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Crawley Borough Council

Agenda of the Full Council

To: The Mayor and Councillors

You are summoned to attend a meeting of the **Full Council** which will be held in **Committee Rooms A B & C** - **Town Hall**, on **Wednesday** 21 February 2024 at 7.30 pm

Nightline Telephone No. 07881 500 227

Chief Executive

Please contact Democratic Services if you have any queries regarding this agenda. democratic.services@crawley.gov.uk

Published Friday 9 February 2024

Duration of the Meeting

If the business of the meeting has not been completed within two and a half hours (normally 10.00 pm), then in accordance with Council Procedure Rule 2.2, the Mayor will require the meeting to consider if it wishes to continue for a period not exceeding 30 minutes. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

If required, following the meeting's initial extension, further votes may be taken to extend the meeting by periods not exceeding 30 minutes in each case. Once the vote to extend falls then the guillotine will come into effect.



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The order of business may change at the Mayor's discretion

Part A Business (Open to the Public)

Live Streaming Committee Meetings: Facebook Live Guidance	Pages
As a trial, Committee meetings will be lived streamed via the Council's Facebook Live account. A copy will then later be stored on the Council's YouTube channel.	
Here's the procedure for watching a live stream on Facebook: Go to <u>https://www.facebook.com/crawleycouncil</u>	
You will be prompted to log in. If you don't have a Facebook account, you can click the X to ignore this, and the box will close. Details of the upcoming meeting will be posted on the Crawley Borough Council Facebook page in advance.	
Come back to the page when the meeting is due to start, and a live video feed will appear. To watch it in larger size, click the two arrows on the bottom right of the picture.	
Please note that the live stream will not have the comment function enabled.	
The recording of the meetings will then be placed on the Council's YouTube channel <u>https://www.youtube.com/crawleybc</u> the day after the meeting	
Apologies for Absence	
To receive any apologies for absence.	
Disclosures of Interest	
n accordance with the Council's Code of Conduct, councillors are reminded that it s a requirement to declare interests where appropriate.	
Minutes	5 - 42
To approve as a correct record the minutes of the meeting of the Full Council held on 13 December 2023.	
Communications	
To receive and consider any announcements or communications, including any additional Cabinet Member announcements.	
Public Question Time	
To answer public questions under Full Council Procedure Rule 1.1-E. The questions must be on matters which are relevant to the functions of the Council,	

1.

2.

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5.

		Pages
	and should not include statements.	
	One supplementary question from the questioner will be allowed.	
	Up to 30 minutes is allocated to Public Question Time.	
6.	Consideration of Full Council Recommendations and Call-In Decisions	43 - 100
	To consider any recommendations before the Full Council or items which have been Called-In.	
	NB In advance of the meeting Political Groups will identify which recommendations they do not wish to reserve for debate.	
7.	Notice of Motion - Declaring a Housing Emergency	101 - 102
	To consider, in accordance with Full Council Procedure Rule 1.1-H, the following Notice of Motion to be moved by Councillor Jones and seconded by Councillor Irvine.	
8.	Councillors' Questions Time	
	There will be a maximum of 30 minutes for Councillors' Question Time (CQT). Councillors may ask questions relating to either a portfolio issue or with regard to the functions delegated to a Committee.	
	There are two methods for Councillors asking questions:	
	1. Councillors can submit written questions in advance of the meeting and written answers will be provided on the evening of the Full Council.	
	2. Councillors can also verbally ask questions during the CQT.	
	Councillors have the opportunity to ask oral supplementary questions in relation to either of the methods above.	
9.	Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees including Items for Debate	
	To receive the minutes of the meetings of the Cabinet, Overview and Scrutiny Commission and Committees, as listed on page 43, and set out in the appendices to this item and to debate any Reserved Items contained within those Minutes.	
	NB: In advance of the meeting Political Groups can identify any items they wish to debate as a Reserved Item. These Reserved Items will then be the only matters to be the subject of debate.	

Pages

10. Supplemental Agenda

Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.

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Agenda Item 3 Full Council (68)

Full Council (68) 13 December 2023

Crawley Borough Council

Minutes of Full Council

Wednesday, 13 December 2023 at 7.30 pm

Councillors Present:

J Hart (Mayor)

K Khan (Deputy Mayor)

Z Ali, I Ashraf, M L Ayling, T G Belben, J Bounds, C M Burke, B J Burgess, J Charatan, D Crow, H Hellier, I T Irvine, K L Jaggard, G S Jhans, Y Khan, M G Jones, P K Lamb, R A Lanzer, T Lunnon, K McCarthy, J Millar-Smith, M Morris, C J Mullins, S Mullins, A Nawaz, B Noyce, D M Peck, S Piggott, S Pritchard, T Rana, J Russell and S Sivarajah

Also in Attendance:

Mr Peter Nicolson	Independent Person

Officers Present:

Head of Governance, People & Performance
Chief Executive
Web Development Manager
Democratic Services Officer
Democracy & Data Manager

Apologies for Absence:

Councillor M Mwagale, A Pendlington and S Raja

Mr Russell Brown Independent Person

1. Minute's Silence

The Mayor held a minute's silence in memory of the Council's former Independent Standards Member, Barry Jones, who sadly passed recently.

2. Disclosures of Interest

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

3. Minutes

The minutes of the meeting of the Full Council held on 18 October 2023 were approved as a correct record and signed by the Mayor.

4. Communications

The Mayor updated the Council on events since the last meeting, which included attending the official handing over of the keys event for the new St Catherine's Hospice building in Pease Pottage, ending 40 years of the hospice being located in Southgate. The Mayor also attended the naming ceremony of the new flats in Brighton Road after the Council's late Mayor, Raj Sharma.

In November, in time for Remembrance weekend, the Mayor was pleased and proud to present the new Crawley Standard, purchased with monies from the CBC Small Grants Fund, to the Armed Forces Veterans Breakfast Club on the mezzanine floor in the Town Hall. At the end of November, the Mayor attended the 2nd Downs Syndrome Swimming Club's UK Championships.

Cabinet Members Councillors Rana, Nawaz, Irvine, S Mullins and C Mullins provided Full Council with further context to their <u>Cabinet Member Announcements</u>, as contained within the Supplementary Agenda Order Paper.

5. Public Question Time

Questioner's Name	Name of Councillor Responding
Mr Robin Burnham, Bewbush	In line with the Constitution, the Mayor rejected the question as it did not relate to an issue for which the Council held responsibility, or which specifically affected the borough.

6. Recommendation 1 – Appointment of Deputy Chief Executive

The Leader presented the recommendations from the Councillors' Employment Panel. It was noted that, following a rigorous recruitment process involving several highcalibre candidates and several rounds of interviews with the Chief Executive, staff and the Employment Panel, the Employment Panel's nomination as the Council's new Deputy Chief executive was Chris Page, who was currently Climate Change and Sustainability Director at the London Borough of Southwark.

The Leader of the Opposition Councillor Crow seconded the recommendation of Chris Page as the new Deputy Chief Executive and commented that he was looking forward to working with him.

RESOLVED

That the Full Council

1. notes the Employment Panel nomination of Chris Page as the new Deputy Chief Executive.

2. agrees the appointment of Chris Page to the position of Deputy Chief Executive of Crawley Borough Council with an approximate start date of 1 March 2023, at a salary of £104,452 p.a.

7. Recommendation 2 – Findings of the Reviews of Polling Districts, Polling Places and Polling Stations (2023)

The Full Council considered report <u>CEx/066</u> of the Chief Executive/Returning Officer. Councillor Lamb as the Chair of the Governance Committee moved the report, which set out proposals for the polling arrangements for Crawley following the statutorily required review of Polling Districts, Polling Places and Polling Stations. It was noted that the only proposed change from the previous scheme was that the Mill Primary Academy was no longer to be used as a polling station; the rationale being the comments received by the school as a part of the consultation process and that accessibility onto the school grounds was not adequate for voters with disabilities.

The recommendation was seconded by Councillor Crow.

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

RESOLVED

That Full Council approves the proposed changes to Polling Places and Polling Stations location and Scheme as detailed in Appendix A to these minutes with the Electoral Register amended to reflect new scheme commencing on 1 February 2024.

8. Recommendation 3 – Changes to the Constitution

The Committee considered report <u>LDS/209</u> of the Head of Governance, People & Performance which proposed various changes to the Constitution. Councillor Lamb as the Chair of the Governance Committee moved the recommendation, and it was seconded by Councillor Crow.

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

RESOLVED

That Full Council approves the proposed amendments to the Constitution set out in Appendix C to these minutes.

9. Recommendation 4 – Budget Strategy 2024/25

The Full Council considered report <u>FIN/636</u> of the Head of Corporate Finance on the on the Budget Strategy 2024/25-2026/27. The Leader of the Council introduced the report, which set out financial projections with particular reference to the period 2024/25-2026/27 as well as the policy framework for improving financial efficiency and meeting the long-term investment needs of the town, as well as proposals for the annual budget process. It was noted that the strategy assumed several factors including that:



- Government grants would rise in line with inflation and rolled forward into 2024-25
- Council Tax be increased at 2.99%
- Fees and charges be increased by 7% where feasible.

It was emphasised that the increasing cost of temporary accommodation was having a real impact on the Council's finance and the strategy and as such a shorter term focus of 12-15 months was proposed to enable better control and monitoring of the budget gap. The recommendation was seconded by Councillor Nawaz.

Councillor Crow then moved and presented <u>Amendment 1</u> (as shown in the Supplementary Agenda Order Paper). The Amendment was seconded by Councillor Ali.

A single debate occurred on both the recommendation and the proposed amendment. Councillors Irvine, Lanzer, and S Mullins all spoke during the debate.

Councillor Jones, using his right to reply, confirmed that he was willing to accept the amendment.

The Mayor then called for a vote on the amendment to the recommendation which was carried unanimously.

The Mayor then called for a vote on the substantive recommendation as amended which was carried unanimously.

RESOLVED

That Full Council:

- approves the process for of balancing the budget over the next 12 to 18 months, including the use of reserves to balance the budget as outlined in Section 8 of the report <u>FIN/636</u>.
- b) approves the minimum recommended General Fund Balance remains at £3m.
- c) approves the growth items for the General Fund as outlined in sections 6.3 of the report <u>FIN/636</u>.
- d) approves the inclusion of new capital schemes in future budgets with the value of £652,000 as identified in section 9.2 of the report <u>FIN/636</u>.
- e) notes the following highlights of the Budget Strategy:
 - i. that the Budget is aligned to the Council's Corporate Priorities.
 - ii. the outline 3 year forecast as shown in table 6 paragraph 6.5 of the report $\frac{FIN/636}{6}$.
 - iii. that the current budget deficit of $\pounds 1.012m$ for 2024/25 (section 6.5 of the report <u>FIN/636</u>.) is based on a Council tax increase of 2.99% which is $\pounds 6.74$. However, table 10 highlights that the gap could be higher when looking at sensitivity analysis.

- iv. that there are 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.
- f) notes the recent welcome announcement from Government, that additional funding would be made available to assist with any additional cost pressures that arise, if significant numbers of Chagossian British citizens move to Crawley.

10. Recommendation 5 – Crawley Station Gateway - Phase 1

The Full Council considered report <u>PES/443</u> of the Head of Economy and Planning. The Leader of the Council presented the report which provided refreshed concept designs for the Station Gateway (Phase 1) public realm and bus station improvements. It sought approval to go out to public and stakeholder consultation and to combine two funding streams (Crawley Growth Programme and Towns Fund) already allocated within the Council's capital programme.

The recommendation was seconded by Councillor Nawaz.

Councillor Crow spoke on the recommendation.

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

RESOLVED

That the Full Council recommended to approve the amalgamation of the two funding streams (\pm 5.4m from the Crawley Growth programme and \pm 2m from the Towns Fund) already allocated within the Council's capital programme to enable delivery of the project as set out in section 7.2 of report <u>PES/443</u>.

11. Recommendation 6 – Western Boulevard Scheme - Crawley Growth Programme

The Full Council considered report <u>PES/442</u> of the Head of Economy and Planning. The Leader of the Council presented the report, which updated Cabinet on the progress of the Western Boulevard scheme as part of the Crawley Growth Programme with a recommendation that Full Council agree to add £2m of BSIP (Bus Service Improvement Plan) monies to the scheme, which have been secured subject to a funding agreement with West Sussex County Council.

The recommendation was seconded by Councillor Nawaz.

Councillor Ali spoke on the recommendation.

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

RESOLVED



That the Full Council approves the addition of the of £1,949,419 of BSIP (Bus Service Improvement Plan) monies to the Crawley Borough Council capital programme as part of the Western Boulevard scheme, subject to a funding agreement with West Sussex County Council.

12. Recommendation 7 – Crawley Innovation Centre - Additional Towns Fund Monies – PART B

The Mayor informed the Full Council that it was the intention to hold the discussion on recommendation 7 - Crawley Innovation Centre - Additional Towns Fund Monies in open public session (Part A), noting that the report PES/449 of the Head of Economy and Planning was an exempt (Part B) report.

The Leader of the Council presented the report which sought agreement to add Towns Fund monies to the Crawley Innovation Centre project and seek additional delegations to ensure the project can commence without delay.

The recommendation was seconded by Councillor Nawaz.

Councillors Lunnon, Burgess, C Mullins, McCarthy, Lamb, Crow and Belben spoke on the recommendation.

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

RESOLVED

That Full Council approves to reallocate £2m of Crawley Towns Fund monies from the Town Centre to Manor Royal cycle route project to the Crawley Innovation Centre project, subject to confirmation of approval of the transfer from the Government.

13. Councillors' Questions Time

Name of Councillor asking Question	Name of Cabinet Member Responding
Councillor Hellier to the Cabinet Member for Leisure and Wellbeing	Councillor C Mullins, Cabinet Member for Leisure and Wellbeing
Supplementary question to written question - Thank you for your response on the question. In relation to phase 2 of the funding, I welcome the fact it's going to be linked to energy efficiencies and I would be interested to find out how we plan to use that part of the funding.	The most expensive energy use within K2 Crawley is the swimming pool. It is amazing that the pool has managed to stay open as we come out of the Covid pandemic and with the high rising energy costs. The money from Sport England is well received and it will be used for revenue finances for the running of the pool, which will be closely monitored. We will be working with our contractor Everyone Active as the money will assist in relieving the burdens in other areas of the business as swimming is a vital sport for health and wellbeing.

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Councillor Crow to the Leader of the	Councillor Jones, Leader of the Council
Council	Councillor Jones, Leader of the Council
I see that the response to my question	I'm afraid I don't have much information
was a referral to the Councillors'	to provide. The approach from Unite was
Information Bulletin. However, this was	a little unexpected. The threat of strike
published after my question was submitted	action preceded the approach for
and then tonight we have received a	dialogue. I have agreed to meet with
Cabinet Member announcement about the	Unite to discuss this further, which has
fountains in Queen's Square but there is	resulted in Unite cancelling the strike
no mechanism to ask questions on	action that was scheduled for this
Cabinet Member announcements.	month. I never said I was never willing
Supplementary question –	to meet. Pay with staff has been
I discovered on Sussex World Online that	harmonised and been increased the JNC
the Council's contractors Mears and	and the delay in the pay rise has also
Liberty are apparently taking strike action	been criticised but this was to ensure it
and dates are planned for January. This	was in line with the JNC as well. I
is the first I have heard of this. Given the	believe we have a good, respectful
industrial dispute, does the Leader and his	dialogue with all our employee
members support this industrial action?	representatives.
Supplementary question – I learned online that there was industrial action and I learned tonight that it was going to be called off but that would have been a good Cabinet Member announcement. Further to what I read online, the Unite Regional Officer said that ultimately Unite members want the contract taken back in-house by the local authority. Does the Leader support that position?	I am not withholding any information but I do not want to engage about terms and conditions with contractors and their representatives over the council chamber. I do strive to listen very carefully to any concerns anyone wishes to raise and that includes Unite.
Councillor Russell to the Cabinet Member	Councillor Noyce, Cabinet Member for
for Environment, Sustainability and	Environment, Sustainability and Climate
Climate Change	Change
Can I thank the Cabinet Member for	I think the Cabinet Member at WSCC is
writing to WSCC after the motion at the	failing to acknowledge the increased
last Full Council meeting to press them to	costs this council will be facing as the
restore the recycling credits as part of the	waste collection authority. The details
effort to help increase recycling rates.	for support costs associated with
Having seen the response he received as	'Simpler Recycling' is weighted, however
published in the Councillors' Information	it would appear that more is to fund initial
Bulletin, does he share my disappointment	capital costs and transition costs rather
that it is clear that WSCC has no intention	than ongoing revenue. Whilst it is all
of passing on any of benefits of this	very well for the government to make a
recycling source they will receive by	contribution towards purchasing the
restoring the credits? Does he also	vehicles, we will still then need to pay the
believe that they are deliberately ignoring	further costs which there is no indication
how much the changes being imposed by	the council will have support from the
the Government will cost this council? Can	government. The additional revenue
he advise how much our officers have	costs estimated by council officers is
estimated imposing the burdens of the	£550,000pa although with current
waste strategy are going to cost this	pressures, supply chain and staff costs

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council as the waste collection authority, on top of revenue expenditure? Is there any indication that the Government intends to pay for anything extra to cover that amount?	that final increase will be greater by 2026 when this comes into effect. This is an additional expense that no local authority can absorb easily at the moment. It is not clear at the moment what revenue support will be provided by external funding.
Councillor Ali to the Leader of the Council	Councillor Hart, The Mayor
Local authorities have been offered official portraits of our Sovereign King Charles III, is our portrait on the way and have we identified a suitable prominent location for our residents to enjoy?	The official portrait has just this week been delivered and it's in the Mayor's Parlour at the moment awaiting fixture so hopefully within the next couple of days it will be up in the Mayor's Parlour.
Councillor Ayling to the Cabinet Member for Leisure and Wellbeing	Councillor S Mullins, Cabinet Member for Community Engagement and Culture
Can I ask whether the Cabinet Member considers that the small grants scheme has been a success this year? I understand demand from local groups has been high so if it is looking like a small grants fund is going to be entirely spent before the end of the year. Is there any possibility that the amount available can be increased to reflect demand? Also are there any awards in the last year that have particularly stood out to you as worthwhile?	We have a great grants scheme and give a lot of strategic grants and to some important organisations such as Relate, Citizens Advice and Open House. We give out small grants ranging from £500- £2500 to various community organisations to provide services to our local residents, and some of those then progress to apply for strategic grants as the small grant scheme provides the 'stepping stone' to success. This year we've had more applications and the £50,000 the council has to distribute has virtually been used up. Therefore, next year I am proposing that we move £10,000 from the strategic grants across to the small grants as the demand on their services has increased dramatically since Covid and there is a lack of volunteers. Ten Little Toes is a special organisation which supplies goods and baby supplies to families who are struggling. Having started in someone's living room with the aid of a small grant, the organisation has managed to take on a lease and extend its operation.

