



# 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, 27 March 2024 at 7.30 pm**

Nightline Telephone No. 07881 500 227

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

**Chief Executive**

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Published 19 March 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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Town Hall  
The Boulevard  
Crawley  
West Sussex  
RH10 1UZ

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

## Part A Business (Open to the Public)

Pages

### Live Streaming Committee Meetings: YouTube Guidance

As a trial, Committee meetings will be live streamed via the Council's YouTube channel and then stored on the same channel.

Here's the procedure for **watching a live stream** on YouTube:

Go to <https://www.youtube.com/crawleybc>

Once live, the meeting will automatically be displayed on the Home or Videos page tab of the channel.

To watch it in larger size, click the full screen icon in the bottom right of the video.

Please note that the live stream will not have the comment function enabled.

#### 1. **Apologies for Absence**

To receive any apologies for absence.

#### 2. **Disclosures of Interest**

In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.

#### 3. **Minutes**

To approve as a correct record the minutes of the meeting of the Full Council held on 21 February 2024.

#### 4. **Communications**

To receive and consider any announcements or communications, including any additional Cabinet Member announcements.

#### 5. **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, and should not include statements.

One supplementary question from the questioner will be allowed.

Up to 30 minutes is allocated to Public Question Time.

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	<b>Pages</b>
<p><b>6. Consideration of Full Council Recommendations and Call-In Decisions</b></p> <p>To consider any recommendations before the Full Council or items which have been Called-In.</p> <p><i>NB In advance of the meeting Political Groups will identify which recommendations they do not wish to reserve for debate.</i></p>	23 - 70
<p><b>7. Notice of Motion - Supply and affordability of Social Housing</b></p> <p>To consider, in accordance with Full Council Procedure Rule 1.1-H, the following Notice of Motion to be moved by Councillor Crow and seconded by Councillor Millar-Smith.</p>	71 - 72
<p><b>8. Councillors' Questions Time</b></p> <p>There will be a maximum of <b>30</b> 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.</p> <p>There are <b>two</b> methods for Councillors asking questions:</p> <ol style="list-style-type: none"> <li>1. Councillors can submit written questions in advance of the meeting and written answers will be provided on the evening of the Full Council.</li> <li>2. Councillors can also verbally ask questions during the CQT.</li> </ol> <p>Councillors have the opportunity to ask oral supplementary questions in relation to either of the methods above.</p>	
<p><b>9. Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees including Items for Debate</b></p> <p>To receive the minutes of the meetings of the Cabinet, Overview and Scrutiny Commission and Committees, as listed on page 23, and set out in the appendices to this item and to debate any Reserved Items contained within those Minutes.</p> <p><i>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.</i></p>	

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attended Crawley Museum for the launch of the latest exhibition of science fiction costumes, as well as attending St Andrew's Church in Furnace Green with veterans from the AFVBC for a concert by the Band of the Welsh Guards.

Cabinet Members Councillors Y Khan and Noyce provided the Full Council with further context to their Cabinet Member announcements, as contained within the Supplementary Agenda (Order Paper).

