on the 5<sup>th</sup> day following publication, namely noon on the Tuesday 6 February 2024

The Call-In form is attached for your use if required. For further information please refer to the relevant sections of the [Constitution](#).

Yours faithfully

A handwritten signature in black ink, appearing to be "J. A. ...".

**Chief Executive**

Published on 1 February 2024

Item No.	Title	Decision
6.	2023/2024 Budget Monitoring - Quarter 3	<p><b>RESOLVED</b></p> <p>That Cabinet:</p> <ul style="list-style-type: none"> <li>a) agrees to note the projected outturn for the year 2023/2024 as summarised in report <a href="#">FIN/643</a>.</li> <li>b) approves the addition to the Capital Programme of £53,635 for artificial cricket wickets and net bays funded by £43,635 contribution from England Cricket Board and £10,000 from Sussex Cricket. (paragraph 8.8 report <a href="#">FIN/643</a>)</li> <li>c) approves the addition to the Capital Programme of £115,680 to deliver the final elements of the HRA Database funded from the Housing Revenue Account (HRA). (para 8.10 report <a href="#">FIN/643</a>)</li> </ul> <p><b>Reasons for the Recommendations</b></p> <p>To report to Members on the projected outturn for the year compared to the approved budget.</p>
7.	2024-2025 Budget and Council Tax	<p><b>RESOLVED</b></p> <p>That the Full Council be recommended to approve the following items regarding the 2024/25 Budget:</p> <ul style="list-style-type: none"> <li>a) approve the proposed 2024/25 General Fund Budget which includes using £1,202,470 of general fund reserve as set out in Section 6 of report <a href="#">FIN/642</a>,</li> <li>b) approve the proposed 2024/25 Housing Revenue Account Budget as set out in Appendix 5 of report <a href="#">FIN/642</a> which includes the savings and growth items as set out in Section 9 pf report <a href="#">FIN/642</a>,</li> <li>c) approve the 2024/25 and future years Capital Programme and funding as set out in Section 10 of the report <a href="#">FIN/642</a>,</li> <li>d) agree the transfers between reserves as outlined in Section 11 of report <a href="#">FIN/642</a>.</li> <li>e) agree that the Council's share of Council Tax for 2024/25 be increased by 2.99% an increase of £6.76 from £225.34 to £232.10 for a Band D property as set out in paragraph 5.11 of report <a href="#">FIN/642</a>,</li> </ul>

		<p>f) approve the Pay Policy Statement for 2024/2025 as outlined in paragraph 12.4 and Appendix 8 of the report <a href="#">FIN/642</a> noting that the pay award has yet to be agreed,</p> <p>g) approve the Capital Strategy as outlined in paragraph 10.1 and Appendix 9 of the report <a href="#">FIN/642</a></p> <p><b>Reasons for the Recommendations</b></p> <p>To provide adequate funding for the proposed level of services and to fulfil the statutory requirement to set a Budget and Council Tax and report on the robustness of estimates.</p>
8.	Treasury Management Strategy 2024-2025	<p><b>RESOLVED</b></p> <p>That the Full Council recommended to approve:-</p> <p>a) the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5.4 report of <a href="#">FIN/644</a>;</p> <p>b) the Treasury Management Strategy contained within Section 6 of report <a href="#">FIN/644</a>;</p> <p>c) the Investment Strategy contained within Section 7 of report <a href="#">FIN/644</a>;</p> <p><b>Reasons for the Recommendations</b></p> <p>The Council's financial regulations, in accordance with the CIPFA Code of Practice for Treasury Management, requires a Treasury Management Strategy to be approved for the forthcoming financial year. This report complies with those requirements.</p>
9.	Review Of Crawley Borough Councils Statement Licensing Policy for 2024 – 2029	<p><b>RESOLVED</b></p> <p>That the Cabinet reviews the responses received as part of and following the consultation, and confirmed it had no further comments to be added to the proposed revised Statement of Licensing Policy 2024-2029, as detailed in Appendix B to report <a href="#">HCS/073</a>, made under the Licensing Act 2003.</p> <p>That Full Council be recommendation to approves and adopts the proposed revised Statement of Licensing Policy 2024 -2029, as detailed in Appendix B to report <a href="#">HCS/073</a>, made under the Licensing Act 2003 with a view to implementation on 1st March 2024.</p>