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	13 December 2023
Councillor Burgess to the Cabinet Member for Planning and Economic Development	Councillor Jones, Leader of the Council
I would appreciate an update on the removal of the old town hall and the possible building of much needed housing in its place. Will the council have to carry the cost of both?	Officers are still working through precise arrangements for the old town hall as there is an options appraisal taking place. I hope to be able to move forward with that shortly but there are a few clarification points before I can share further information with you.
Councillor Pritchard to the Leader of the Council	Councillor Jones, Leader of the Council
I have a question about Reinforced autoclaved aerated concrete (RAAC), because of the prominence in the news about the concern over its use in public buildings and potential safety risks. Please can the Leader advise if officers have found any examples of this in any of our council buildings and if so, is this of immediate concern?	You are correct that the presence of RAAC in public buildings has been prominent in the news. It is worth noting that the presence of RAAC in itself does not necessarily present an immediate risk. The greater risk is where there may have been water ingress which may have penetrated the structure material. Crawley has been good over the years at managing its assets as part of the planned maintenance programme, which in turn has mitigated the potential risks of RAAC. There was RAAC reported at the theatre in Redhill which did provide concerns as to whether there was any RAAC at the Hawth, so I'm pleased to confirm that an extensive survey by the council's Structural Engineer has been completed and I can confirm that there has been no RAAC found at the Hawth. RAAC has not been found in any council owned building with the exception of the plant room of Ashdown House, which is one of the council's commercial properties. I understand this is confined to one small building sited on the roof of the property. An engineer has inspected it and it is stable so there is no immediate impact, and it will need to be rectified in due course. Officers are continuing to highlight buildings that are potentially high risk and that's based around age, type of construction or water ingress and those site surveys will continue.

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Councillor Jaggard to the Cabinet Member for Public Protection The council's Licensing Department, a service that should be self-funding, has been running at a loss for years due to the low fees and charges. Over the last 3 years, the deficit stands at approximately £114,000 which is projected to rise substantially in the future. Does the Cabinet Member feel that this is a satisfactory state of affairs for residents to be subsidising taxi drivers and when does she plan that the service to become self- funding? Which year will this happen? Other small businesses in Crawley are not subsidised so what is the criteria that is determined which businesses are to be worthy of a council subsidy?	Councillor Y Khan, Cabinet Member for Public Protection <i>I'm afraid I don't have the information at</i> <i>the moment, but I will come back to you.</i>
Councillor Lunnon to the Cabinet Member for Environment, Sustainability and Climate Change Residents in Crawley, especially in Broadfield, are suffering from potholes at the moment. An area of particular concern is at Broadfield Barton car park which is the responsibility of Crawley Borough Council. In addition, the lighting in the Barton car park has become problematic recently. Please could the Cabinet Member confirm when the Broadfield Barton car park potholes will be repaired and also confirm the who is responsible for the lighting in the car park?	Councillor Noyce, Cabinet Member for Environment, Sustainability and Climate Change Thank you for your question. I can confirm the potholes are due to be repaired Saturday this week. The lighting, which is the responsibility of Crawley Borough Council, underwent an assessment this week and I can confirm that the council is aiming to begin replacement of lamps and wider repairs next week.

14. Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees including Items for Debate

Moved by Councillor K Khan (as the Deputy Mayor):-

RESOLVED

That the following reports be received:

Licensing Committee – 19 October 2023 Planning Committee – 24 October 2023 Overview and Scrutiny Commission – 30 October 2023 Planning Committee – 14 November 2023 Employment Panel – November 2023 Audit Committee – 21 November 2023 Overview and Scrutiny Commission – 27 November 2023

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Governance Committee – 28 November 2023 Cabinet – 29 November 2023

15. Item for Debate - Proposed Fees and Charges for 2023: Hackney Carriage and Private Hire Licensing Regime

Councillor Lanzer explained the rationale for bringing forward this item for debate. He commented that paragraph 6.3 of the report that was before the Licensing Committee stated that: *It is important to note that this service is required to recognise a cost-neutral position as assessed over a three-year period.* The recommendation was for a 10% fare increase, but the Committee had decided upon a 7% increase. A question was therefore raised to the Chair of the Licensing Committee as to how legal the policy was if the Committee knowingly adopted an increase that meant the service would not be cost neutral, especially as there was a deficit for the service over the last three years of over £110k.

Councillors Jones and Jaggard also spoke on the subject.

Councillor Ashraf as Chair of the Licensing Committee responded to this, stating that all Committee members were given the opportunity to ask questions of the officers over the proposal before them and to express their views at the meeting. Ultimately any decision taken at the Committee was taken by the majority of Committee members and sometimes to achieve that majority, compromises or changes to the proposal were required. In regard to the fee increase, they were raised by 5% at the beginning of the year, then a further charge of £15 for compliance check and then the 7% recently agreed.

16. Item For Debate - Planning Application CR/2023/0484/FUL – 9 Mill Road.

Councillor Crow explained his rationale for bringing forward this item for debate. He raised concerns over the decision that had been made, and the potential for further 'bad' planning decisions being made in the future. The application related to a significant development in a tight road. Only three members attended a site visit and they all voted against it having seen the location. The Committee seemed not to address concerns over the lack of parking, and how the proposed property would overlook neighbouring properties being only 9 metres away.

Councillors Burgess, S Mullins and Jaggard also spoke on the subject.

Councillor Pritchard, as Chair of the Planning Committee, responded on this item. He confirmed he understood the concerns raised at the meeting about the application, and that the Planning Committee is a quasi-judicial meeting and Committee members cannot be subject to the party whip. The Committee members must look at the evidence before them. The site had come before the Committee numerous times before, but on each occasion was judged on its merits at the time. The Committee was within its jurisdiction to add additional planning conditions and there was some learning over how planning policy was considered going forward. There was a need for improved responses from WSCC over traffic issues which it was highlighted would certainly help the Committee.

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17. Vote to Extend the Meeting (Guillotine)

As the business of the meeting had not been completed within the scheduled two hours and 30 minutes, a vote on continuation in line with Council Procedure Rule 8.3 was held. The Mayor required the Full Council to consider if it wished to continue with the meeting.

Having put it to the vote, the Council agreed that the meeting be continued for an additional period not exceeding 30 minutes.

18. Item for Debate - Treasury Management Mid-Year Review 2023-24

Councillor Lanzer explained his rationale for bringing forward this item for debate. Referencing the report, he explained that he wished to highlight a couple of points that the total funds within treasury management combined with the Council's investment properties totalled approximately £150m. The investment properties including the Create Building make up 30% of that figure and that is in an illiquid asset class and that factor should be remembered. The Council has about £80m loaned to other local authorities which was significant, and there were some poor interest rates including a 1.5% rate of return with Derbyshire County Council.

The treasury management policy stated that the Council cannot invest more than $\pounds 10m$ with any one body except the Government, but there were deposits of $\pounds 15m$ with NatWest, and up to $\pounds 15m$ could be invested with other local authorities. The report presented some confusion on this matter.

Councillor Jones, as the Cabinet Member with responsibility for Treasury Management, responded on this item stating that he noted the comments on the property assets, whilst not necessarily agreeing, diversification to balance risk was a fair point. The Council's treasury management was in a healthy place as it was bringing in £2.4m of additional income from investments, £600k more than expected in quarter 1. On the matter of the 1.5% interest rate with Derbyshire CC, this was set some time ago and was considered a good rate at the time but not in hindsight – however all other recent investments were at much better rates. Cllr Jones stated that he would provide councillors with further information on this matter.

Closure of Meeting

With the business of the Full Council concluded, the Chair declared the meeting closed at 10.08 pm

J Hart (Mayor)

Disclosures of Interest

Appendix A

Councillor	Item and Minute	Meeting	Type and Nature of Disclosure
Councillor Ali	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (Minute 4)	Planning Committee 24 October 2023	Personal interest – employed by a company based at Gatwick Airport.
Councillor Ali	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – a West Sussex County Council Councillor.
Councillor Jaggard	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – donates to, but has no direct contact with, environmental charities which have an opinion on the matter.
Councillor K Khan	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – previously employed at Gatwick Airport.
Councillor K Khan	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – has attended meetings with organisations that have an opinion on the matter.
Councillor Nawaz	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – a Gatwick Airport Community Group (Gatcom) representative. Has attended meetings regarding the matter.

Councillor Nawaz	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – a trustee of Gatwick Airport Community Trust.
Councillor Nawaz	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – employed by a company that has business relations with Gatwick Airport.
Councillor Noyce	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – a Gatwick Airport Community Group (Gatcom) representative. Has attended meetings regarding the matter.
Councillor Pritchard	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Planning Committee 24 October 2023	Personal interest – employed by Govia Thameslink, which serves Gatwick Airport railway station.
Councillor Ali	Planning Application CR/2023/0197/FUL – Land Adjacent to Hydehurst Lane, Northgate (minute 4)	Planning Committee 14 November 2023	Personal interest – a West Sussex County Councillor.
Councillor Ali	Planning Application CR/2023/0484/FUL – 9 Mill Road, Three Bridges (minute 6)	Planning Committee 14 November 2023	Personal interest – a member of West Sussex County Council's Planning and Rights of Way Committee.
Councillor Lanzer	Crawley Station Gateway Phase 1 (Minute 7)	Overview and Scrutiny Commission 27 November 2023	Personal Interest – Member of WSCC
Councillor Lanzer	Crawley Station Gateway Phase 1 (Minute 7)	Overview and Scrutiny Commission 27 November 2023	Personal Interest – WSCC Cabinet Member Representative on the Crawley Growth Programme

Councillor	Western Boulevard	Overview and	Personal Interest –
Lanzer	Scheme – Crawley Growth Programme (Minute 8)	Scrutiny Commission 27 November 2023	Member of WSCC
Councillor Lanzer	Western Boulevard Scheme – Crawley Growth Programme (Minute 8)	Overview and Scrutiny Commission 27 November 2023	Personal Interest – WSCC Cabinet Member Representative on the Crawley Growth Programme
Councillor Lanzer	Health and Adult Social Care Scrutiny Committee (HASC) (Minute 9)	Overview and Scrutiny Commission 27 November 2023	Personal Interest – Member of WSCC
Councillor Lanzer	Health and Adult Social Care Scrutiny Committee (HASC) (Minute 9)	Overview and Scrutiny Commission 27 November 2023	Personal Interest – Cabinet Member for Public Health & Wellbeing
Councillor Lanzer	Crawley Innovation Centre – Additional Towns Fund Monies (Minute 13)	Overview and Scrutiny Commission 27 November 2023	Personal Interest – Member of Town Deal Board
Councillor Ali	Crawley Station Gateway Phase 1 (Minute 9)	Cabinet 29 November 2023	Personal Interest – Member of WSCC
Councillor Burgess	Crawley Station Gateway Phase 1 (Minute 9)	Cabinet 29 November 2023	Personal Interest – Member of WSCC
Cabinet 29 November 2023	Crawley Station Gateway Phase 1 (Minute 9)	Cabinet 29 November 2023	Personal Interest – Member of WSCC
Councillor Ali	Western Boulevard Scheme – Crawley Growth Programme (Minute 10)	Cabinet 29 November 2023	Personal Interest – Member of WSCC
Councillor Burgess	Western Boulevard Scheme – Crawley Growth Programme (Minute 10)	Cabinet 29 November 2023	Personal Interest – Member of WSCC

Councillor Crow	Western Boulevard Scheme – Crawley Growth Programme (Minute 10)	Cabinet 29 November 2023	Personal Interest – Member of WSCC
Councillor Rana	Item for Debate - Proposed Fees and Charges for 2023: Hackney Carriage and Private Hire Licensing Regime (Minute 15)	Full Council 13 December 2023	Personal Interest – private hire/hackney carriage license holder.
Councillor Sivarajah	Item for Debate - Proposed Fees and Charges for 2023: Hackney Carriage and Private Hire Licensing Regime (Minute 15)	Full Council 13 December 2023	Personal Interest – private hire/hackney carriage license holder.

Appendix B

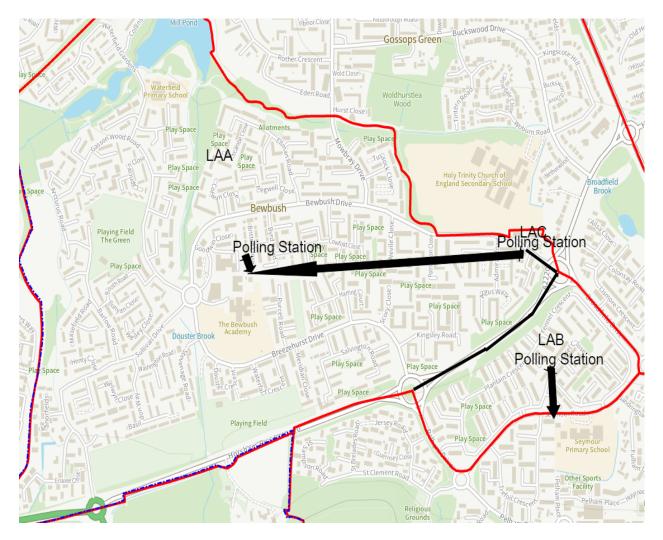
<u>Reviews of Polling Districts, Polling Places and Polling Stations</u> (2023)

Bewbush & North Broadfield Ward

Polling District LAANo Change ProposedPolling Place: Bewbush Centre Dorsten Square.Electors: 6132Postal Voters: 1098

Polling District LABNo Change ProposedPolling Place: Broadfield Scout Hut, Seymour Road.Electors: 921Postal Voters: 206

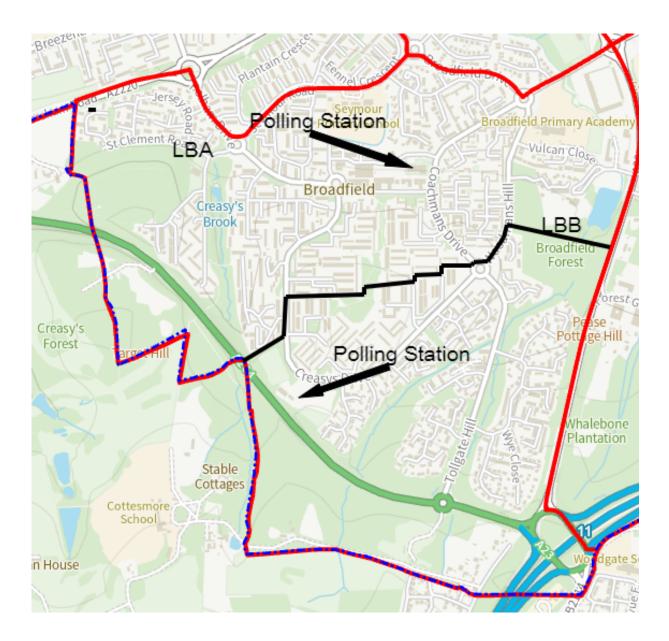
Polling District LACNo Change ProposedPolling Place: Bewbush Centre, Dorsten Square.Electors: 37Postal Voters: 5



Broadfield Ward

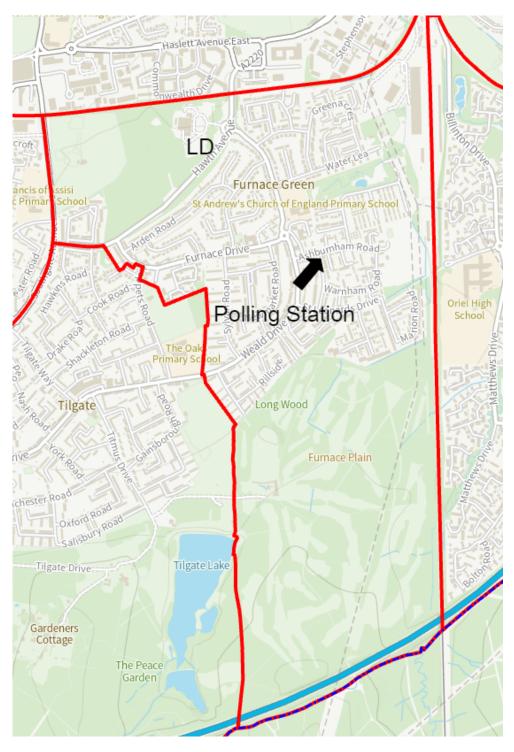
Polling District LBANo Change ProposedPolling Place: Broadfield Youth and Community Centre Broadfield Barton.Electors: 4585Postal Voters: 905

Polling District LBBNo Change ProposedPolling Place: Creasy's Drive Adventure Playground, Creasy's DriveElectors: 2684Postal Voters: 684



Furnace Green Ward

Polling District LDNo Change ProposedPolling Place: Furnace Green Community Centre,Ashburnham Road.Electors: 4444Postal Voters: 1141