## 4. Public Question Time

Questioner's name	Name of Councillor responding
<p>Bob Burgess, Three Bridges</p> <p><i>Some years ago a decision was made that the late Alderman Alan Quine should be honoured by having a suitable epitaph – be it a road name or housing block or similar – named after him. Since that time other people have been honoured – the late Geraint Thomas had a housing development named after him relatively quickly after he had passed away, and the late Raj Sharma also had a property named after him. I believe that this property was built on the site where former Councillor and Mayor Howard Bloom used to live, but sadly there has been no recognition or honouring of him. I understand Alan Quine served with great distinction in the RAF. Is this how we treat our veterans by promising them something and forgetting all about it? Why has it taken so long to honour Alan Quine, and when are we likely to see a resolution?</i></p> <p>Supplementary question:</p> <p><i>Geraint Thomas was not a Ward Councillor representing the town centre, where the development in his name is placed. The town centre and Northgate are separate, so can I query the accuracy of what Councillor Jones said?</i></p>	<p>Councillor Jones (Leader of the Council)</p> <p><i>I can assure Mr Burgess that nobody has forgotten the late Alderman Quine. What has happened is that Alan Quine represented Pound Hill North, and we tend to try to dedicate buildings or roads to our late councillors within the ward they represented. The opportunities for these don't come along every day. In terms of Alan's dedication of a road - it is in a phase of the Forge Wood development that is yet to go ahead. It is going to go ahead quite soon – sadly it has been held up by water neutrality to a certain extent – but Alan has been by no means forgotten and I can assure Mr Burgess of that. We have taken opportunities to dedicate buildings to the late Geraint Thomas and Raj Sharma, and it was absolutely right we did so because they were prominent buildings within the wards they represented. I don't want anyone to think that we have forgotten anyone and we will do something for everyone, as appropriate, when we can.</i></p> <p>Councillor Jones (Leader of the Council)</p> <p><i>There have been a few boundary changes in the wards recently. I'm afraid I don't agree with this. It's an appropriate location to dedicate something to the late Geraint Thomas.</i></p>

## 5. Recommendation 1: 2024-2025 Budget and Council Tax

The Leader of the Council presented report [FIN/642](#) of the Head of Corporate Finance, which set out details of the Budget and level of Council Tax for the year 2024/25, and report [FIN/650](#) of the Head of Corporate Finance, which set out an update to the original report. The update comprised an amendment to recommendation 1a, which was proposed as a result of the recent announcement of additional Government funding.

It was noted that the report detailed each of the Revenue, Capital and Housing Revenue Accounts 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 combined proposal ensured that the Council had a balanced Budget.

The General Fund budget for 2024/25 forecast a take from balances of £1.2m. 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 assumed a Council Tax increase below the referendum level of 2.99% or £6.76, which would result in a £232.10 charge for a band D property. The budget also assumed that fees and charges were to be increased by 7% where feasible. It was noted that the report had been previously considered by the Overview and Scrutiny Commission on 29 January and the Cabinet on 31 January 2024. Councillor Jones moved the recommendations which were seconded and supported by Councillor Nawaz.

The Leader of the Opposition, Councillor Crow, presented [Amendment 2 to Recommendation 1](#) as shown in the Supplementary Agenda (Order Paper), and in doing so confirmed that it was the intention to take two individual votes on the two recommendations within the amendment. The current financial situation was acknowledged however there were concerns regarding the temporary accommodation budget, level of fees and charges and the need to review the capital programme to identify projects that could potentially be delayed by one year in order to generate additional revenue funding of between £100,000 to £250,000, as well as enabling the deferral of any need to borrow to sustain the capital programme. The amendment was seconded by Councillor Lanzer.

A single debate occurred on both the recommendation and the proposed amendment. Councillors Lanzer, Irvine, Belben, C Mullins, Burgess, S Mullins, Ali, Lamb, Lunnon, Nawaz and Jones (using his right to reply) all spoke during debate.

The Full Council was reminded that in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, all Councils at their annual budget meetings are required to adopt the practice of recorded votes - that is, recording in the minutes of the meeting how each member present voted on any decision relating to the Annual Budget and Council Tax. This applies not only to substantive budget motions to agree the Budget and setting Council Taxes, including precepts, but also on any amendments proposed.

Following the conclusion of the debate, the Mayor invited the Head of Governance, People and Performance to commence the voting process on the 2024/2025 Budget and Council Tax for both the amendments and substantive recommendations.

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## Amendment 2 – Proposed Recommendation H

For the recommendation: Councillors Ali, Belben, Bounds, Burgess, Burke, Crow, Hellier, Jaggard, Lanzer, McCarthy, Millar-Smith, Morris, Mwagale, Pendlington, and Piggott. (15)

Against the recommendation: Councillors Ashraf, Ayling, Charatan, Hart, Irvine, Jhans, Jones, K Khan, Y Khan, Lamb, Lunnon, C Mullins, S Mullins, Nawaz, Noyce, Pritchard, Raja, Rana, and Russell. (19)

Abstentions: None (0)

The Mayor declared that the proposed amendment had fallen with 15 votes in favour and 19 votes against with 0 abstentions.