		<p><b>Reasons for the Recommendations</b></p> <p>It is a legal requirement that the Council publish a Statement of Licensing Policy under the Licensing Act 2003, with the Policy providing the decision-making framework for all matters under the Act. Consideration of the proposed revised Statement of Licensing Policy 2024– 2029 following inclusion of consultation feedback as appropriate, is sought from Members, and following this, that the matter proceeds to Overview and Scrutiny Commission as a Policy Framework Document , thereafter Cabinet as a key decision and Full Council, with a view to adoption and implementation from 1st March 2024.</p>
<p><b>10.</b></p>	<p>PSPO - Council Owned Multi-Storey Car Parks</p>	<p><b>RESOLVED</b></p> <p>That Cabinet approves that the level for Fixed Penalty Notices which may be issued for a breach of the PSPO (subject to that Full Council makes the PSPO in the form of the draft at Appendix A of report <a href="#">HCS/072</a>) be set at £100.</p> <p>That Full Council be recommended to makes a PSPO in the form set out in Appendix A report <a href="#">HCS/072</a> with the restricted area being Orchard Street multi-storey car park, Town Hall multi-storey car park and Kingsgate multi-storey car park which should come into force on 26 February 2024 for a period of three years</p> <p><b>Reasons for the Recommendations</b></p> <p>There have been complaints about anti-social behaviour the Council's town centre multistorey car parks. The anti-social behaviour is mainly caused by congregating/sleeping in access areas such as stairwells and lift lobbies, drug taking and access for the purpose of criminal activity.</p> <p>As a publicly accessible space there are limited powers to prevent individuals accessing the car parks for non-parking related activities.</p> <p>The anti-social behaviour can be managed by introducing a Public Spaces Protection Order restricting activity that is not connected to the parking of a vehicle or bicycle, without preventing the lawful use of the car park for all members of the public.</p>

<p><b>11.</b></p>	<p>Installation of Toilet Facilities – Cherry Lane and Millpond Unsupervised Adventure Playgrounds</p>	<p><b>RESOLVED</b></p> <p>That the Cabinet approves:</p> <ul style="list-style-type: none"> <li>a) the installation of permanent toilet facilities at both Cherry Lane and Millpond unsupervised adventure playgrounds.</li> <li>b) the virement of £107,827 existing capital budget to support the delivery of the project.</li> <li>c) a virement of £25,000 to fund the revenue implications of the scheme from within Community Services budgets.</li> <li>d) that the Head of Community Services be delegated the authority to undertake all necessary processes as required for the installation of the toilets, including (and not limited to), any negotiation and approval of tenders and other documentation, subject to consultation with the Statutory Officers <i>(Generic Delegations 2 &amp; 3 will be used to enact this recommendation).</i></li> </ul> <p><b>Reasons for the Recommendations</b></p> <p>To ensure compliance with the council’s constitution and associated decision-making processes to approve the allocation of capital funds and annual revenue budget for installation of permanent toilets at Millpond and Cherry Lane unsupervised adventure playground sites.</p> <p>The Council is not under a legal duty to provide public conveniences. It does however have the discretionary power to provide them pursuant to section 87 of the Public Health Act 1936 (as amended)</p>
<p><b>12.</b></p>	<p>Allocating Monies Collected Through CIL</p>	<p><b>RESOLVED</b></p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> <li>a) endorses the CIL funds received to date and the outcome of the public engagement exercise on the amendments to the allocation and governance of the CIL Neighbourhood Improvement Strand monies, agreed by Cabinet in November 2022 report <a href="#">PES/420</a>.</li> <li>b) approves that up to £100,000 of CIL Neighbourhood Improvement Strand be allocated and committed to the Three Bridges 3G Synthetic Turf Pitch 3G project, subject to the outcome of a public engagement exercise and subject to submission of sufficient evidence supplied to the Head of Corporate Finance</li> </ul>