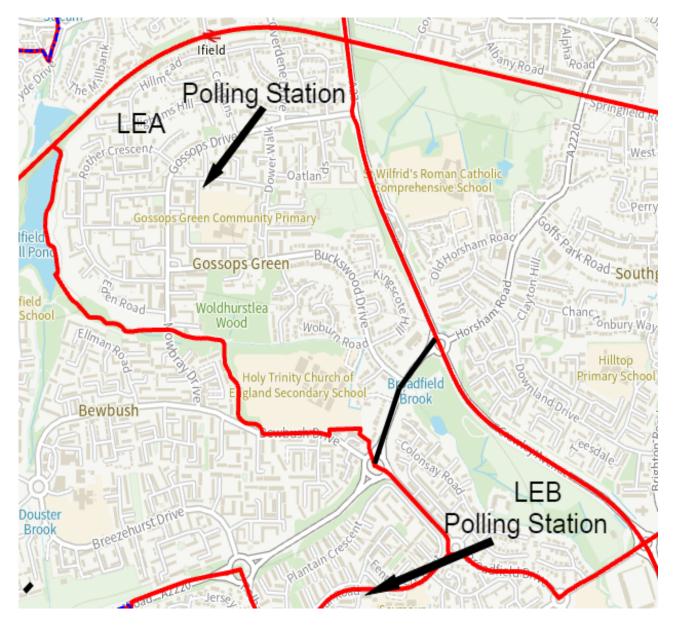
Gossops Green & Northeast Broadfield Ward

Polling District LEA

No Change Proposed

Polling Place: Gossops Green Community Centre, Capel Lane. Electors: 3863 Postal Voters: 899

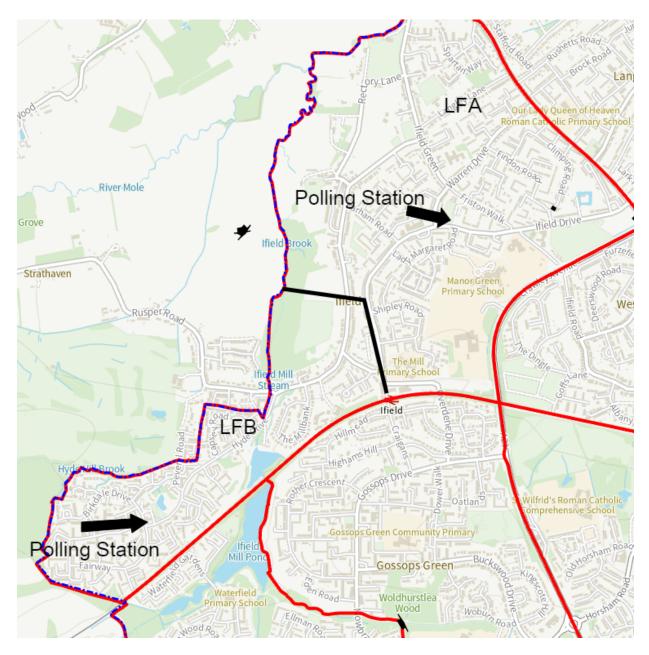
Polling District LEBNo Change ProposedPolling Place: Broadfield Scout Hut, Seymour Road.Electors: 794Postal Voters: 280



Ifield Ward

Polling District LFAChange ProposedPolling Place: Ifield Community Centre, Ifield Drive.Electors: 4308Postal Voters: 1040

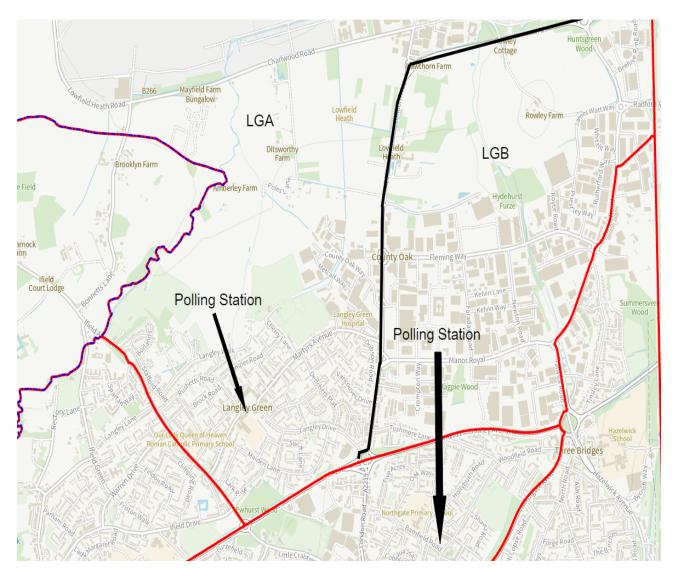
Polling District LFBChange ProposedPolling Place:Wybourne Community Centre, Hyde Drive.Electors:2820Postal Voters:580



Langley Green & Tushmore Ward

Polling District LGANo Change ProposedPolling Place: The Langley Centre, Stagelands.Electors: 5529Postal Voters: 987

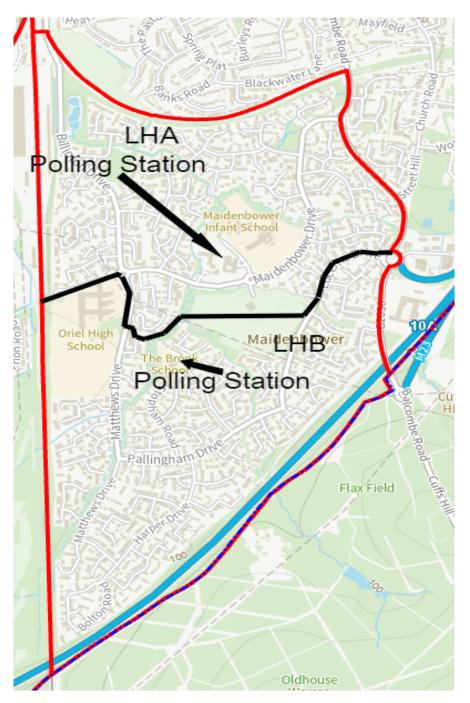
Polling District LGBNo Change ProposedPolling Place: Northgate Community Centre, Barnfield Road.Electors: 508Postal Voters: 110



Maidenbower Ward

Polling District LHANo Change ProposedPolling Place: Maidenbower Community Centre,Harvest Road.Electors: 2829Postal Voters: 659

Polling District LHBNo Change ProposedPolling Place: The Brook School, Salterns Road.Electors: 3904Postal Voters: 1105



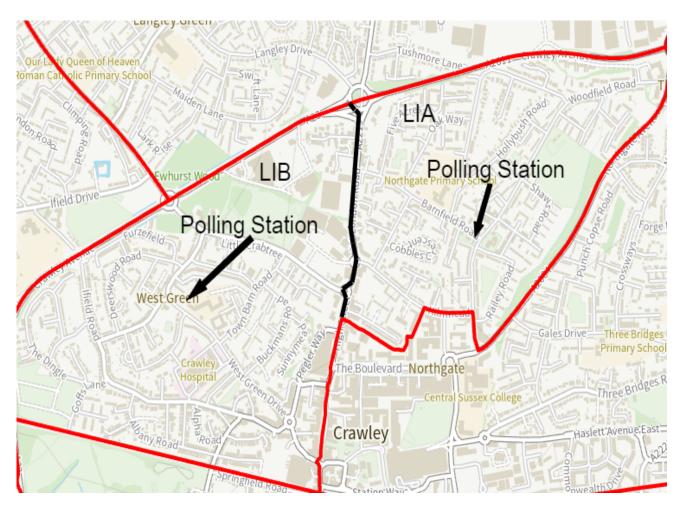
Northgate & West Green Ward

Polling District LIA

No Change Proposed

Polling Place: Northgate Community Centre, Barnfield Road. **Electors:** 3475 **Postal Voters:** 674

Polling District LIBNo Change ProposedPolling Place: The Charis Centre, West GreenElectors: 4136Postal Voters: 877



Pound Hill North & Forge Wood Ward

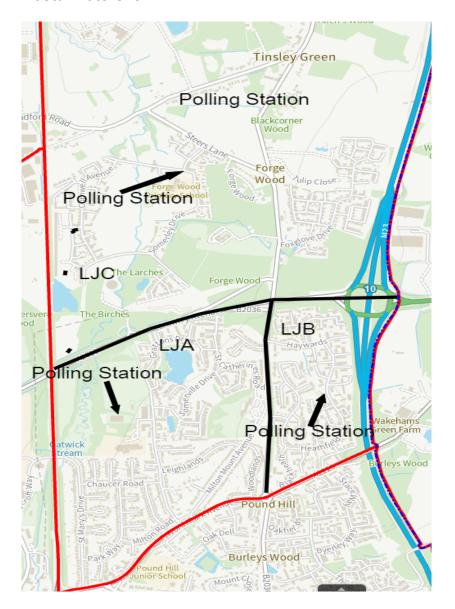
Polling District LJA

No Change Proposed

Polling Place: Grattons Indoor Bowls Club, Grattons Drive. Electors: 2912 Postal Voters: 712

Polling District LJBNo Change ProposedPolling Place:Wakehams Green Community Centre,Wakehams Green Drive.Electors: 1685Postal Voters:305

Polling District LJCNo Change ProposedPolling Place:Forge Wood Community Centre, Somerley DriveElectors:2477Postal Voters:577



Pound Hill South & Worth Ward

Polling District LKANo Change ProposedPolling Place: Pound Hill Community Centre, Worth Road.Electors: 2767Postal Voters: 615

Polling District LKBNo Change ProposedPolling Place: St. Edward the Confessor Church Hall,Hillcrest Close.Electors: 1131Postal Voters: 282

Polling District LKC No Char Polling Place: St. Edward the Confessor Church Hall, Hillcrest Close. Electors: 2308

Postal Voters: 651

No Change Proposed

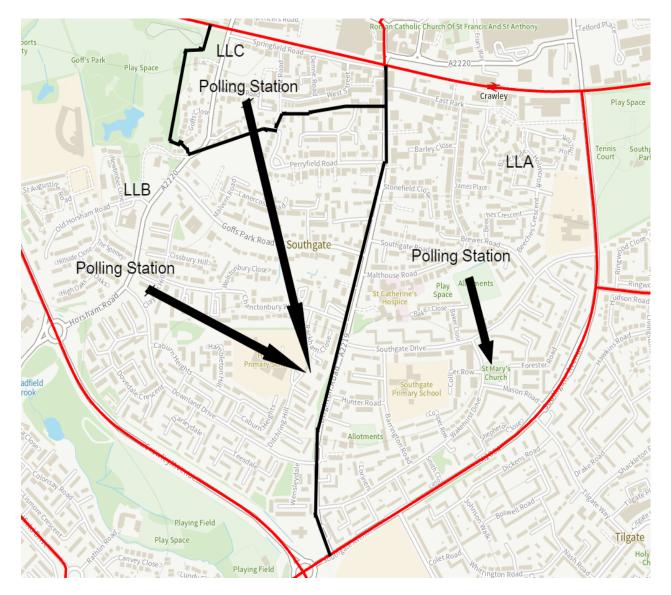
Burleys Wood LKB ind **Polling Station Surleys Wood** Pound Hill TKA St Barnabas LKC Play Space Polling Station Turners Hill Road **Polling Station** Play Space Pound Hill South Playing Field Blackwater Worth

Southgate Ward

Polling District LLANo Change ProposedPolling Place: St Marys Church Hall, Wakehurst Drive.Electors: 3000Postal Voters: 734

Polling District LLBNo Change ProposedPolling Place: Southgate Community Centre, Ditchling Hill.Electors: 2909Postal Voters: 850

Polling District LLCNo Change ProposedPolling Place: Southgate Community Centre, Ditchling Hill.Electors: 648Postal Voters: 195



Three Bridges Ward

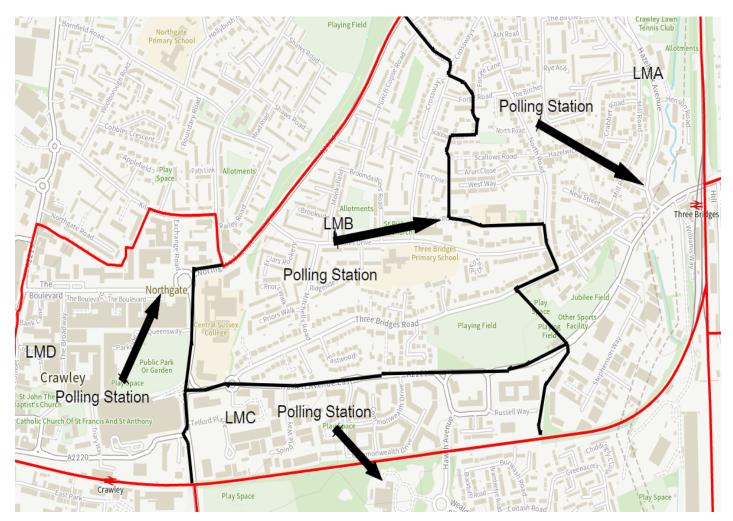
Polling District LMANo Change ProposedPolling Place: Montefiore Institute, Hazelwick Road.Electors: 2759Postal Voters: 703

Polling District LMBNo Change ProposedPolling Place: Three Bridges Community Centre, Gales Place.Electors: 1875Postal Voters: 504

Polling District LMC Polling Place: The Hawth, Hawth Avenue. Electors: 1323 Postal Voters: 267

No Change Proposed

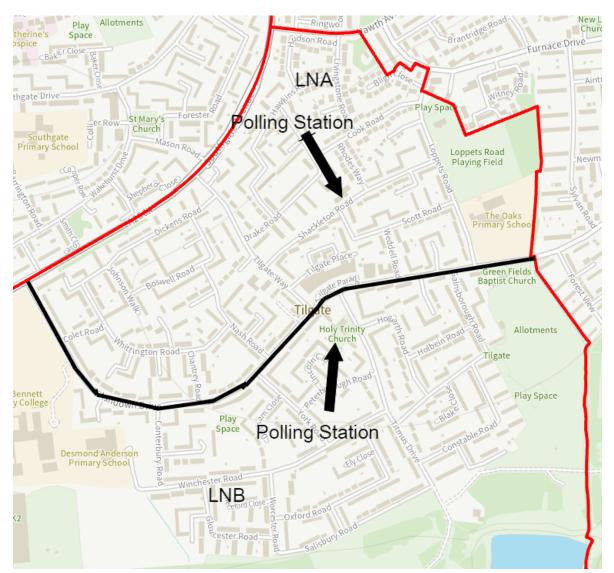
Polling District LMD Polling Place: Town Hall, The Boulevard Electors: 590 Postal Voters: 104 No Change Proposed



Tilgate Ward

Polling District LNANo Change ProposedPolling Place: Tilgate Community Centre, Shackleton Road.Electors: 2358Postal Voters: 507

Polling District LNBNo Change ProposedPolling Place: Holy Trinity Church Hall, Titmus Drive.Electors: 2049Postal Voters: 379



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CHANGES TO THE CONSTITUTION

Function	Amendment	Reason for Amendment
Council Officer Responsibilities and Decision Making (page 70)	Amend Generic Delegation 5 as follows: "Matters in respect of consultations:	To ensure that officers with the appropriate expertise are consulted before applications for Traffic Regulation Orders are submitted to West Sussex County Council. Head of Economy and Planning has confirmed they do not feel it is relevant to their role now and would be better aligned with the Head of Community Services. NB each Chief Officer's Sub- Delegation Scheme will need to be amended to reflect any amended wording.
(DC/GB)	 Approval of documents for public/stakeholder consultation, the carrying out of consultation, responding to consultation in line with this Council's Protocol, adoption of documents following consultation and the submission of documents to the appropriate authority. 	
	 b) Responding to consultation documents where the views of local authorities are sought generally. (NB. All responses from the Council as Local Planning Authority to plans and proposals (including proposed Traffic Regulation Orders) submitted by other Local Authorities are reserved to the Head of Economy and Planning.) A copy of the response to consultations submitted shall be published in the Councillors' Information Bulletin. c) Prior to submission, any officer must consult the Head of 	
Full Council Procedure Rules (page 83) (MM/CP)	Community Services on any proposed Traffic Regulation Orders." Amend Rule 7.2 as follows: "Quorum: The quorum of a Full Council meeting shall be more than one third of the Councillors of the Council (13). If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting."	Whilst the Constitution states the quorum for each meeting it does not provide guidance on the process should a meeting be inquorate. This amendment will provide that guidance.

Function	Amendment	Reason for Amendment
General Committee Procedure Rules (page 92) (MM/CP)	Amend Rule 8.2 as follows: "Quorum: The quorum of a Committee meeting shall be one quarter of the whole number of Councillors rounded up where necessary to the next number and no less than three Councillors. Specific quorum requirements relating to the Employment Panel are set out in its functions (Section 1 of this Constitution). The attendance of the Independent Member to the Audit Committee shall not be taken into account when calculating the quorum at Audit Committee meetings. "If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting."	Whilst the Constitution states the quorum for each meeting it does not provide guidance on the process should a meeting be inquorate. This amendment will provide that guidance.
Scrutiny Procedure Rules (page 128) (MM/CP)	Amend Rule 10.2 as follows: "Quorum: The quorum of a Commission or Scrutiny Panel meeting shall be one quarter of the whole number of Councillors rounded up where necessary to the next number and no less than three Councillors. If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting."	Whilst the Constitution states the quorum for each meeting it does not provide guidance on the process should a meeting be inquorate. This amendment will provide that guidance.