## Amendment 2 – Proposed Recommendation I

For the Recommendation: Councillors Ali, Belben, Bounds, Burgess, Burke, Crow, Hellier, Jaggard, Lanzer, McCarthy, Millar-Smith, Morris, Mwagale, Pendlington, and Piggott. (15)

Against the Recommendation: Councillors Ashraf, Ayling, Charatan, Hart, Irvine, Jhans, Jones, K Khan, Y Khan, Lamb, Lunnon, C Mullins, S Mullins, Nawaz, Noyce, Pritchard, Raja, Rana, and Russell. (19)

Abstentions: None (0)

The Mayor declared that the proposed amendment had fallen with 15 votes in favour and 19 votes against with 0 abstentions.

## Substantive Recommendation

For the recommendation: Councillors Ashraf, Ayling, Charatan, Hart, Irvine, Jhans, Jones, K Khan, Y Khan, Lamb, Lunnon, C Mullins, S Mullins, Nawaz, Noyce, Pritchard, Raja, Rana, and Russell. (19)

Against the recommendation: None (0)

Abstentions: Councillors Ali, Belben, Bounds, Burgess, Burke, Crow, Hellier, Jaggard, Lanzer, McCarthy, Millar-Smith, Morris, Mwagale, Pendlington, and Piggott. (15)

The Mayor declared that the recommendation was carried with 19 votes in favour and 0 votes against with 15 abstentions.

## **RESOLVED**

That the Full Council approves the following items regarding the 2024/25 Budget:

- a) approves the proposed 2024/25 General Fund Budget which includes using £1,065,439 of general fund reserve as set out in 4.2 of report [FIN/650](#),



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

## 6. Recommendation 2: Treasury Management Strategy 2024-2025

The Full Council considered report [FIN/644](#) of the Head of Corporate Finance. The Leader of the Council presented the report which set out the Treasury Management Strategy for 2024/2025 and included the Council's Investment Strategy. The Council was required to approve a Treasury Management Strategy before the start of the financial year in accordance with the CIPFA Code of Practice for Treasury Management and the Council's financial regulations.

The item had been previously considered by the Overview and Scrutiny Commission and Cabinet on 29 January and 31 January 2024 respectively. Councillor Jones moved the recommendation which was seconded and supported by Councillor Nawaz.

### RESOLVED

That Full Council approves:

- a) the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5.4 of report [FIN/644](#)
- 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](#).

## 7. Recommendation 3: Review of Crawley Borough Council's Statement of Licensing Policy for 2024-2029

The Full Council considered report [HCS/073](#) of the Head of Community Services. The Cabinet Member for Public Protection presented the item and in doing so noted that the Council was obliged to provide a Licensing Policy, under the Licensing Act 2003,

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for liquor, late night refreshment and regulated entertainment. The legislation required the policy to be updated every 5 years.

The item had previously been considered by the Licensing Committee as well as the Overview and Scrutiny Commission and Cabinet respectively. Councillor Jones moved the recommendation which was seconded and supported by Councillor Yasmin Khan.

Councillor Burgess also spoke on this item.

## **RESOLVED**

That the Full Council approves and adopts the proposed revised Statement of Licensing Policy 2024 -2029, as detailed in Appendix B to report [HCS/073](#), made under the Licensing Act 2003 with a view to implementation on 1st March 2024.

### **8. Recommendation 4: PSPO - Council-Owned Multi-Storey Car Parks**

The Full Council considered report [HCS/072](#) of the Head of Community Services. The Cabinet Member for Environment, Sustainability and Climate Change presented the report, which sought to introduce a new Public Spaces Protection Order (PSPO) to restrict anti-social and criminal behaviour within council-owned multi-storey car parks in Crawley following public consultation on the matter.

The item had previously been considered by the Overview and Scrutiny Commission and the Cabinet on 29 January and 31 January 2024 respectively. Councillor Jones moved the recommendation which was seconded and supported by Councillor Noyce.