		<p>to demonstrate a funding gap.</p> <p>c) delegates the negotiation, approval, and completion of all relevant documentation, including legal paperwork, regarding the Three Bridges 3G Synthetic Turf Pitch 3G project, to the Head of Major Projects and Commercial Services, Head of Governance, People and Performance and the Head of Corporate Finance. <i>(Generic Delegations 2 &amp; 3 will be used to enact this recommendation).</i></p> <p>d) approves the proposed amendments to the allocation and governance of the CIL Neighbourhood Improvement Strand monies set out in sections 9 and 10 of this report <a href="#">PES/452</a>, subject to the outcome of a public engagement exercise.</p> <p>e) delegates authority to Head of Economy and Planning, in consultation with the Cabinet Member for Planning and Economic Development to undertake a public engagement exercise on the proposed amendments to the allocation and governance of CIL Neighbourhood Improvement Strand monies, as set out in sections 9 and 10 of this report <a href="#">PES/452</a>.</p> <p>f) delegates authority to the Head of Economy and Planning, in consultation with the Cabinet Member for Planning and Economic Development, to implement any procedural modifications to the CIL Neighbourhood Improvement Strand, including in response to the public engagement exercise. <i>(Generic Delegation 7 will be used to enact this recommendation).</i></p> <p><b>Reasons for the Recommendations</b></p> <p>To ensure best practice for the ongoing distribution of the Neighbourhood Improvement Strand CIL monies, in line with government regulations.</p> <p>To unlock CIL Neighbourhood Improvement Strand monies to enable delivery of a synthetic 3G pitch facility at Three Bridges FC as significant new amenity infrastructure for Three Bridges neighbourhood.</p>
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<p><b>14.</b></p>	<p>Crawley Town Centre Heat Network - Phase 2 Expansion</p>	<p>Exempt Paragraph 3 <i>Information relating to financial and business affairs of any particular person (including the Authority holding that information)</i></p> <p><b>RESOLVED</b></p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> <li>a) notes the finding of the Town Centre District Heat Network Phase 2 Outline Business Case as set out in section 4 of report HPS/39.</li> <li>b) approves to undertake an options appraisal to assess the appropriate role for the Council in progressing the DHN phase 2 and that a further report be brought back to Cabinet regarding this matter.</li> <li>c) subject to the options appraisal, agrees to submit an application to the Green Heat Network Fund for funding to support commercialisation and progression to construction.</li> <li>d) notes the allocation of £50,000 to progress the options appraisal and application to the Green Heat Network Fund.</li> </ul> <p><b>Reasons for the Recommendations</b></p> <p>The Feasibility Study and Detailed Project Development for the phase 2 expansion of the town centre DHN indicate that the network is commercially viable (assuming a successful Green Heat Network Fund application) and electrification of the heat source can be achieved, thereby significantly reducing carbon emissions relative to the current phase 1 gas boilers and combined heat and power unit.</p> <p>The recommendations will enable the project to proceed to the commercialisation stage and in particular permit;</p> <ul style="list-style-type: none"> <li>(i) Consideration of commercial options which enable progression of the DHN phase 2 expansion within the context of the Council's Medium Term Financial Strategy while supporting the wider climate emergency pledge and net zero ambitions.</li> <li>(ii) Submission of a funding application to the Green Heat Network Fund to support commercialisation and construction costs for the DHN Phase 2</li> </ul>
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## FORM OF NOTIFICATION OF SUPPORT FOR CALL-IN

Any councillor of the Council calling in a decision must then obtain, within the five working days following the Call-In, the support of three other councillors.

In order to ensure that Call-In is not abused, nor causes unreasonable delay, the following requirements must be fully satisfied before a matter will be considered for Call-In:

- a) At least four councillors (one of which will be the named signatory) must request Call-In of the decision. Failure to obtain the support of three other councillors within this period will mean that the original decision will stand, on the sixth day, the decision will be implemented.
- b) The request for Call-In must specify the reason for the Call-In and provide evidence which demonstrates the alleged breach of at least one principle of decision making.
- c) The request for Call-In must be received by the Monitoring Officer by 12 noon on the fifth day following publication of the decision. The request for Call-In should either be submitted:
  - In hard copy: including the signatures of the councillor requesting the Call-In and those councillors supporting the Call-In.
  - Electronically: to [democratic.services@ Crawley.gov.uk](mailto:democratic.services@ Crawley.gov.uk). The councillor requesting the Call-In must submit the form and each councillor supporting the Call-In must send an email in support. All emails must be sent from the councillors' individual Crawley Borough Council email addresses.
- d) The decision for which Call-In is requested must not have been subject to a prior Call-In request.
- e) Should the proposed Call-In decision have been considered by the Commission, the justification must also explain why the councillor requesting the Call-In is of the view that, either:
  - The Commission did **not fully** scrutinise the decision in advance of it being taken; or
  - The views of the Commission were **not fully** considered or addressed by the Cabinet in their decision making.

Decision being called in (including item no.)	Which provisions have been breached and how?

## Signatories

1. Signature of councillor calling in the decision

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Name in capitals

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2. Signature of councillor supporting the Call-In

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Name in capitals

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3. Signature of councillor supporting the Call-In

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Name in capitals

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4. Signature of councillor supporting the Call-In

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Name in capitals

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