Function	Amendment	Reason for Amendment
Cabinet Procedure Rules (page 139) (MM/CP)	Amend Rule 3.2 as follows: "Membership, the Chair and Quorum: The Cabinet will consist of the Leader and their Cabinet Members with the Leader chairing the meeting, in their absence the Deputy Leader shall act as Chair. The quorum of the Cabinet is three. If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting."	Whilst the Constitution states the quorum for each meeting it does not provide guidance on the process should a meeting be inquorate. This amendment will provide that guidance.
Financial and Budget Procedure Rules (page 166) (CM)	Amend Section J (Financial Approval Levels and Procurement Thresholds) section of the Rules as set out in the Appendix 1).	The virement limits have remained at £50k for a significant number of years. This can result in significant delay in operational virements to be actioned. The proposed increase in limit will improve the effectiveness of the process. Virements will continue to be summarised in the quarterly budget monitoring reports for transparency. It should be noted that any virement which require more scrutiny will continue to be cascaded to Cabinet or Full Council where appropriate regardless of value.

Agenda Item 3

Function	Amendment	Reason for Amendment
Petitions Scheme (page 230) (CP)	 Add the following wording under Paragraph 3 (What will Happen with Petitions): "3.3 The Petitions Officer may delay the progress of a relevant petition to a formal Council meeting if its consideration would fall during the Pre-Election Period (period of heightened sensitivity) and could be deemed politically sensitive." 	This will allow the Monitoring Officer to delay progress if they believe the issue should not be considered during Purdah.

J. FINANCIAL APPROVAL LEVELS AND PROCUREMENT THRESHOLDS

Financial Approval Levels

	Budget Trans (Virements)	sfers	Redundancies/early retirement	Supplement Estimate	ary	Purchase land/property	Asset Disposal	Write-offs	Sale of land	
	Revenue	Capital		Revenue	Capital					
Heads of Service	£50,000 within service area, no future commitment	£50,000 within service area					£10,000			
Head of Corporate Finance	£100,000 £50,000 across the Council, no future commitment	£50,000 across the Council	£500,000			<i>For investment:</i> Within the limits of the Investment Acquisition Reserve	£10,000 - £50,000	Up to £2,500	Up to £25,000	Ag
Head of Crawley Homes in agreement with the Head of Corporate Finance *						For housing delivery **: Within the limits of the Housing Revenue Account Budget				Agenda Item 3

	Budget Trans (Virements)	fers	Redundancies/early retirement	Supplement Estimate	ary	Purchase land/property	Asset Disposal	Write-offs	Sale of land
	Revenue	Capital		Revenue	Capital				
Head of Strategic Housing in agreement with the Head of Corporate Finance *						For temporary accommodation **: Within the limits of the Temporary Accommodation Acquisitions Budget			
Leader								£2,500 - £50,000	£25,000 - £200,000
Cabinet	Over £100,000, £50,000 or and up to £100,000 future commitment	Over £50,000		Up to £100,000 per request, up to maximum of £500,000 per annum	Up to £500,000 per scheme		Over £50,000	Over £50,000	Over £200,000
Full Council	Future commitment above £100,000			Over £100,000	Over £500,000				

* In consultation with the appropriate Cabinet Member and the Leader.

Agenda Item 3

** Each acquisition must be assessed on its individual merits and may include, but is not limited to, the following options:

- a) Council-owned land to be delivered in-house.
- b) Land acquisitions to be progressed in-house.
- c) Joint Venture developments with investors, developers or housing associations.
- d) Off-plan and off-market acquisitions to be delivered on 'turnkey' basis.
- e) S106 affordable housing within market-led schemes.
- f) Securing additional affordable housing within market-led schemes.
- g) Securing 'off-the-shelf' schemes that are nearing completion.
- h) 'Flipping' tenures on existing S106 schemes.
- i) Land or schemes under auction on the market.
- j) Step-in arrangements to complete schemes that are at risk.
- k) Institutionally funded schemes on a lease-back basis.

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Agenda Item 3

Agenda Item 6

The list of minutes of the meetings of the Cabinet, Overview and Scrutiny Commission and Committees are set out in the following:

<u>Appendix</u>

- a) Planning Committee 4 December 2023 (*page 45*)
- b) Licensing Committee 12 December 2023 (page 57)
- c) Overview and Scrutiny Commission 8 January 2024 (page 61)
- d) Planning Committee 9 January 2024 (page 69)
- e) Cabinet 10 January 2024 (page 73)
- f) Licensing Committee 15 January 2024 (page 79)
- g) Overview and Scrutiny Commission 29 January 2024 (page 83)
- h) Cabinet 31 January 2024 (page 89)

Recommendation 1 – 2024-2025 Budget and Council Tax (pages 92-3)

Recommendation 2 – Treasury Management Strategy 2024-2025 (pages 93-4)

Recommendation 3 – Review Of Crawley Borough Councils Statement Licensing Policy for 2024 - 2029 (page 94-5)

Recommendation 4 – PSPO - Council Owned Multi-Storey Car Parks (page 95-6)

i) Notice of Precept 2024/2025 (page TBC) *Recommendation 5* (circulated separately – to follow)

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Crawley Borough Council

Minutes of Planning Committee

Monday, 4 December 2023 at 7.00 pm

Councillors Present:

S Pritchard (Chair) M Mwagale (Vice-Chair) Z Ali, J Bounds, J Charatan, K L Jaggard, K Khan, Y Khan, S Mullins and A Nawaz

Also in Attendance:

Councillor B J Burgess, J Hart and M G Jones

Officers Present:

Valerie Cheesman	Principal Planning Officer
Siraj Choudhury	Head of Governance, People & Performance
Jean McPherson	Group Manager (Gatwick Northern Runway DCO)
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Officer
Hamish Walke	Acting Group Manager (Development Management)

Absent:

Councillor M Morris

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Interest
Councillor Ali	Planning Application CR/2023/0357/OUT – Former Pay and Display Car Park, Telford Place, Three Bridges (minute 7)	Personal interest – a West Sussex County Councillor.

2. Lobbying Declarations

The following lobbying declarations were made by councillors:

All councillors present had been lobbied but had expressed no view on application CR/2021/0571/FUL.

Councillors Jaggard, K Khan, Y Khan, S Mullins, Mwagale, Nawaz, and Pritchard had been lobbied but had expressed no view on application CR/2023/0118/FUL.

Councillors Ali, Bounds, Jaggard, K Khan, Y Khan, S Mullins, Mwagale, Nawaz, and Pritchard had been lobbied but had expressed no view on application CR/2023/0357/OUT.

Councillors Nawaz and Pritchard had been lobbied but had expressed no view on Tree Preservation Order 07/2023.

3. Minutes

The minutes of the meeting of the Planning Committee held on 14 November 2023 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2020/0274/FUL - Ambulance Station, Ifield Avenue, West Green

The Committee considered report <u>PES/447a</u> of the Head of Economy and Planning which proposed as follows:

Demolition of existing ambulance centre and erection of 39 flats with associated parking and amenity space (addendum report).

Councillors Ali, Jaggard, Mwagale, and Nawaz declared they had visited the site.

The Acting Group Manager (Development Management) provided a verbal summation of the item which set out that the original application, which the Committee had previously resolved to permit subject to the finalising of certain details and the completion of a Section 106 agreement, had been delayed due to the Natural England Position Statement on Water Neutrality. Work had since been undertaken to demonstrate that the proposed development would be water neutral. The Officer then gave details of the various relevant planning considerations as set out in the report.

The Committee then considered the application. It was highlighted that the only matter for consideration was water neutrality. Following a query from a Committee member, the Officer outlined the consultation process with Natural England and highlighted that its comments were due to be received imminently. If concerns were raised, Planning Officers would work with Natural England to address issues and reach a suitable conclusion, but reassurance was provided that the scheme did appear to demonstrate water neutrality so this was unlikely.

The Committee then moved to a vote on the application.

RESOLVED

Delegate the decision to permit the application to the Head of Economy and Planning subject to:

- a) the conclusion of consultation with Natural England under the Habitats Regulations;
- b) the finalising of the noise condition, the refuse/recycling store and other elevational treatment in line with the earlier Planning Committee resolution;
- c) the completion of the Section 106 Agreement;

and the conditions set out in report PES/447a.

5. Planning Application CR/2021/0571/FUL - Land to the Front of Ewhurst Place, Ifield Drive, Ifield

The Committee considered report <u>PES/447b</u> of the Head of Economy and Planning which proposed as follows:

Erection of 4 x three bedroom semi-detached dwellings with surrounding landscaping. Formation of two new vehicle access drives off Ifield Drive with associated garage and on-site parking.

Councillors Ali, Bounds, Charatan, Jaggard, S Mullins, Mwagale, Nawaz, and Pritchard declared they had visited the site.

The Group Manager (Gatwick Northern Runway DCO) provided a verbal summation of the application, which sought planning permission for the erection of four residential homes on an area of land forming part of the front curtilage of Ewhurst Place in Ifield. It was explained that the Committee was recommended to refuse the application for the four reasons stated in report PES/447b. The Officer then gave details of the various relevant planning considerations as set out in the report.

Peter Rainier, the agent (DMH Stallard), spoke in support of the application. Matters raised included:

- The trees within the curtilage of the site which had significant historic and amenity value were to be retained, including those visible from Ifield Drive.
- The trees proposed to be removed were mostly younger category C trees which formed low-level planting; they did not form a significant screen and had little amenity value.
- An improved landscaping scheme was proposed.

Peter Rainier spoke on behalf of Lorraine King (Stantec) in support of the application. Matters raised included:

- Historic England was consulted regarding the potential impact of the application on the heritage of the site and had issued a non-intervention letter advising that it did not wish to comment. This suggested that there were no significant issues with the proposals.
- The site was separate to the historic moated area and was beyond an area of modern planting. Nearby residential development had already impacted the site's heritage.
- The less than substantial harm on the heritage of the site would be significantly outweighed by the benefits, such as the provision of homes and jobs.

4 December 2023

Trevor Harman, the applicant (Barclay Developments), spoke in support of the application. Matters raised included:

- The issue of water neutrality could be resolved if the application was to be given more time the site had been earmarked to be part of Crawley Homes' retrofitting programme and discussions were ongoing.
- There would be ecological benefits to the application and measures were proposed that would encourage biodiversity.
- A considerable amount of time and money had been spent on the application, and no objections had been raised by neighbours of the site.

Brenda Burgess, Councillor for Three Bridges, spoke in support of the application. Matters raised included:

- Previous developments constructed by the applicant were well-produced.
- It was important to strike a balance between preserving the heritage of the site and finding a way to move forward with the application.
- The application looked promising and of good quality.

The Committee then considered the application. Further information was sought about the historic boundary that intersected the site and was marked by a tree belt which was proposed to be removed (with the exception of one tree). The Officer explained that historic mapping showed that some form of marked boundary had been in the same location for hundreds of years, so the tree belt was considered a significant marker of the character of the site. Although the trees themselves were not historic specimens, the boundary was an original feature of Ewhurst Place, so their removal would amount to the loss of the feature and the significant value it was considered to add to the site and the setting of Ewhurst Place. Committee members felt that, generally, it was important to retain notable historic features, but in this case the tree specimens themselves were not particularly substantial or of high quality. It was highlighted that the application did not propose removal of the entire boundary and the good quality specimens were retained beyond the site boundary. The extent to which the removal of the trees would negatively impact visibility to and from Ewhurst Place was also discussed, but the Committee did not consider this a significant issue. On balance the Committee felt that the loss of the tree boundary was not sufficient to justify refusal of the application, although the loss of any trees was regrettable.

In response to a query from a Committee member about the site's designation in historic town plans, the Officer confirmed that plans dated from 1953 had earmarked the land in front of the boundary for housing development and these plans had proposed to retain the boundary feature.

Committee members discussed the application's failure to demonstrate water neutrality. It was heard that the applicant had stated that an agreement had been made with Crawley Homes that the Crawley Homes retrofitting scheme would be utilised in order to offset water usage created by the development. It was the responsibility of the applicant to demonstrate this, however the Officer confirmed that no information about or evidence of such agreement had been provided. Committee members sought to further understand this, to which the Officer confirmed that the reasons for the agreement not being secured were not known. The Chair commented that the Committee's discussion should be reported to Crawley Homes.

The Head of Governance, People & Performance provided advice on the Committee's options for making a decision on the application. It was confirmed that it would be unlawful (as a breach of the Habitat Regulations) to grant planning permission in the application's current form as no confirmation of water neutrality had been provided. Committee members sought advice on the legitimacy of a vote to delegate the decision to permit the application to the Head of Economy and Planning subject to

Agenda Item 6 Appendix a

4 December 2023

details of proposals to demonstrate water neutrality. The Head of Economy and Planning explained that this application differed from others that sought delegated authority to permit as the applicant had provided no information on how water neutrality would be achieved; whereas other applications had proven water neutrality and their proposals were simply subject to agreement from Natural England.

Committee members felt that, generally, the development was of good quality design and provided much-needed housing.

The Committee then moved to a vote on the recommendation to refuse the application set out in the report. The recommendation was overturned.

The Chair summarised that the Committee seemed to disagree most strongly with refusal reasons 1 and 2 and felt that these were not valid grounds for refusal of the application. It was suggested that Planning Officers be asked to work towards a resolution to reasons 3 and 4. Following this, a Committee member proposed an alternative motion as follows:

To defer the application to a future meeting of the Planning Committee subject to officers coming to a conclusion on issues of water neutrality and the Section 106 agreement, and securing appropriate affordable housing and tree mitigation contributions.

The Committee moved to a vote on the alternative motion.

RESOLVED

Defer the application to a future meeting of the Planning Committee subject to officers coming to a conclusion on issues of water neutrality and the Section 106 agreement, and securing appropriate affordable housing and tree mitigation contributions.

6. Planning Application CR/2023/0118/FUL - Three Bridges Football Club, Jubilee Walk, Three Bridges

The Committee considered report <u>PES/447c</u> and <u>PES/447c(2)</u> of the Head of Economy and Planning which proposed as follows:

Replacement of existing pitch with 3G football turf pitch (3G FTP) (8962 sq. metres) and associated works including erection of new fencing with entrance gates to form an enclosure around the pitch perimeter, replacement pitch barriers and installation of a storage container within the 3G FTP enclosure. Erection of 6 no. 15.0 m high floodlights around the 3G FTP perimeter with led luminaires. Resurfacing and extension of hard-standing areas. Erection of 2.5 m high acoustic fence.

Councillors Ali, Jaggard, S Mullins, Mwagale, Nawaz, and Pritchard declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought the removal of the existing grass football pitch and replacement with a synthetic 3G pitch (and related works) at Three Bridges Football Club. The Officer highlighted that, since the publication of the initial report, an issue had arisen regarding encroachment of the proposed fence on to existing trees. This had required a supplementary report to be published, which set out an additional condition in order to resolve the issue. The Officer then gave details of the various relevant planning considerations as set out in the report.

Paul Faili, on behalf of the applicant, spoke in support of the application. Matters raised included:

- The current facilities were inadequate as they were not well-lit or safe for use in all weathers. The installation of a 3G pitch would increase its versatility and resilience.
- A 2020 report by the Council had identified a deficit of four full-size pitches in Crawley. The proposals would double the number of users of the facilities.
- The proposals would facilitate outreach work with local groups and community organisations and support the club's youth development policy.

Brenda Burgess, Ward Councillor for Three Bridges, spoke on the application. Matters raised included:

- There were concerns that increased usage of the facilities would lead to greater noise levels at the site.
- It was hoped that any disruption to local residents had been considered when taking into account increased light pollution and increased noise, such as from officials' whistles.
- The proposal would otherwise be a benefit to the local community.

The Committee then considered the application. Following a query from a Committee member about the impact of construction works on neighbours of the site, the Officer confirmed that a construction management plan was required as part of condition 3 which would cover matters such as the delivery of materials and vehicular access to the site. A query was also raised regarding the proposed floodlights, which were confirmed to be of the same height and position as the existing floodlights. The lights were more efficient and a lighting impact assessment had been undertaken to ensure there was minimal glare to neighbours.

Committee members discussed the drainage proposals set out in the application. It was recognised that the lack of irrigation needed for the proposed artificial pitch (compared to the existing grass pitch) would offset any increase in water usage caused by the projected higher number of users. It was queried as to whether a rainwater recycling scheme had been considered in order to reuse run-off water from the pitch area. The Officer explained that this did not form part of the application, and may have been too complex or cost-prohibitive due to the nature and materials of a 3G pitch.

The Committee then moved to a vote on the application.

RESOLVED

Delegate the decision to permit the application to the Head of Economy and Planning, subject to:

- the conclusion of consultation with Natural England under the Habitats Regulations;
- the completion of a Section 106 legal agreement securing community use and pitch certification;

and the conditions set out in report PES/447c (including additional condition 10 as set out in report PES/447c(2)).

7. Planning Application CR/2023/0357/OUT - Former Pay and Display Car Park, Telford Place, Three Bridges

The Committee considered report <u>PES/447d</u> of the Head of Economy and Planning which proposed as follows:

Outline application for up to 300 self-contained affordable residential units to provide later living (C2 use class) and affordable rent/shared ownership (C3 use class) accommodation with private and communal amenity space, two units for either commercial, business and service (E use class) or local community and learning (F use class) uses, creation of new vehicular access from Haslett Avenue East, closure of existing vehicular access from Southgate Avenue, formation of a new landscaped public realm area to the south of Crawley Library and ancillary facilities such as vehicle parking, cycle and bin stores and plant rooms (access and scale to be determined, with layout, appearance and landscaping forming reserved matters).

Councillors Ali, Charatan, Jaggard, S Mullins, Mwagale, Nawaz, and Pritchard declared they had visited the site.