Councillors Lanzer and Burgess also spoke on this item.

## **RESOLVED**

That the Full Council makes a PSPO in the form set out in Appendix A to report [HCS/072](#) with the restricted area being Orchard Street multi-storey car park (Pegler Way, Crawley, West Sussex, RH11 7AE), Town Hall multi-storey car park (Exchange Road, Crawley, West Sussex, RH10 1UZ), and Kingsgate multi-storey car park (Queensway, Crawley, West Sussex, RH10 1EN) which should come into force on 26 February 2024 for a period of three years.

### **9. Recommendation 5: Notice of Precept 2024-2025 - Council Tax Resolution**

Councillor Jones presented [Recommendation 5](#), which set out the Notice of Precept 2024/25 from the Police and Crime Commissioner for Sussex and West Sussex County Council, which combined with the previously agreed Crawley Borough Council precept to formulate the Council Tax Resolution for 2024/25.

The recommendation was moved by Councillor Jones and seconded by Councillor Nawaz.

Councillor Crow also spoke on this item.

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Following approval of the Council's budget in recommendation 1 in report [FIN/642](#) and the amendment to recommendation 1a in report [FIN/650](#) and in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the names of the councillors voting for and against recommendation 5 were recorded as set out below:-

For the recommendation: Councillors Ali, Ashraf, Ayling, Belben, Bounds, Burgess, Burke, Charatan, Crow, Hart, Hellier, Irvine, Jaggard, Jhans, Jones, K Khan, Y Khan, Lamb, Lanzer, Lunnon, McCarthy, Millar-Smith, Morris, C Mullins, S Mullins, Mwangale, Nawaz, Noyce, Pendlington, Piggott, Pritchard, Raja, Rana, and Russell.  
(34)

Against the recommendation: None. (0)

Abstentions the recommendation: None. (0)

The Mayor declared the recommendation was carried with 34 votes in favour and 0 votes against, with 0 abstentions.

## RESOLVED

That the Full Council, following the receipt of the notice of precept from the Police and Crime Commissioner for Sussex and West Sussex County Council and the approval of the Council's budget approves the following:

1. That it be noted that on 31 January 2024 the Leader of the Council under delegated powers calculated the Council Tax Base 2024/25 for the whole Council area as **36,637.0** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
2. That the Council Tax requirement for the Council's own purposes for 2024/25 is calculated at £8,503,448.
3. That the following amounts be calculated for the year 2024/25 in accordance with Sections 31 to 36 of the Act:

(a)	£130,916,257	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
(b)	£122,412,809	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£8,503,448	being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

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(d)	£232.10	being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
(e)	£0	being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
(f)	£232.10	being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

4. That it be noted that the County Council have proposed precepts and the Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2024/25 for each part of its area and for each of the categories of dwellings.

## COUNCIL TAX SCHEDULE 2024/25

	CRAWLEY BOROUGH COUNCIL	WEST SUSSEX COUNTY COUNCIL	POLICE AND CRIME COMMISSIONER FOR SUSSEX	TOTAL
BAND A	154.73	1,143.30	£168.61	1,466.64
BAND B	180.51	1,333.85	£196.71	1,711.07
BAND C	206.30	1,524.40	£224.81	1,955.51
BAND D	232.10	1,714.95	£252.91	2,199.96
BAND E	283.68	2,096.05	£309.11	2,688.84
BAND F	335.25	2,477.15	£365.31	3,177.71

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BAND G	386.83	2,858.25	£421.52	3,666.60
BAND H	464.20	3,429.90	£505.82	4,399.92

6. That it be determined in accordance with Section 52ZB Local Government Finance Act 1992 that the Council 's basic amount of Council Tax for 2024/25 is NOT excessive in accordance with principles approved by the Secretary of State under Section 52ZC of the Act.

## 10. Notice of Motion - Declaring a Housing Emergency

The Full Council considered the [Notice of Motion](#) – Motion on Declaring a Housing Emergency – as set out on page 101 of the agenda.

The Motion was moved and presented by Councillor Jones, who in doing so gave further explanation of the reasoning behind the motion. It was seconded and supported by Councillor Irvine.

Councillor Crow moved and presented [Amendment 3](#) to the Motion of Motion (as shown in the Supplementary Agenda). The amendment was seconded by Councillor McCarthy.

Councillors Lunnon, Burgess, C Mullins, Lanzer, Nawaz, Piggott, Y Khan, Belben, Charatan and S Mullins also spoke on the item.

## 11. 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.

## 12. Notice of Motion - Declaring a Housing Emergency (continued)

Following the agreement of the Full Council to continue the meeting, the Mayor restarted the discussion on Notice of Motion 1 – Declaring a Housing Emergency.

Councillors Irvine, Jaggard, Pritchard, and Jones then spoke on the item.

The Mayor called for a vote on the proposed amendment in respect of Notice of Motion 1 – Declaring a Housing Emergency, which fell by 15 votes in favour, 19 against and 0 abstentions.

The Mayor then called for a vote on the substantive Motion of Motion (Notice of Motion 1 – Declaring a Housing Emergency), which was carried unanimously.

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## RESOLVED

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
- 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.

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**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.

**13. Councillors' Question Time**

Name of Councillor asking question	Name of Councillor responding
<p>Councillor Piggott to the Cabinet Member for Leisure and Wellbeing (supplementary question to written question):</p> <p><i>Thank you for your response to my written question. I understand the limitations in terms of the commercial discussions and the public comments, so thank you for those. It's extremely helpful to have this overview of the current situation regarding Goffs House which is why I asked the question as there have been many residents concerned as to what is going to happen with this property. Proactive and clear communication, as appropriate and within the limitations indicated, are important and I am pleased we're now able to share this with residents whom we represent. May I recommend that with this, as with all significant locations within the town, that clear and proactive communication with residents is maintained moving forward?</i></p>	<p>Councillor C Mullins (Cabinet Member for Leisure and Wellbeing)</p> <p><i>In one sense I was very pleased to have Goffs Park House come back under my portfolio. The house has lots of potential in many ways - some park use, some business use. We have not made any final decisions on the house yet. I have responded to a few email queries explaining that the house itself has problems and is dilapidated. We have not managed as yet to settle the payments due from the Ministry of Justice who handed the house back to us. I wouldn't want to get into commercial discussions or ideas at the moment, but it is an ongoing situation. We are keen to see the success of the house in the longer term, that is our ambition, but it's not going to be cheap due to the state of the house. So if you're talking to constituents about this, please tell them to be patient as it will take time and we cannot rush. We need to look at our financial resources - even if we reach an acceptable agreement with the Ministry of Justice in the near future, that won't really solve the problem of the conversion needs inside - but we would like to try and get some sources of income for the house as well. It will take time and that's why it has not been put in to the Goffs Park business plan but have kept it separate as we want the plan to move ahead separately. At some point the Council's working group will be looking at the house.</i></p>