The Acting Group Manager (Development Management) provided a verbal summation of the outline application, which sought permission for a development of residential units and associated works on a currently vacant site at Telford Place in Three Bridges. It was explained that if the outline application were to be approved, a further application would be submitted to seek approval of the reserved matters (namely the layout, appearance, and landscaping). These matters were therefore not to be considered or agreed at this stage. The Officer updated the Committee that, since the publication of the report, discussions on pre-commencement conditions had taken place which had led to recommended amendments to conditions 11, 12, 13 and 15 as follows:

11. No development other than the construction of the approved highways access shall take place unless and until full details of the measures to be undertaken to divert and/or protect the public water supply main during construction works and the subsequent landscaping implementation have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed measures.

REASON: To ensure adequate protection for existing water supply infrastructure in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030. REASON why pre-commencement condition: As it relates to potential impact upon the public water supply main area starting with the setting up for construction activities and site preparation.

12. No development other than the construction of the approved highways access shall take place unless and until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved Piling Method Statement, unless otherwise agreed in writing by the Local Planning Authority. REASON: To protect nearby underground sewerage utility infrastructure and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030. REASON why pre-commencement condition: As foundations will be constructed at a very early stage in the development process and to ensure that any piling details and required protection measures are agreed in good time.

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13. No development other than the construction of the approved highways access shall take place unless and until a scheme for the disposing of surface water by means of a sustainable drainage system has been submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates as contained within the approved Flood Risk Assessment & Drainage Strategy Report (Jubb, version 3.0, dated 30/10/23). The scheme shall be implemented in full in accordance with the approved details prior to first use of the development unless otherwise agreed in writing by the Local Planning Authority. The submitted scheme shall:

• Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters;

• Demonstrate that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 plus climate change critical storm duration, using FEH2022 as the rainfall model; and

• Demonstrate that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with the National Planning Policy Framework does not leave the site uncontrolled via overland flow routes. REASON: To ensure the flood risk is adequately addressed and not increased in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.

REASON why pre-commencement condition: As measures to address the drainage requirements may require below grounds works that need to be undertaken at a very early stage in the development process.

15. No development other than the construction of the approved highways access shall take place unless and until the Reserved Matters Energy Statement, referred to in the submitted Outline Energy Statement dated June 2023, detailing an energy strategy and a level of environmental performance consistent with the Outline Energy Statement, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details. REASON: In the interests of environmental sustainability, in accordance with Policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030, Policies SDC1 and SDC2 of the submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.

REASON why pre-commencement condition: As measures to address the energy needs of the site to an appropriate environmental performance may require below grounds works that need to be undertaken at a very early stage in the development process.

The Officer then gave details of the various relevant planning considerations as set out in the report.

John Cooban, a local resident, spoke in objection to the application. Matters raised included:

- The oak tree which was proposed to be removed was a category A specimen which provided mature urban tree canopy cover as required by planning policy, which would benefit future residents of the development.
- A modified scheme with a different layout and slightly reduced size could provide an alternative and allow for the tree to be retained.
- There were a number of errors and omissions about the tree in the application paperwork.

Gordon Easden, a member of Active Travel Crawley, spoke in objection to the application. Matters raised included:

- The bicycle parking proposed was at the rear of the development and did not seem easily accessible.
- Investment had been made in cycle routes across the town in recent years but the application did not propose to involve a continuous uninterrupted cycle route. Adapting the plans to join up the existing routes would be possible.
- Active Travel England, a statutory consultee, had made similar comments seeking enhanced walking and cycling provision.

Dave Hathaway, a local resident, spoke in relation to the application. Matters raised included:

- The provision of the homes was positive but the proposed access to the site was an issue. If permitted via the outline application the access could not be revisited in the future.
- The proposed single road access from Haslett Avenue East was problematic as traffic was already an issue and would be exacerbated by cars entering and leaving the new development.
- An alternative proposal of a new road through the site (forming a crossroads with Southgate Avenue) had been rejected by West Sussex County Council based on inadequate traffic surveys, but would improve traffic flow if modelled correctly.

Sam Hobson, the applicant (Affordable Housing & Healthcare Group) spoke in support of the application. Matters raised included:

- The proposals would provide accommodation for a range of people, including older people, through affordable housing and shared ownership schemes.
- The application would improve an under-utilised brownfield site in a sustainable location, providing jobs and supporting the town centre economy.
- There would be a biodiversity net gain and improvements to the public realm and the development was demonstrated to be water neutral.

Frank Carter Asante, a local resident, spoke in support of the application. Matters raised included:

- The proposals would provide residents and key workers with an opportunity to access affordable housing in a good location.
- The healthcare facilities proposed as part of the application would be beneficial for residents and reduce pressure on the NHS and the public purse.
- Jobs would be created for local people.

Michael Jones, Councillor for Bewbush & North Broadfield, spoke in support of the application. Matters raised included:

- The affordable housing provision exceeded requirements and the proposed extra care scheme would be highly beneficial for those with specific needs.
- It was regrettable that the oak tree was proposed to be felled and alternatives had been considered, but these would have to lead to either the loss of units or the loss of parking provision from Crawley library.
- The benefits of the application were significant and on balance, outweighed the tree loss. A significant landscaping scheme was proposed and there would be a net gain of trees.

Brenda Burgess, Ward Councillor for Three Bridges, spoke in objection to the application. Matters raised included:

• The proposed development was too large and was not in keeping with the streetscene as it would dominate nearby buildings.

- There would be significant impacts to local infrastructure from the increase in residents living in the area.
- Oak trees in the middle of their life span were in short supply –trees such as the one to be felled were valuable as they attract the most biodiversity. Younger replacement trees would not provide comparable ecological benefits.

The Committee then considered the application. Some Committee members agreed that the development of the under-utilised brownfield site was positive. The affordable housing provision was praised as were the proposed community benefits of the scheme and the extra care accommodation, but some were hesitant about the resultant impact on local infrastructure. The Committee raised various queries about scale and access as part of its discussion on the application.

Concerns were raised that the proposed 12 storey building was much taller than the majority of existing buildings in the area and that a large, bulky development would be unattractive. The Officer agreed that the building was large but not necessarily out of character, as there would be some similarly-sized buildings nearby, such as the future Station Gateway development. Detailed design and appearance issues would be covered at the reserved matters stage. There were no immediate neighbours of the site and so any impact, such as from overlooking, would be minimal.

Following a query from a Committee member about access to the site, the Officer confirmed that the development was projected to generate 42 to 49 two-way vehicle movements during the AM and PM peak hour periods, which was calculated to be a reduction of movements compared to the previous use of the site as a car park. West Sussex County Council's Highways department had raised no concerns about a negative impact on traffic in the area. The Committee agreed that the loss of the oak tree required to create the proposed access was unfortunate - it was recognised that the tree was a large, healthy specimen and detail was sought on possible alternative accesses which could ensure the tree was retained, such as an access from Southgate Avenue adjacent to the railway line. The Officer explained that, at that point, there was a steep bank (approximately 5 metres in height) at the side of the site and creating the access over this change in ground level would be very difficult. There was also a number of trees along the southern boundary so moving the access would instead be likely to cause the loss of these trees. It was confirmed that officers had investigated every option in trying to retain the oak tree, including moving it to a new location, but the Arboricultural Officer had confirmed that the tree would not survive being removed and replanted elsewhere.

A Committee member requested that cycle routes near the development be improved. The Officer confirmed that the intention was that there would be a cycle route through the public area of the development, and that the existing cycle route would be joined up across the junction at Southgate Avenue to create a continuous cycle lane.

The Committee also discussed several matters which fell under the application's reserved matters, such as car and cycle parking, design, and overlooking, which it noted were of interest but were not for immediate consideration and were to be agreed at a later stage.

It was requested by the Chair that a recorded vote be taken on the application. The names of the Committee members voting for, against, or abstaining were as follows:

For the recommendation: Councillors Bounds, Charatan, K Khan, Y Khan, S Mullins, Nawaz, and Pritchard (7).

Against the recommendation: Councillors Ali, Jaggard, and Mwagale (3).

Abstentions: None.

RESOLVED

Delegate the decision to permit the application to the Head of Economy and Planning, subject to the completion of a Section 106 agreement, the submission and implementation of a water neutrality strategy, and the conditions set out in report PES/447d (including amended conditions 11, 12, 13 and 15).

8. Crawley Borough Council Tree Preservation Order - Hazelwood, Balcombe Road, Pound Hill - 07/2023

The Committee considered report <u>PES/448</u> of the Head of Economy and Planning which sought to determine whether to confirm the Tree Preservation Order (TPO) 07/2023 - Hazelwood, Balcombe Road, Pound Hill – with or without modification for continued protection, or not to confirm the TPO.

Councillors Ali and Jaggard declared they had visited the site.

9. Guillotine

As per General Committee Procedure Rule 15.4, the guillotine process came into effect at 11.00pm:

- a) Any recommendations on the agenda that have not been dealt with will be deferred until the next scheduled meeting of the Committee.
- b) Any item already undergoing debate at 11.00pm will be concluded and voted upon rather than being deferred.

10. Crawley Borough Council Tree Preservation Order - Hazelwood, Balcombe Road, Pound Hill - 07/2023

The Committee moved to a vote on the item.

RESOLVED

Confirm, without modification.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 11.00 pm.

S Pritchard (Chair)

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Agenda Item 6 Appendix b Licensing Committee 12 December 2023

Crawley Borough Council

Minutes of Licensing Committee

Tuesday, 12 December 2023 at 7.00 pm

Councillors Present:

I Ashraf (Chair) Z Ali (Vice-Chair) M L Ayling, T G Belben, B J Burgess, D Crow, J Hart, I T Irvine, K L Jaggard, M G Jones, Y Khan, K McCarthy, A Nawaz, B Noyce and D M Peck

Officers Present:

Dan Carberry	Public Protection and Enforcement Manager
Kareen Plympton	Team Leader - Health, Safety and Licensing
Jess Tamplin	Democratic Services Officer
Astrid Williams	Senior Lawyer (Solicitor)

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Ali	Review of the Council's Statement of Licensing Policy (minute 5)	Personal Interest – a West Sussex County Councillor.
Councillor Burgess	Review of the Council's Statement of Licensing Policy (minute 5)	Personal Interest – a West Sussex County Councillor.
Councillor Crow	Review of the Council's Statement of Licensing Policy (minute 5)	Personal Interest – a West Sussex County Councillor.
Councillor Crow	Review of the Council's Statement of Licensing Policy (minute 5)	Personal Interest – the West Sussex County Council Cabinet Member for Community Support, Fire and Rescue (with responsibility for Trading Standards).
Councillor Hart	Review of the Council's Statement of Licensing Policy (minute 5)	Personal Interest – secretary of Ewhurst Sports and Social Club (a licensed premises).

Councillor Review of the Council's Nawaz Statement of Licensing Policy (minute 5) Personal Interest – leases a commercial unit from Crawley Borough Council.

2. Minutes

The minutes of the meeting of the Licensing Committee held on 19 October 2023 were approved as a correct record and signed by the Chair.

3. Licensing Sub-Committee Minutes

The minutes of the Licensing Sub-Committee held on 4 October 2023 – Application for the Review of the Premises Licence for Dosa Plazza Restaurant, 8 The Boulevard, Crawley, RH10 1XX (Three Bridges Ward) – were approved as a correct record and signed by Councillor Jaggard as Chair of the Sub-Committee panel.

4. Public Question Time

There were no questions from members of the public.

5. Review of the Council's Statement of Licensing Policy

The Committee considered report <u>HCS/070</u> of the Head of Community Services. The Health, Safety and Licensing Team Leader presented the report, which summarised the draft Statement of Licensing Policy for 2024-2029. The draft policy set out the Council's updated decision-making framework in relation to the Licensing Act 2003, which had been made easier to understand and reflected recent legislative changes. The Committee was requested to provide its views as a collective response to the consultation on the draft policy, and was informed that the comments made as part of the discussion on the item would form this response.

The Committee then discussed the matter. It was highlighted that the draft policy was better-structured than the current policy, but changes to the order of the content had made it difficult to directly compare the two. Further explanation was sought regarding the running of the consultation, to which the Licensing Team Leader responded that the Council had contacted all parties affected by the Policy and provided a link to an online feedback form, which included prompt questions in order to encourage responses.

Committee members discussed mentions of smoking and vaping in the Policy. A query was raised as to why a clause regarding smoking controls at licensed premises had been removed from the new Policy. It was explained that the clause was removed as the matter was already covered by the Health Act 2006 and guidance stated that duplications in the licensing regime should be avoided.

The Licensing Team Leader and Public Protection and Enforcement Manager also provided the following clarifications in response to queries from Committee members:

 In response to a query about special cumulative impact policies, it was explained this could be included within a local authority's statement of licensing policy in order to allow a council to reject a new licence application, where there exists a saturation of that type of premises in the specific area to

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the extent that there may be a negative impact on any of the licensing objectives. No areas of saturation in Crawley were currently identified.

- The draft policy would apply to licensed outdoor events in certain scenarios. In these cases the Council would seek to advise event organisers on their responsibilities.
- The introduction of legislation known as 'Martyn's Law' was expected in the new parliamentary year and would require local authorities to take steps to improve safety and security at licensed premises. Significant changes were expected and briefings would be provided to licence holders and councillors.

The Committee then moved to a vote on the item.

RESOLVED

That the Committee:

- 2.1 Provides feedback as to the form and content of the draft Statement of Licensing Policy for 2024–2029.
- 2.2 Agrees that, at the end of the consultation period, the matter returns to the Licensing Committee for further consideration prior to consideration by the Cabinet and Full Council with a view to adoption and publication on 1 March 2024.

Closure of Meeting

With the business of the Licensing Committee concluded, the Chair declared the meeting closed at 7.36 pm.

I Ashraf (Chair)

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Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 8 January 2024 at 7.00 pm

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8 January 2024

Councillors Present:

M L Ayling (Chair)

I Ashraf, K Khan, R A Lanzer, T Lunnon, S Piggott, S Raja and J Russell

Also in Attendance:

Councillor B J Burgess, I T Irvine, M G Jones, Y Khan and C J Mullins Chief Inspector Starns

Officers Present:

Sarah Barnes	Parks and Business Development Manager
Georgina Bouette	Head of Community Services
Dan Carberry	Public Protection and Enforcement Manager
lan Duke	Chief Executive
Heather Girling	Democratic Services Officer
Amanda Kendall	Head of Crawley Homes

Apologies for Absence:

Councillor H Hellier

Absent:

Councillor J Millar-Smith and A Pendlington

1. Disclosures of Interest and Whipping Declarations

No disclosures or whipping of interests were made.

2. Minutes

The minutes of the meeting of the Commission held on 27 November 2023 were approved as a correct record and signed by the Chair.

3. Public Question Time

No questions from the public were asked.

4. Safer Crawley Partnership Annual Review and Forthcoming Priorities

The Commission received an update from Chief Inspector Ben Starns, together with the Public Protection & Enforcement Manager, the Head of Community Services and Councillor Y Khan on the annual performance of the Safer Crawley Partnership along with the future priorities. (Presentation is attached as Appendix A to the minutes).

Commission members raised a number of queries. The issues raised and key responses included:

- Clarification was sought and obtained on the data as it was noted that changes in legislation had an impact on identifiable crime and offences. Comparable data was analysed across Sussex and other towns to establish major causes. It was confirmed it was important to have a holistic approach focusing on desirable outcomes and better detection rates, as opposed to a wholly target driven/statistical service.
- Further information was provided on County Lines as work continued with SOC in identifying and deterring county drug lines travelling from other counties, targeting young people and the vulnerable in Crawley.
- Confirmation provided on the Clear, Hold, Build (CHB) initiative to tackle serious crime following the outcome of successful funding. Using Northgate & West Green ward as a pilot area (Memorial Gardens, Town Centre, High Street), it took an active role in shaping the community. 'Clear' meant working with partners to target activity and crime disruption, 'Hold' was stabilising the area to stop criminals moving in to fill the void, and 'Build' was the community-driven action to address the causes of criminality and prevent it from happening again. It was anticipated the initiative would reduce crime and increase safety, but it was important to monitor any displacement of issues and patrol other areas.
- Recognition of the training undertaken engaging with vulnerable persons together with gang affected individuals and risk of exploitation, particularly in schools. Strong relationships were established with both primary and secondary schools, together with all pastoral care links, resulting in positive events throughout the year including Junior Citizen, Safer Schools and Audio Active. It was important not only to engage with young people as early as appropriate to deliver key messages, but also ensure parents had the necessary information available, particularly with regards to online safety and cybercrime.
- There was overall support for the work undertaken within schools and the individual events/workshops being delivered.
- It was important to continue to report crime or possible crime, and the public required confidence in the reporting mechanisms. All reporting would aid intelligence and evidence gathering to assist in more target policing.
- Confirmation sought and obtained on the statutory function and structure of the <u>Community Safety Partnerships</u> (CSP) and Sussex Police, and where specific issues had been highlighted (for example via hotspots), these were identified as a priority within the local CSP – <u>Safer Crawley Partnership</u>.

RESOLVED

That the update be noted, with the views and actions expressed being acknowledged by officers. The Commission's gratitude was relayed to Chief Inspector Starns and all officers for their attendance at the Commission.

5. Crawley Borough Council Tree Planting Strategy

The Commission considered report <u>HCS/069</u> of the Head of Community Services. The report sought endorsement and adoption of a strategy setting out the Council's approach for tree planting across Crawley. The proposed strategy outlined the principles and standards for tree planting, young tree maintenance and woodland sustainability for all Crawley Borough Council trees across the Borough.