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Name of Councillor asking question	Name of Councillor responding
<p>Councillor Lanzer to the Cabinet Member for Housing (supplementary question to written question):</p> <p><i>Thank you for your answer to my written question. Part of your answer refers to a private ('part B') agenda item from the Full council meeting on 17th July 2019, which means that this information is inaccessible to the public and the media. The decision was to use Housing Revenue Account funding to top-up sick pay arrangements for housing sub-contractors. If you remain proud of a decision to use tenants' money to support the terms and conditions of private housing sub-contractors, why was the answer to my question still put in private 'part B', and why was the decision ever put in private 'part B' and made inaccessible to the public?</i></p>	<p>Councillor Irvine (Cabinet Member for Housing)</p> <p><i>It is not my decision as to whether the matter was put in private 'part B' - that is a decision for the paid service. However I would say that, in terms of the original decision, I think it was the right thing to do. We don't want people working on behalf of the Council having to come to work when they're sick because they can't afford to go off sick. I can't say whether I will still be Cabinet Member for Housing when the contracts are re-negotiated, but when that does happen I would hope that the terms of the contract could be re-negotiated to include better sick pay. However if that happens that could increase the cost of the contract, so the cost of providing it in another way might end up exactly the same. I have not received any detrimental reports about the use of the sick pay scheme since it has come into action. In the last four years we have managed to repay the overpaid rents to Council tenants from a mistake which arose from the previous administration, we have started to shift temporary tenancies back into secure tenancies, and we are providing extra staff to conduct rolling surveys of our stock. So all in all I don't think there is anything we can't be proud of.</i></p>
<p>Councillor Crow to the Cabinet Member for Public Protection</p> <p><i>I have received an invite, as all borough councillors have, to the community safety event you are holding in early March. What do you hope to get out of the event and what do you think it can achieve that is not going to be achieved through public consultation (for example, the Safer West Sussex Partnership ran a consultation on community safety in the autumn of 2023)?</i></p>	<p>Councillor Y Khan (Cabinet Member for Public Protection)</p> <p><i>I am really hoping that people do come forward, take advantage of this event, and raise their concerns. People do not always turn up to these things but we have had enquiries about it and I am hoping that people will come and raise their concerns. Sussex Police will also be in attendance. We are trying to get some young people involved so they can come and see the impact of things like drug taking and the effect that has on people. I am hoping that it will be a really positive event and that we can change some lives. I have been speaking with some hard to reach communities - I think I have gained their trust, so they are willing to come forward to ask some questions and we want to see how we can help them.</i></p>



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## 14. 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.

## 15. Councillors' Question Time (continued)

Name of Councillor asking question	Name of Councillor responding
<p>Councillor Charatan to the Leader of the Council</p> <p><i>I understand there is something happening with the Ask building - is there any information about that?</i></p>	<p>Councillor Jones (Leader of the Council)</p> <p><i>The property has been on the market for some time, since Ask went into administration during lockdown. I am pleased to be able to share that we have received a very recent offer from a restaurant operator which is being considered by officers at the moment. Hopefully we will have a new tenant very soon and the building will be back in use, which we would all like to see.</i></p>
<p>Councillor Pendlington to the Cabinet Member for Public Protection</p> <p><i>Please could we have a brief update on how the Car Cruising Public Spaces Protection Order is going?</i></p>	<p>Councillor Y Khan (Cabinet Member for Public Protection)</p> <p><i>So far there have been no complaints and there have also been no fines issued, but I can look into it further. If you are referencing Pound Hill and Gatwick I am aware of those.</i></p>
<p>Councillor Russell to the Cabinet Member for Housing/Leader of the Council</p> <p><i>On Saturday 2nd March we have a community consultation about the possibility of some small-scale housing development on Bristol Close. Knowing that there is a strong desire from residents for their voices to be heard, would one or both of you be able to attend that public consultation alongside myself so residents feel they are being listened to?</i></p>	<p>Councillor Irvine (Cabinet Member for Housing)</p> <p><i>I would be happy to attend if it would help. However I would assure anybody who attends that whether I or Councillor Jones are there or not, their voices will be heard through the consultation process. Nothing has been decided yet as it is only the consultation phase so I would urge people if they are concerned one way or the other about the scheme to please let the Council know by taking part. This will enable us to consider all points of view and better decide what to do in the future.</i></p>