During the discussion with the Leader of the Council and Head of Community Services the following comments were made:

- Recognition that the strategy had been created to deliver a coherent approach for the Council's tree planting, clearly outlining the standards, young tree maintenance and woodland sustainability. It identified a clear approach for selecting tree species, location and a process for providing tree planting on Council land across the town.
- Confirmation that the strategy only applied to Council trees planted on Council owned land and this was funded through section 106 funds. The strategy did not apply to private developments or any other land that was not owned by the Council
- Acknowledgement that the strategy assisted in fulfilling the Council's response to tackling the climate change emergency requirement whilst also delivering other tangible benefits that would assist officers in taking an agreed and consistent strategic approach for future planting of Council trees across the Borough.
- Confirmation was sought and obtained on whether there was a reference to strategic planning policies to complement the strategy, particularly in relation to land and trees not within the Council's ownership. It was mentioned that there were many Supplementary Planning Documents (SPDs) and the Planning and Climate Change SPD did mention consideration of such matters.
- Information was provided on the planned maintenance for existing and future trees, from sapling to maturity. The Council's tree database held valuable information on the Council-owned tree stock including existing quality, variety and quantity of canopy coverage. The database would continue to be used to capture newly planted trees and their aftercare, producing a healthier more reliable tree stock in future as essential maintenance was planned and executed.
- Recognition that it was important to maintain the existing canopy cover, and where trees were removed if they were dead, dying or dangerous. trees could be planted on a 'like for like' basis. Where that was not possible, in managing biosecurity, those planted would have the maximum chance of survival.
- It was felt important for newly planted trees to be in keeping with the urban landscape and create an aesthetic environment. In response it was added that it was anticipated the efficient management of urban tree cover would assist in increasing amenity value.
- Recognition that there was currently sufficient funding through Section 106, however it was important to be aware of long-term funding opportunities. The Woodland Trust funding could be allocated to other organisations that may wish to plant trees within their land
- It was noted that some diseases (such as Ash Die Back) had a significant detrimental effect on the canopy cover, and it was important to maintain existing canopy cover whilst also maximising the chance of survival. It was suggested that there may be options whereby some trees (oaks) could potentially be left to regenerate naturally, resulting in increased tree canopy with little or no cost.
- Clarity was sought on the figures relating to the Council's canopy cover identified within the report.
- Acknowledgement that with diminishing land it was important to aim to maintain the current percentage of tree canopy cover, with an aspiration to increase if

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possible. It was commented that perhaps further detail was required with reference to the development and improvement of the urban tree cover, as it was important to recognise the extend and quality of the tree canopy coverage.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

6. Potential Establishment of Scrutiny Panels

The Commission considered report <u>OSC/316</u>, which requested the OSC consider the establishment of a Waste and Recycling Scrutiny Panel, following the Notice of Motion at the Full Council meeting held in October 2023.

Following a vote by the Commission agreed to the establishment of a Waste and Recycling Scrutiny Panel and that Democratic Services request nominations (including Chair) from Group Leaders.

RESOLVED

That the Overview and Scrutiny Commission agreed to the establishment of a Waste and Recycling Panel and that Democratic Services seek nominations (including those for Chair) from Group Leaders for a Panel in accordance with political proportionality, for approval by the Commission, to ensure a swift commencement, taking into account the timescales noted in report <u>OSC/316</u>.

7. Forthcoming Decision List - and Provisional List of Reports for the Commission's following Meetings

The Commission confirmed the following reports:

- 1. 2024/2025 Budget and Council Tax
- 2. 2023-2024 Budget Monitoring Quarter 3
- 3. Treasury Management Strategy 2024-2025
- 4. Review Of Crawley Borough Councils Statement Licensing Policy for 2024 2029
- 5. PSPO Council Owned Multi-Storey Car Parks
- 6. District Heat Network Phase 2

8. Exempt Information – Exclusion of the Public

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

9. Crawley Homes Staffing Growth

Exempt Paragraphs 1& 3 Information Relating to an Individual; and Information relating to financial and business affairs of any particular person (including the Authority holding that information)

The Commission considered report CH/203 of the Head of Crawley Homes. The report outlined the rationale for growth proposals and requested approval for the proposed new structure. During the discussion with the Cabinet Member for Housing and the Head of Crawley Homes the following comments were made:

- Acknowledgement that the new structure for the repairs teams had been proposed to meet future challenges of legislation and improve future services. There was a need to take a holistic approach and build on the relationship with tenants
- It was noted that a changing approach was needed for planned maintenance and the proposed structure would ensure the teams had inbuilt resilience and could manage the increasing demands.
- Recognition that support had been proposed to assist the maintenance of the new Active H housing management system and service delivery.
- Acknowledgement that the changes would result in more capacity to build on service performance. Teams would be actively managed during the change process, when embedding new structures, to ensure performance is maintained.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

10. Five Year Business Plan for Tilgate Park & Nature Centre

Exempt Paragraph 3

Information relating to financial and business affairs of any particular person (including the Authority holding that information)

The Commission considered report HCS/068 of the Head of Community Services. The report explored proposals to further improve facilities available to visitors at Tilgate Park and Nature Centre over the next five years whilst maintaining the existing infrastructure and income targets. During the discussion with the Cabinet Member for Leisure and Wellbeing, the Head of Community Services and Parks and Business Development Manager, the following comments were made:

- Recognition that the Five-Year Business Plan would support the spend to save or spend to earn initiatives for the park to continue to be self-financing. The continuing development of the facilities and events would ensure regular visitors and income to the park throughout the year assisted the site to be self-financing and provided financial support for projects within the other parks and open spaces.
- Acknowledgement that a strategic approach to plan future opportunities and initiatives across the park allowed for inter-dependencies and prioritisation of projects. The ambitious ideas would allow the park to continue as a high-quality regional venue.
- Confirmation was sought and provided on the evaluation of the finances and analysis of income contained within the report.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

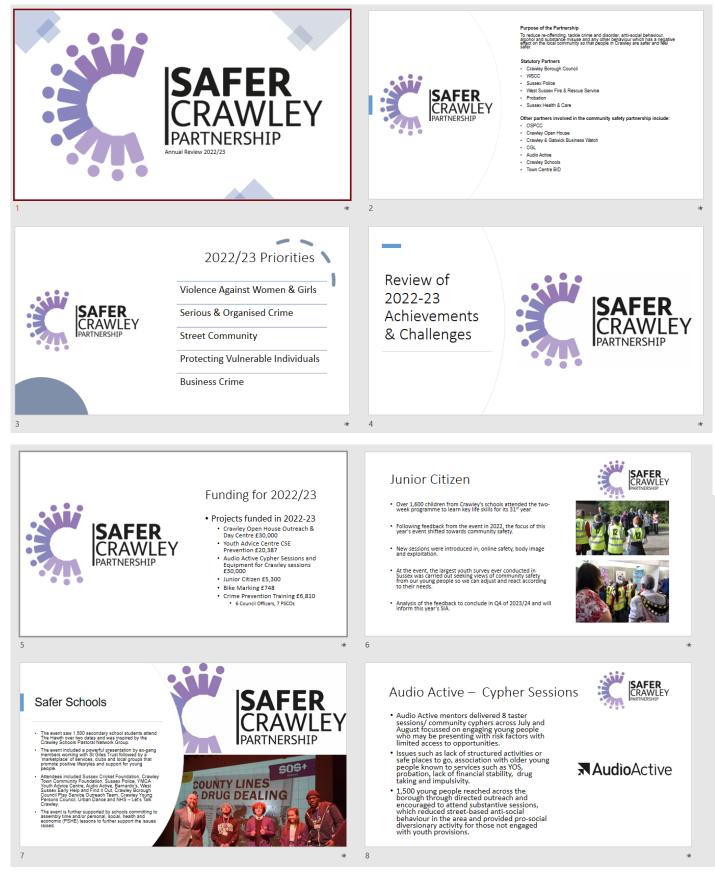
Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 10.16 pm

M L Ayling (Chair)

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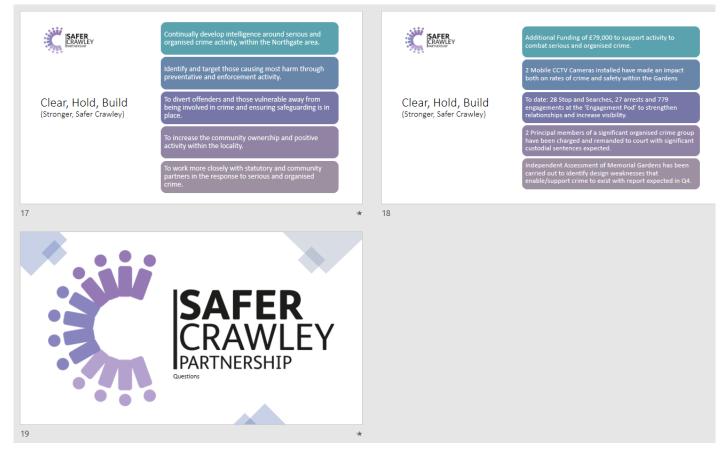
Appendix A - Safer Crawley Partnership Presentation Agenda Item 6 Appendix c



Agenda Item 6 Appendix c



Agenda Item 6 Appendix c



Agenda Item 6 Appendix d

9 January 2024

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 9 January 2024 at 7.30 pm

Councillors Present:

S Pritchard (Chair) M Mwagale (Vice-Chair) Z Ali, J Charatan, K L Jaggard, K Khan, Y Khan and A Nawaz

Officers Present:

Siraj Choudhury	Head of Governance, People & Performance
Marc Robinson	Principal Planning Officer
Alex Sanders	Acting Principal Planning Officer
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Officer

Apologies for Absence:

Councillor S Mullins

Absent:

Councillors J Bounds and M Morris

1. **Disclosures of Interest**

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Interest
Councillor Ali	Planning Application CR/2023/0395/FUL – 10 Kithurst Close, Southgate (minute 4)	Personal interest – a West Sussex County Councillor for Southgate & Gossops Green Ward.

2. **Lobbying Declarations**

No lobbying declarations were made.

3. Minutes

The minutes of the meeting of the Planning Committee held on 4 December 2023 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2023/0395/FUL - 10 Kithurst Close, Southgate

The Committee considered report <u>PES/450a</u> of the Head of Economy and Planning which proposed as follows:

Erection of single storey rear and side infill extension.

Councillors Ali, Charatan, Jaggard, Mwagale, and Nawaz declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought permission to construct a rear and side extension at ground floor level at a residential property in Kithurst Close, which would replace the existing garage and entrance hall.

The Officer then gave details of the various relevant planning considerations as set out in the report.

Ajit Manek, on behalf of the applicant, spoke in support of the application. Matters raised included:

- The planning process had taken a long time. Communication from the local planning authority was insufficient and the reasons for the delay were not explained to the applicant.
- The proposed extension was to allow the house to be used as a family home. Neighbours of the site had suggested that the home was to become a house of multiple occupation (HMO) but the source of this was unknown.
- Other properties in Kithurst Close had built extensions.

Julia Stewart, on behalf of a neighbour of the site, spoke in objection to the application. Matters raised included:

- The officer's report contained errors, for example it stated that the house was currently a four bedroom property, however the plans showed a three bedroom property.
- The proposals sought to extend the property line by approximately 2.5 metres, 1 metre back from the front of 9 Kithurst Close. It was unusual for an extension of this type and size to be attached to a neighbouring house.
- The application sought to add a full bathroom with bath. It was queried as to how the decelopment was considered to be water neutral, as the Environment Agency considered bathing to be less water-efficient than showering.

The Committee then considered the application. Planning Officers were asked to clarify why the development was considered to be water neutral. It was explained that a screening assessment had previously concluded that in general, residential house extensions did not increase water usage and were therefore deemed to be water neutral. In this case the addition of a bathroom to a family home did not necessarily signify an increase in water use as there was not likely to be an increase in occupancy.

A Committee member noted that a member of the public had highlighted two errors in the report and sought clarification of these. Officers agreed that the report should not have stated that there was no planning history at the site, as planning permission was granted for a rear extension in 1974. It was also clarified that the house was to increase from three to four bedrooms, not from four to five as the report stated.

Agenda Item 6 Appendix d

Planning Committee 9 January 2024

The size and massing of the extension was discussed in detail. Committee members noted that set-back garages were a feature of properties in the area and were designed to create a prominent break between houses, and a concern was raised that increasing the size of this part of the property would fill the gap and leave insufficient space between nos. 9 and 10 Kithurst Close. Officers explained that a visual separation would be maintained at first floor level, so a blocky terracing effect would not be created. The front elevation would be different but would not project out nor create a significant visual impact. The Committee further discussed the impact of the development on the neighbouring property and Officers confirmed that any works that would affect the adjoining property would fall under the jurisdiction of the Party Wall etc. Act 1996 rather than the Planning Committee.

The Committee discussed the suggestion that the house may be sought to be used as an HMO. Planning Officers explained that this application was for an extension and there was no indication it was to be used as an HMO. If desired, the property's owner could make an application to do so in the future.

RESOLVED

Permit subject to the conditions set out in report PES/450a.

5. Tree Preservation Order Application CR/2023/0436/TPO - Worth Park Lake, Pound Hill

The Committee considered report <u>PES/450b</u> of the Head of Economy and Planning which proposed as follows:

9234 1 x ash - remove dead wood. Remove 1 x lower branch on west side leaning over garden of 130 Grattons Drive (marked on photo). Repollard by approx 3 metres back to previous pruning points. 9267 1 x ash – reduce crown by 1.5 to 2 metres.

Councillor Jaggard declared she had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought consent for works to two ash trees in Worth Park in order to ensure the trees remained safe and of a suitable size.

The Committee then considered the application.

RESOLVED

Consent subject to the conditions set out in report PES/450b.

6. Tree Preservation Order Application CR/2023/0558/TPO - 64 Pearson Road, Pound Hill

The Committee considered report <u>PES/450c</u> of the Head of Economy and Planning which proposed as follows:

T1 oak – fell.

Councillor Pritchard declared he had visited the site.

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The Principal Planning Officer provided a verbal summation of the application, which sought consent for the felling of an oak tree situated in a residential garden which was considered to be a safety concern due to significant decay and disease in its roots.

The Committee then considered the application. A Committee member sought clarification on the reason for the application being a Committee decision rather than a delegated officer decision. It was explained that Crawley Borough Council was the applicant in this case, and it was standard practice that all applications made by the Council were put to the Committee.

RESOLVED

Consent subject to the conditions set out in report PES/450c.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.19 pm.

S Pritchard (Chair)

Agenda Item 6 Appendix e

10 January 2024

Crawley Borough Council

Minutes of Cabinet

Wednesday, 10 January 2024 at 7.00 pm

Councillors Present:

M G Jones (Chair)	Leader of the Council
I T Irvine	Cabinet Member for Housing
Y Khan	Cabinet Member for Public Protection
C J Mullins	Cabinet Member for Leisure and Wellbeing
A Nawaz	Deputy Leader of the Council & Cabinet Member for Planning and Economic Development
B Noyce	Cabinet Member for Environment, Sustainability and Climate Change
T Rana	Cabinet Member for Resources

Also in Attendance:

Councillor M L Ayling and D Crow

Officers Present:

Parks and Business Development Manager
Chief Accountant
Head of Community Services
Head of Governance, People & Performance
Chief Executive
Head of Crawley Homes
Head of Corporate Finance
Democracy & Data Manager

Apologies for Absence:

Councillor S Mullins

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 29 November 2023 were approved as a correct record and signed by the Leader.

3. Public Question Time

There were no questions from the public.

4. Further Notice of Intention to Conduct Business in Private and Notifications of any Representations

It was reported that no representations had been received in respect of agenda item 10 and 11: *Crawley Homes Staffing Growth* and *Five-Year Business Plan for Tilgate Park & Nature Centre respectively.*

5. 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.

6. Crawley Borough Council Tree Planting Strategy

The Cabinet Member for Environment, Sustainability and Climate Change presented report <u>HCS/069</u> and associated appendices of the Head of Community Services. The report requested Cabinet endorse and adopt a strategy that sets out the Council's approach for tree planting across Crawley. The proposed strategy will outline the principles and standards for tree planting, young tree maintenance and woodland sustainability for all Crawley Borough Council trees across the Borough.

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on <u>8</u> January 2024, which included noting that the policy applies to Council trees planted on Council owned land. It did not apply to private developments or any other land that was not owned by the Council. Also that the Commission queried whether there was a reference to strategic planning documents to match the strategy, and in response it was mentioned that the Planning and Climate Change SPD did mention trees and tree planting.

Councillor Crow was invited to speak on the item commenting that he was broadly in support of the new policy especially over concept of the right types of trees in the right locations.

Councillors Mullins, Irvine and Jones all spoke in support of the proposal as part of the discussion on the report, including how pleased they were that many of the costs for the policy would be covered by Section 106 contributions, how the plan helps with the Council's commitment to Climate Change and improving air quality for its residents. It was also mentioned from the Cabinet Members, who attended the

Overview and Scrutiny Commission, how pleased they were with the indepth debate the Commission held on the report.

RESOLVED

That the Cabinet:

- a) approves the Crawley Borough Council Tree Planting Strategy as set out in Appendix A of report <u>HCS/069</u>.
- b) delegates authority to the Head of Community Services, in consultation with the appropriate Cabinet Member, to review and make minor amendments to the Crawley Borough Council Tree Planting Strategy as further changes to legislation and statutory guidance are introduced or following any review.

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

Reasons for the Recommendations

The proposed Crawley Borough Council Tree Planting Strategy (Appendix A) has been created to guide and inform the Council's decisions to deliver a coherent approach for its tree planting, clearly outlining the standards for all tree planting, young tree maintenance and woodland sustainability. It identifies a clear approach for selecting tree species, location and a process for providing tree planting on council land across the town.

Crawley Borough Council declared a <u>climate emergency in 2019</u> and the associated action plan identified the need for a sustainable tree planting strategy to help tackle the effects of climate change. This strategy fulfils the response to this requirement whilst also delivering other tangible benefits that will assist officers in taking an agreed and consistent strategic approach for future planting of council trees across the Borough.

7. Exempt Information – Exclusion of the Public (Subject to Agenda Item 5)

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

8. Crawley Homes Staffing Growth

Exempt Paragraphs 1& 3 – Information Relating to an Individual; and Information relating to financial and business affairs of any particular person (including the Authority holding that information) The Cabinet Member for Housing presented report CH/203 of the Head of Crawley Homes. The report outlined the rationale for growth proposals and requested approval for the proposed new structure.

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on $\frac{8}{\text{January 2024}}$.

Councillor Jones spoke in support of the proposals contained within the report.

RESOLVED

That the Cabinet:

- a) approves the growth, and structure for the Responsive and Planned Maintenance Teams (Appendix B of report CH/203)
- b) delegates authority to the Head of Crawley Homes to conduct the necessary consultation arrangements, fulfil the changes and decisions on all human resources matters, subject to the appropriate guidelines and procedures, as set out in the Constitution.
 (Generic Delegation 11 will be used to enact this recommendation)
- c) requests that Head of Corporate Finance to reflect the above decision within the 2024-2025 Budget and Council Tax report.

Reasons for the Recommendations

A new structure for the repairs teams are proposed to reflect a change in demand arising from:

- Standards set by the Regulator of Social Housing and Housing Ombudsman
- Our residents, including in relation to legal challenge around disrepair claims
- A recognition of the age of our stock and a changing approach needed to planned maintenance

Appendix A of report CH/203 shows the existing structure in the Responsive Repairs and Asset Management Team.

Appendix B demonstrates the proposed structure for the team and is recommended in order to ensure the teams have inbuilt resilience and can manage the demands being placed on them through items listed in paragraph 3.1 of report CH/203.

In addition, and slightly separate to the to the above, it is proposed that a System Admin Support Officer is recruited on a fixed term basis to support maintenance of the Active H housing management system.

9. Five Year Business Plan for Tilgate Park & Nature Centre

Exempt Paragraph 3 -

Information relating to financial and business affairs of any particular person (including the Authority holding that information)

The Cabinet Member for Leisure and Wellbeing presented report HCS/068 of the Head of Community Services. The report explored proposals to further improve facilities available to visitors at Tilgate Park & Nature Centre over the next five years whilst maintaining the existing infrastructure and income targets.

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on $\frac{8}{3}$ January 2024.

Councillor Crow was invited to speak on the item.

Councillors Irvine, Rana Nawaz and Jones all spoke as part of the discussion on the report.

RESOLVED

That the Cabinet

- a) approves the Five-Year Business Plan for Tilgate Park and Nature Centre (Appendix A of HCS/068).
- b) approves that the current reserve together with any income over target be allocated to a Park Reserve and ring fenced to fund projects across Tilgate, the Nature Centre and other parks and open spaces.
- c) delegates authority to the Head of Community Services in consultation with the Cabinet Member for Leisure and Wellbeing to proceed with projects and proposals subject to budget availability and delegation limits.

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

Reasons for the Recommendations

A strategic approach to plan future opportunities and initiatives across the park is required to allow for inter-dependencies and prioritisation of projects.

Previous Business Plans for Tilgate Park have demonstrated the need to maintain the core infrastructure (toilets, car park, paths and access) to enable the park to retain its position as a top visitor attraction.

Continuing to develop the leisure facilities, Nature Centre and events will ensure regular visitors and income to the park throughout the year which enables the site to be self-financing and provide financial support for projects within the other parks and open spaces.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 7.59 pm

M G JONES Chair

Agenda Item 6 Appendix e Cabinet 10 January 2024

Agenda Item 6 Appendix f Licensing Committee 15 January 2024

Crawley Borough Council

Minutes of Licensing Committee

Monday, 15 January 2024 at 7.00 pm

Councillors Present:

I Ashraf (Chair) Z Ali (Vice-Chair) M L Ayling, T G Belben, D Crow, I T Irvine, K L Jaggard, M G Jones, Y Khan, K McCarthy, A Nawaz and B Noyce

Officers Present:

Dan Carberry	Public Protection and Enforcement Manager
Kareen Plympton	Team Leader - Health, Safety and Licensing
Jess Tamplin	Democratic Services Officer
Astrid Williams	Senior Lawyer (Solicitor)

Apologies for Absence:

Councillor J Hart

Absent:

Councillors B J Burgess and D M Peck

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Licensing Committee held on 12 December 2023 were approved as a correct record and signed by the Chair.

3. Public Question Time

There were no questions from members of the public.

4. Review of the Council's Statement of Licensing Policy 2024-2029

The Committee considered report <u>HCS/074</u> of the Head of Community Services. The Health, Safety and Licensing Team Leader presented the report, which set out the

Agenda Item 6 Appendix f

Licensing Committee 15 January 2024

draft Statement of Licensing Policy for the period 2024-2029; the version of which had incorporated feedback received via the consultation that had taken place since the Committee last considered the draft Policy. The Committee was asked to note the updated version of the Policy and suggest any changes ahead of it being submitted to the Overview and Scrutiny Commission, Cabinet, and Full Council.

The Committee then discussed the matter, and in doing so agreed that the Policy was a detailed and extensive piece of work. Clarification was sought as to the businesses that had been consulted on the draft Policy. It was confirmed that all licensed premises within the borough had been invited to provide feedback through the consultation, and a training session provided by West Sussex County Council covering child sexual exploitation and modern slavery within the context of licensed premises had been arranged which approximately 40 businesses attended. The event would be repeated in the future for those that could not attend.

A Committee member noted the elements of the Policy that sought to prevent people trafficking and praised the changes proposed to include the topic. The Licensing Officer confirmed that the Council required licensed drivers to undertake safeguarding and child sexual exploitation prevention training, which was considered to be best practice. Crawley Borough Council was one of the first licensing authorities to incorporate this into its Policy.

It was requested that the Licensing Officer provide more details about any cumulative impact policy (CIP) in the borough. It was confirmed that there were currently none in operation, but a CIP could be requested by Sussex Police who would be required to provide evidence that a high volume of crime or disorder was associated with the grouping of one type of licensed premises in a certain area. At present the 'Stronger, Safer Crawley' partnership was positively impacting on crime and disorder in the High Street area of the town centre.

It was highlighted by a Committee member that including links to webpages within the Policy could lead to access issues if those links changed in the future. The Licensing Officer confirmed that the document would be kept under review to ensure that all information remained accurate.

RESOLVED

That the Committee:

- (a) Considers the responses received as part of and following the consultation;
- (b) Endorses the proposed revised Statement of Licensing Policy 2024–2029 (included at Appendix B to report HCS/074), including providing suggestions, if required, to be included in the final report that will be considered by the Overview and Scrutiny Commission and the Cabinet prior to submission to the Full Council for adoption.

Closure of Meeting

With the business of the Licensing Committee concluded, the Chair declared the meeting closed at 7.19 pm.

I Ashraf (Chair)



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Agenda Item 6 Appendix g Overview and Scrutiny Commission (45) 29 January 2024 Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 29 January 2024 at 7.00 pm

Councillors Present:

M L Ayling (Chair) H Hellier (Vice-Chair) I Ashraf, K Khan, R A Lanzer, T Lunnon, S Piggott, S Raja and J Russell

Also in Attendance:

Councillor B J Burgess, M G Jones, Y Khan and B Noyce

Officers Present:

Vicki Basley Chief Accountant	
Georgina Bouette Head of Community Services	
Dan Carberry Public Protection and Enforcement M	anager
Ian Duke Chief Executive	
Heather Girling Democratic Services Officer	
Carolin Martlew Head of Corporate Finance	
Nigel Sheehan Head of Projects and Commercial Se	rvices

Apologies for Absence:

Councillor J Millar-Smith and A Pendlington

1. Disclosures of Interest and Whipping Declarations

The following disclosures were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor RA Lanzer	2023-2025 Budget and Council Tax (Minute 5)	Personal Interest – Member of WSCC
Councillor RA Lanzer	Health and Adult Socal Care Scrutiny Commttee (HASC) (Minute 10)	Personal Interest – Member of WSCC
Councillor RA Lanzer	Health and Adult Socal Care Scrutiny Commttee (HASC) (Minute 10)	Personal Interest – Cabinet Member for Health and Wellbeing

2. Minutes

The minutes of the meeting of the Commission held on 8 January 2024 were approved as a correct record and signed by the Chair subject to the following clerical corrections:

- 1) Item 4 (Safer Crawley Partnership Annual Review and Forthcoming Priorities) that the following be included: "Confirmation that currently a programme was not available for violence against partners at home with a focus on men. However, this may be refreshed based on future intelligence later in the year".
- 2) Item 5 (Crawley Borough Council Tree Planting Strategy) that the following be included:

"Overall, the council would not see a reduction in the total tree coverage and ways would be investigated to increase the canopy cover".

3. Public Question Time

No questions from the public were asked.

4. 2023/2024 Budget Monitoring - Quarter 3

The Commission considered report <u>FIN/643</u> of the Head of Corporate Finance on the quarter 3 budget monitoring, which set out a summary of the Council's actual revenue and capital spending for the quarters to December 2023 together with the main variations from the approved spending levels and impact on future budgets.

During the discussion with the Leader of the Council, Head of Corporate Finance and the Chief Accountant, the following comments were made:

- Confirmation provided that the forecast General Fund balance remained above the recommended minimal balance of £3m. However, it was noted further reporting would feature in the Financial Outturn report.
- Recognition that the HRA account was a ring-fenced account for recording expenditure and income on the Council's own housing stock and closely related services or facilities, provided primarily for the benefit of the Council's own tenants.
- Clarity was provided on the town hall overspend in relation to the pressures identified with transitioning to the new building. It was noted that some costs would be addressed as tenants move into the building through service charges and as additional income was generated.
- Confirmation provided that whilst IT and vehicle replacement were not anticipated to impact on services short term there may be a requirement to investigate procurement and financing long term.
- Acknowledgement that the most significant pressure on the Council's budget was homelessness. The Q3 forecast was £7.6m on temporary accommodation for 2023-2024, resulting in a forecast overspend of £3.6m against budget.
- As a result of the costs being attributed to housing and in particular temporary accommodation, it was moved by Councillor Lunnon (seconded by Councillor Russell) that it would be beneficial for the Commission to receive a detailed report on the rising costs and data attributing to these factors. Upon being put to the Commission, the proposal was declared as carried.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet, with the additional recommendation noted above.

Agenda Item 6 Appendix g

Overview and Scrutiny Commission (47) 29 January 2024

5. 2024-2025 Budget and Council Tax

The Commission considered report <u>FIN/642</u> with the Leader of the Council, Head of Corporate Finance and the Chief Accountant. The Council has a statutory responsibility to set a Council Tax and Budget in advance of the commencement of the new financial year. The Council Tax has to be set by March each year. During the past year the Council had continued to review its spending plans and considered options to amend spending to meet new priorities.

During the discussion, the following points were expressed:

- Clarity sought and obtained on the use and validity of applying for capital dispensation, by which the Government, exceptionally, permitted local authorities to treat revenue costs as capital costs. It was confirmed that this was not advisable given that in the absence of usable capital receipts this would result in borrowing from the PWLB at a punitive plus 1% interest rate, and it was prudent to conduct a review of current reserves rate.
- Concerns raised about the predictions for the projected future budget gaps. It was noted that the review of current reserves was part of the process identified in the Budget Strategy, but reserves could only be used once. A seminar was being arranged to provide further budgetary information.
- Query sought and provided on the business rates calculation, business rates equalisation reserve, together with confirmation provided on the town hall business rates, vacant floors, void costs and rental income.
- Clarification sought on the current overspend within the repairs and maintenance budget. It was acknowledged that there had been various national changes impacting the service including Decent Homes Standard, new legislation, national campaigns and more recently, the new structure for the Repairs teams.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

6. Treasury Management Strategy 2024-2025

The Commission considered report FIN/644 of the Head of Corporate Finance on the Treasury Management Strategy for 2024/2025 which the Council was required to approve before the start of the financial year in accordance with the CIPFA Code of Practice for Treasury Management and the Council's financial regulations.

During the discussion with the Leader of the Council, the Head of Corporate Finance and the Chief Accountant, the following comments were made:

- Acknowledgement that currently local authorities still provided a good rate of return on investments.
- Confirmation provided that under legislation local authorities were not allowed to default on loans. It would not be advisable to lend to local authorities that had issued a section 114 notice.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

7. Review Of Crawley Borough Councils Statement Licensing Policy for 2024 - 2029

The Commission considered report <u>HCS/073</u> of the Head of Community Services. The report sought approval for the Statement of Licensing Policy for the next five years.

During the discussion with the Cabinet Member for Public Protection, the Head of Community Services and the Public Protection and Enforcement Manager, the following comments were made:

- Noted that it was a legal requirement that the Council published a Statement of Licensing Policy under the Licensing Act 2003.
- Recognition that the Policy acknowledged the changing nature of the town's licensed economy and sought to understand the primary nature of the venue, encouraging applicants to clearly, and transparently, set out how the business intended to operate throughout the day and night, alongside measures to ensure the promotion of the Licensing Objectives. The Policy aimed to provide clearer guidance to applicants, responsible authorities and decision makers in relation to how applications should be considered as well as the obligations of licence holders.
- Clarity sought and obtained regarding Ward Member involvement in the process. It was confirmed that Ward Councillors were informed of all new applications and any application to vary a licence across the Borough.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

8. PSPO - Council Owned Multi-Storey Car Parks

The Commission consider report $\underline{HCS/072}$ of the Head of Community Services, along with associated appendices <u>A</u>, <u>B</u> and <u>C</u>. The report sought to introduce a new Public Spaces Protection Order (PSPO) to restrict anti-social and criminal behaviours within council-owned multi-storey car parks within Crawley following public consultation. During the discussion with the Cabinet Member for Environment, Sustainability and Climate Change, the Head of Community Services and the Public Protection and Enforcement Manager, the following comments were made:

- Clarity provided on measuring the success of a PSPO. This would be based on a high rate of compliance, evidence from the reduction in reporting and observations by the Public Protection Team. The use and number of FPNs was not an indicator of overall PSPO success. Any income from the FPNs would be included in the general fund for a range of options.
- Detailed information provided on the criteria and two conditions to be applied as set out in section 5.1 of the report. It was confirmed PSPOs can only be made where the Council was satisfied on reasonable grounds and there was evidence demonstrating those two conditions.
- Recognition that the introduction would demonstrate a commitment from the Council to tackle issues robustly and any issues should be reported promptly.
- Confirmation provided that the PSPO would not be used to address rough sleeping, which in itself was not a criminal activity nor deemed as anti-social behaviour as a PSPO looked at unreasonable and persistent behaviour. Rough sleeping was a complex issue, but where an intervention would be delivered with a rough sleeper, for example, would involve substance misuse where sharps had been discarded. In this instance rough sleeping was not a defence, but the vulnerabilities and experiences endured by an individual were the root cause and

29 January 2024

the behaviour was systematic. The Council continued to work with Crawley Open House and other agencies to provide a supported invention approach.

- Acknowledgement that following the consultation, the majority of respondents had been in support of the introduction of the PSPO. The Commission was pleased that Sussex Police had also endorsed the proposal.
- There was general support for empowering police officers, PCSOs and the Public Protection Team. Given the strong evidence of support and need for the proposal, it was moved by Councillor Lanzer (seconded by Councillor Russell), that the Commission expressed its '*explicit support for the introduction of the PSPO*', which was agreed.

RESOLVED

That whilst noting and welcoming the report, the Commission also expressed its explicit support for the introduction of the PSPO. It was requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

9. Appointments to Scrutiny Panels

Nominations had been received for the 'Waste and Recycling Scrutiny Panel', along with nominations for Councillor Piggott and Councillor Russell as Chair.

As a result of a vote, and in accordance with the Local Government and Housing Act 1989 it was:

RESOLVED

That the Commission confirmed the establishment of the 'Waste and Recycling Scrutiny Panel', with the membership of Councillors Ayling, Charatan, Lanzer, Piggott, Russell, with Councillor Russell as Chair.

10. Health and Adult Social Care Scrutiny Committee (HASC)

An update was provided from the most recent HASC meeting. Key items of discussion included:

Access to Dentistry -

- The NHS dental contract was the cause of many of the problems facing dentistry and needed to be renegotiated.
- Worsening dental health led to wider health problems
- An action programme was needed for Arun, Chichester and Horsham because of the high number of Units of Dental Activity (UDAs) lost due to contract hand backs
- It was noted that there was nothing in the report on education or prevention
- There should be an obligation on dentists to see NHS patients and if people had to pay for private treatment, they might not be able to afford other essentials.
- Overall, the business model of dentistry needed ot be looked at.

Sussex Health and Care People Plan -

- The Plan undertook a system-wide approach and there were a number of related programmes outside of the Plan.
- Actions were measured through the People Delivery Board and an Implementation Plan and it would be important that the Implementation Plan contained more information on time frames, actions and metrics was shared.
- Although the number of vacancies in social care was greater in West Sussex due to a higher number of posts, the percentage rate was about the same as neighbouring authorities the Council was working with providers to fill vacancies.

Work Programme -

• Update to be brought on the closure of Zachary Merton Hospital in Rustington to the next Business Planning Group meeting, along with update on the impact of the closures of Marjorie Cobby House and Shaw Day Services.

Overview and Scrutiny Commission (50)

29 January 2024

11. Forthcoming Decision List - and Provisional List of Reports for the Commission's following Meetings

The Commission confirmed the following reports: 11 March – Building Control Services Review (Part B)

12. Exempt Information – Exclusion of the Public

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

13. Crawley Town Centre Heat Network - Phase 2 Expansion

Exempt Paragraph 3

Information relating to financial and business affairs of any particular person (including the Authority holding that information)

The Commission considered report HPS/39 of the Head of Major Projects and Commercial Services. The report requested Cabinet approval for the future options of the District Heat Network (DHN). During the discussion with the Cabinet Member for Environment, Sustainability and Climate Change and the Head of Major Projects and Commercial Services the following comments were made:

- Support for an options appraisal to assess the appropriate role for the Council in progressing the DHN phase 2.
- It was felt that a further report regarding this matter was important to look at objectives, opportunities and seek reassurance.
- Recognition that any application for grant funding should be sought.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.07 pm

M L Ayling (Chair)

Agenda Item 6 Appendix h

31 January 2024

Crawley Borough Council

Minutes of Cabinet

Wednesday, 31 January 2024 at 7.00 pm

Councillors Present:

M G Jones (Chair)	Leader of the Council
I T Irvine	Cabinet Member for Housing
Y Khan	Cabinet Member for Public Protection
C J Mullins	Cabinet Member for Leisure and Wellbeing
S Mullins	Cabinet Member for Community Engagement and Culture
A Nawaz	Deputy Leader of the Council & Cabinet Member for Planning and Economic Development
B Noyce	Cabinet Member for Environment, Sustainability and Climate Change
T Rana	Cabinet Member for Resources

Also in Attendance:

Councillor M L Ayling and D Crow

Vicki Basley	Chief Accountant
Georgina Bouette	Head of Community Services
Dan Carberry	Public Protection and Enforcement Manager
Siraj Choudhury	Head of Governance, People & Performance
lan Duke	Chief Executive
Carolin Martlew	Head of Corporate Finance
Chris Pedlow	Democracy & Data Manager
Nigel Sheehan	Head of Projects and Commercial Services
Clem Smith	Head of Economy and Planning

1. Disclosures of Interest

The following disclosures were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Nawaz	Allocating Monies Collected Through CIL (Minute 13).	Personal Interest – Councillor for Three Bridges Ward

2. Minutes

The minutes of the meeting of the Cabinet held on 10 January 2024 were approved as a correct record and signed by the Leader of the Council.

3. Public Question Time

Questioner's Name	Name of Cabinet Member Responding
Mr Burnham from Bewbush	Councillor Jones (Leader of the Council)
With 1 in 5 Councils either this or next year facing bankruptcy. What is the situation for Crawley Council this year please?	We will be discussing this in great depth in later items. But the very short answer is that the Council faces significant financial pressures, however we feel confident that over the current year we have a plan and strategy that will keep the Council on a level playing field and enable us to provide services, whilst looking at a what can be achieved long term. We are aiming to maintain acceptable reserves balances. Overall we are in a difficult situation, but probably better than some other councils.
Supplementary Question	Supplementary Answer
Are you looking at cuts to balance the books?	There will be no cuts for the current financial year, other than those already identified in the budget papers. However over the next year we will have to look at what is necessary as we have a statutory duty to deliver a balanced budget and the money we receive from Government is decreasing, whilst our outgoings are increasing.

4. Further Notice of Intention to Conduct Business in Private and Notifications of any Representations

It was reported that no representations had been received in respect of agenda item 14 Crawley Town Centre Heat Network - Phase 2 Expansion.

5. 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.

6. 2023/2024 Budget Monitoring - Quarter 3

The Leader of the Council presented report <u>FIN/643</u> of the Head of Corporate Finance on the Quarter 3 budget monitoring, which set out a summary of the Council's actual revenue and capital spending for the quarters to December 2023 together with the main variations from the approved spending levels and impact on future budgets. It was added that the Council had made significant in-year savings.

The Leader detailed that pressures on the General Fund continue to be significant with an anticipated overspend of £3.9m against the original budget, with the most significant variation continuing to be the cost of homelessness or temporary accommodation which was predicted to result in an overspend of £3.6m. Other variances related to the District Heat Network and to the letting of the town hall. The HRA position had improved forecast and the outturn was now anticipated to be slightly favourable (£373k). The overspend on the repairs contract had reduced to £1.8m (from £2m). It was noted that the Capital budget/programme forecast significant slippage to future years. There was a risk to the capital budget due to the reduction in capital receipts as borrowing must be avoided due to the pressure on the General Fund in the form of interest incurred and repayment cost of any loan.

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on <u>29</u> <u>January 2024</u>, which included:

- Confirmation that the General Fund balance was still above the recommended minimal balance of £3m. However, it was noted further reporting would be included in the Financial Outturn report.
- Noted that the biggest pressure on the Council's budget was homelessness. The Quarter 3 forecast was £7.6m on temporary accommodation for 2023-2024.

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

The Cabinet asked that its thanks be recorded to members of the finance team for all their hard work in keeping the Council's finances manageable in such difficult times.

RESOLVED

That Cabinet:

- a) agrees to note the projected outturn for the year 2023/2024 as summarised in report <u>FIN/643</u>.
- 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 <u>FIN/643</u>)
- 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 <u>FIN/643</u>)

Reasons for the Recommendations

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

7. 2024-2025 Budget and Council Tax

The Leader presented report FIN/642 of the Head of Corporate Finance. It was heard that the Council has a statutory responsibility to set a Council Tax and Budget in advance of the commencement of the new financial year. It was noted that the report detailed each of the Revenue, Capital and Housing Revenue Accounts (HRA) that combine together to formulate 'The Budget'. In proposing the level of Council Tax for the Financial Year 2024/25, each of those accounts identified had been considered. The General Fund Budget for 2024/25 forecast a take from balances of £1.2m. It was noted that that could reduce by the increase in the funding guarantee grant announced on Wednesday 24 January 2024, which was too late to be included in the budget.

It was noted that the draw down from reserves was to be £190k more than forecast in November 2023's budget strategy. However, the identified service expenditure pressures had worsened significantly, as reported in the Q3 budget monitoring report. It was emphasised that the main additional pressures were an additional £1m for temporary accommodation and £630k for the Town Hall and District Heat Network. Those increases had been balanced by a favourable increase in the level of Business Rates.

The General Fund budget assumes a Council Tax increase below the referendum level of 2.99% or \pounds 6.76, which would result in a \pounds 232.10 charge for a band D property. The budget also assumes that fees and charges are increased at 7% where feasible.

It was noted in respect of the HRA, that there was a proposed rent increase contained in the budget of 7.7% (CPI +1%). The HRA has its own 30 year business plan to ensure that spending plans remain affordable. The HRA balance was anticipated to be around £3m at the end of the period which was a healthy balance.

The Capital budget had been updated with the detailed capital investment programme for Crawley Homes of £13.95m. The General Fund capital programme was approved by Full Council in December 2023.

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on <u>29</u> <u>January 2024</u>, which included:

- Concerns raised about the future budget gaps. It was noted that the review of current reserves was part of the process identified in the Budget Strategy, but reserves could only be used once. A seminar was being arranged to provide further budgetary information.
- Details sought on the current overspend within the repairs and maintenance budget. It was noted that there had been various national changes impacting the service including Decent Homes Standard, new legislation, national campaigns and more recently, the new structure for the Repairs teams.

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

RESOLVED

RECOMMENDATION 1

That the Full Council be recommended to approve the following items regarding the 2024/25 Budget:

- 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 FIN/642,
- approve the proposed 2024/25 Housing Revenue Account Budget as set out in Appendix 5 of report <u>FIN/642</u> which includes the savings and growth items as set out in Section 9 pf report <u>FIN/642</u>,
- c) approve the 2024/25 and future years Capital Programme and funding as set out in Section 10 of the report <u>FIN/642</u>,
- d) agree the transfers between reserves as outlined in Section 11 of report <u>FIN/642</u>.
- 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 <u>FIN/642</u>,
- approve the Pay Policy Statement for 2024/2025 as outlined in paragraph 12.4 and Appendix 8 of the report <u>FIN/642</u>noting that the pay award has yet to be agreed,
- g) approve the Capital Strategy as outlined in paragraph 10.1 and Appendix 9 of the report <u>FIN/642</u>

Reasons for the Recommendations

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.

8. Treasury Management Strategy 2024-2025

The Leader presented report <u>FIN/644</u> of the Head of Corporate Finance on the Treasury Management Strategy for 2024/2025 which the Council was required to approve before the start of the financial year in accordance with the CIPFA Code of Practice for Treasury Management and the Council's financial regulations. It noted that the Council's investments would prioritise security, liquidity and yield in that order, followed by the Council's Ethical investment policy.

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on <u>29</u> <u>January 2024</u>, which included:

- Acknowledgement that currently local authorities still provided a good rate of return on investments.
- Confirmation provided that under legislation local authorities were not allowed to default on loans. It would not be wise to lend to local authorities that had issued a section 114 notice.

RESOLVED

RECOMMENDATION 2

That the Full Council recommended to approve:-

- a) the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5.4 report of <u>FIN/644</u>;
- b) the Treasury Management Strategy contained within Section 6 of report FIN/644;
- c) the Investment Strategy contained within Section 7 of report FIN/644;

Reasons for the Recommendations

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.

9. Review Of Crawley Borough Council's Statement Licensing Policy for 2024 - 2029

The Cabinet Member for Public Protection presented report <u>HCS/073</u> of the Head of Community Services. Crawley Borough Council is obliged to provide a Licensing Policy, under the Licensing Act 2003, for liquor, late night refreshment and regulated entertainment. The legislation requires the policy to be updated every 5 years.

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on <u>29</u> <u>January 2024</u>, which included:

- Noted that it was a legal requirement that the Council published a Statement of Licensing Policy under the Licensing Act 2003.
- Clarity sought and obtained regarding Ward Member involvement in the process. It was confirmed that Ward Councillors were informed of all new applications and any application to vary a licence across the Borough.

Councillors Irvine and Jones spoke as part of the discussion on the report.

RESOLVED

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 $\frac{HCS/073}{HCS}$, made under the Licensing Act 2003.

RECOMMENDATION 3

That Full Council be recommended to approve and adopt the proposed revised Statement of Licensing Policy 2024 -2029, as detailed in Appendix B to report <u>HCS/073</u>, made under the Licensing Act 2003 with a view to implementation on 1st March 2024.

Reasons for the Recommendations

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.

10. PSPO - Council Owned Multi-Storey Car Parks

The Cabinet Member for Environment, Sustainability and Climate Change presented report <u>HCS/072</u> of the Head of Community Services. The report sought to introduce a new Public Spaces Protection Order (PSPO) to restrict anti-social and criminal behaviours within council-owned multi-storey car parks within Crawley following public consultation.

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on <u>29</u> <u>January 2024</u>, which included:

- Clarity provided on measuring the success of a PSPO. The use and number of FPNs was not an indicator of overall PSPO success.
- Acknowledgement that following the consultation, the majority had been in support of the PSPO. The Commission was pleased that Sussex Police had also supported the proposal.
- There was general support for empowering police officers, PCSOs and the Public Protection Team. Given the strong evidence of support and need for the proposal, it was moved by Councillor Lanzer (seconded by Councillor Russell), that the Commission expressed its '*explicit support for the introduction of the PSPO*', which was agreed.

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Councillors C Mullins, Jones, Rana, S Mullins and Y Khan all spoke as part of the discussion on the report and were all in full support of the proposed PSPO. Councillor Jones thanked the Commission for the strong support of the proposal.

Councillor Noyce confirmed that the Sussex House/old Morrison's car park was not part of the PSPO, as there was not enough evidence to justify inclusion and as it was a private car park it was the responsibility of the owners to tackle and report any antisocial behaviour happening within their car parks.

RESOLVED

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 $\underline{HCS/072}$) be set at £100.

RECOMMENDATION 4

That Full Council makes a PSPO in the form set out in Appendix A to report <u>HCS/072</u> 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.

Reasons for the Recommendations

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.

As a publicly accessible space there are limited powers to prevent individuals accessing the car parks for non-parking related activities.

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.

11. Installation of Toilet Facilities – Cherry Lane and Millpond Unsupervised Adventure Playgrounds

The Leader of the Council presented report <u>HCS/071</u> of the Head of Community Services. The report requested Cabinet consider approval of the installation of permanent toilet facilities at Cherry Lane and Millpond unsupervised adventure playgrounds (UAPs) and the associated growth annual revenue requirement. It was noted that the installation of permanent toilets was planned as part of the decommission of the supervised adventure playgrounds, but due to a number of reasons the works on bringing forward toilet installation had been delayed. Temporary Portaloos were currently in place at the UAPs covering the public conveniences until the permanent installation was in place. Councillors C Mullins, Rana, and S Mullins spoke as part of the discussion in support of the recommendations contained within the report.

RESOLVED

That the Cabinet approves:

- a) the installation of permanent toilet facilities at both Cherry Lane and Millpond unsupervised adventure playgrounds.
- b) the virement of £107,827 existing capital budget to support the delivery of the project.
- c) a virement of £25,000 to fund the revenue implications of the scheme from within Community Services budgets.
- 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 (Generic Delegations 2 & 3 will be used to enact this recommendation).

Reasons for the Recommendations

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.

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).

12. Allocating Monies Collected Through CIL

The Cabinet Member for Planning and Economic Development presented report <u>PES/452</u> of the Head of Economy and Planning. Members were reminded that the Community Infrastructure Levy (CIL) was a charge which can be levied by local authorities on new development in their area. It was an important tool for local authorities to use to help them deliver the infrastructure needed to support development in their area. The report provided Cabinet with an update on the collection and administration of CIL monies along with the review of the Neighbourhood Improvement Fund (NIF) which was 15% of the CIL monies. The report proposed to allocate £100k of the NIF to the Three Bridges 3G Synthetic Turf Pitch project subject to submission of further evidence and the response to public consultation.

Councillors C Mullins, Irvine, Jones spoke as part of the discussion on the report, including commenting on the benefit to the town of having a further 3G pitch available for community use.

RESOLVED

That the Cabinet:

- 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 <u>PES/420</u>.
- 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 to demonstrate a funding gap.
- 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. (Generic Delegations 2 & 3 will be used to enact this recommendation).
- 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 <u>PES/452</u>, subject to the outcome of a public engagement exercise.
- 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 <u>PES/452</u>.
- 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. (Generic Delegation 7 will be used to enact this recommendation).

Reasons for the Recommendations

To ensure best practice for the ongoing distribution of the Neighbourhood Improvement Strand CIL monies, in line with government regulations.

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.

13. Exempt Information – Exclusion of the Public (Subject to Agenda Item 5)

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds

Agenda Item 6 Appendix h Cabinet 31 January 2024

that it involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

14. Crawley Town Centre Heat Network - Phase 2 Expansion

Exempt Paragraph 3

Information relating to financial and business affairs of any particular person (including the Authority holding that information)

The Cabinet Member for Environment, Sustainability and Climate Change presented report HPS/39 of the Head of Major Projects and Commercial Services. The report requested Cabinet approval for the future options of the District Heat Network (DHN).

Councillor Ayling presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 29 January 2024, which included:

- Support for an options appraisal to look at the best way for the Council to progress phase 2.
- It was felt that a further report regarding this matter was important to look at objectives and opportunities.
- Recognition that any application for grant funding should be looked into.

Councillors Rana, Irvine, S Mullins, and Jones spoke as part of the discussion on the report.

RESOLVED

That the Cabinet:

- a) notes the finding of the Town Centre District Heat Network Phase 2 Outline Business Case as set out in section 4 of this report.
- 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.
- 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.
- d) notes the allocation of £50,000 to progress the options appraisal and application to the Green Heat Network Fund.

Reasons for the Recommendations

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.

The recommendations will enable the project to proceed to the commercialisation stage and in particular permit;

- 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.
- (ii) Submission of a funding application to the Green Heat Network Fund to support commercialisation and construction costs for the DHN Phase 2.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.37 pm

M G JONES Chair

Agenda Item 7

Full Council

21 FEBRUARY 2024

NOTICE OF MOTION 1 – DECLARING A HOUSING EMERGENCY

Mover Councillor Jones and Seconder Councillor Irvine

This Council recognises the growing pressures on Local Authorities relating to housing, and that Crawley is one of the worst affected areas in the country with a number of factors driving increasingly unsustainable revenue costs relating to temporary accommodation for the Council. These factors include:

- The unaffordability of home ownership for an increasing number of people
- A shrinking private rented sector with soaring rents (8% increase in the last year) that also makes this option for housing unaffordable for a growing number of people
- the shortage of council and other social housing to meet demand
- Water Neutrality planning restrictions imposed by Natural England slowing down new development

As of 6 February 2024, this has resulted in:

- 2796 applications made for the 243 housing units made available in the last 8 months, so over 11 applicants per property resulting in over 260 bids for every property
- 485 households, or 1224 people, living in temporary accommodation
- One pound in every three of the Council's net revenue budget being spent on temporary accommodation

The Council also recognises the likelihood of a worsening situation given the presence of four Asylum Contingency hotels in the borough and the decision of the Home Office to disperse those seeking asylum directly into communities without a managed process or proper support in place.

This is despite the range of Council efforts to tackle structural pressures including, but not limited to:

- One of the best records in the country developing social housing, delivering over 1600 affordable units over the past 10 years, and continuing to bring new sites forward
- Buying additional properties such as the recent acquisition of 6-9 Ifield Road

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- Retrofitting thousands of our social housing stock with water saving devices to allow us to build more homes
- Pursuing long leasing opportunities for temporary accommodation to increase supply and reduce costs
- Bidding for funding streams from multiple sources to support new affordable housing and temporary accommodation delivery
- Using over £500k of funding over the past two years to support people to stay in their accommodation and prevent them from becoming homeless

Whilst the Council's teams will continue to do everything in its powers to meet the needs of our residents and meet our statutory obligations, the system was not created to deal with these numbers. The driving forces are not in the Council's control and the Council under the current funding arrangements does not have the resources to solve the problem alone.

The Council therefore resolves to:

- **1.** declare a Housing Emergency for the Borough of Crawley
- 2. request the Leader of the Council and the Cabinet Member for Housing to write to the Secretary of State for Levelling Up, Housing and Communities calling for additional resources to help local housing authorities and councils worst affected such as Crawley, including unfreezing the Local Housing Allowance for councils currently set at 2011 levels.
- **3.** work with the sector and with Government to develop long term solutions to fix the national housing crisis