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Name of Councillor asking question	Name of Councillor responding
<p>Councillor Burgess to the Leader of the Council</p> <p><i>I was interested to see that we now have a Tree Strategy. However I was a little concerned at the recent OSC meeting at which the strategy was discussed that there appeared to be some confusion as to what was actually being promoted. You did appear to be a little confused at the meeting in response to the questions - so, will all trees on the Council's land, once removed, be replaced as like for like, one for one, and native species to this country? Would this apply to Council-owned trees only, or also to other trees on Council-owned land? If not would these trees be left instead for natural regeneration?</i></p> <p>Supplementary question:</p> <p><i>I am worried about the trees in Hawth Wood. That is the Council's land and the trees have been decimated - who will replace them? Is that the responsibility of the Forestry Commission or of the Council, or will they be left to regenerate themselves, which will take decades?</i></p>	<p>Councillor Jones (Leader of the Council)</p> <p><i>Ordinarily it would be the Cabinet Member for Environment, Sustainability and Climate Change who would answer questions relating to trees but as I was deputising for the Cabinet Member that evening at the OSC meeting, I'm happy to answer. I think the question was related to potentially non-viable trees, such as those that have sprung up in areas that are not ideal growing territory for those trees. The Council is very committed to maintaining the tree canopy right across the borough but we are constrained in that we only have control over the trees on our land. Inevitably that involves working with private land owners and other land owners including public authorities. I don't feel that there was any attempt to obfuscate what the Council is trying to do - we have never had a proper tree strategy that was formalised and accessible by councillors or members of the public, but we have a great story to tell about the borough's trees. Inevitably there will always be pressure on where trees could be grown - we are very keen to have a community-based facility where members of the community can call for trees in an appropriate area, but we would have to have control over the land in some form. The good news is that there is plenty of Section 106 money to cover the cost of purchasing and planting trees. We would like to hear from the public and want to make Crawley even more green and pleasant.</i></p> <p>Answer to supplementary question:</p> <p><i>Sadly some of the ash trees in Hawth Wood have been struck by ash dieback which is a brutal disease. The council has not taken the loss of these trees lightly and it is heartbreaking to know how many have been lost. However this has been done to try and safeguard the rest of the woodland. It is not going to kill off as many as the arboriculturalist first thought, but it does mean that a lot of trees will be lost. We have a problem in that Hawth Wood is ancient woodland and there are restrictions. Whenever there has been disease and removal of trees in the past, our tree surgeons have been very clear that trees cannot be replanted in the same location for some time. Perhaps we could take this discussion offline as it is quite a technical</i></p>

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Name of Councillor asking question	Name of Councillor responding
	<p><i>area, and I am sure we can work with yourself and with Cllr Noyce as Cabinet Member if there is anything you have in mind.</i></p>
<p>Councillor Pritchard to the Cabinet Member for Environment, Sustainability and Climate Change</p> <p><i>Some improvements have been made to the footpath along the Gatwick stream between The Snooty Fox pub and Hazelwick Avenue - there has been a lot of tidying and smartening up which I believe was not done by the Council. Will you commit to keeping it clean and tidy, and to repairing the fences along that walkway to make it a safe and pleasant place to walk?</i></p>	<p>Councillor Noyce (Cabinet Member for Environment, Sustainability and Climate Change)</p> <p><i>I will be in communication with the patch team and will be seeing them soon, and will pass on your question and comments with the intention of trying to fulfil that.</i></p>
<p>Councillor Lanzer to the Leader of the Council</p> <p><i>Page six of the Crawley Labour Party's 2023 manifesto states that 'we will not outsource any further local services'. Yet during the current Council year we have seen officer reports and presentations which have contemplated the outsourcing of Council services. I cannot be any more specific as these were in private session. What are your intentions - will you be standing by your manifesto, and if not, why have you got officers working up options for the outsourcing of services? Are you planning to assume a dose of pragmatism and abandon your manifesto, or is your manifesto true?</i></p>	<p>Councillor Jones (Leader of the Council)</p> <p><i>I would have to have a look at exactly what was written in our manifesto. I think the specific commitment was that wherever practicable, and in line with what we were attempting to do, that we would look insourcing services. However we have many existing services which are already outsourced, which I suspect is what Cllr Lanzer is referring to. I can't help but refer back to the elephant in the room, which is that the Council has to live within its means - there are a lot of things I would like to do in this borough but there are issues relating to money. As a result we take decisions on a case-by-case basis.</i></p>
<p>Councillor Ayling to the Cabinet Member for Leisure and Wellbeing</p> <p><i>The sandpit in Bewbush pocket park has been out of action. Please can you let us know when it will be repaired?</i></p>	<p>Councillor C Mullins (Cabinet Member for Leisure and Wellbeing)</p> <p><i>Unfortunately the sandpit was closed due to structural damage which made it unsafe for children to play in. It can't be reopened until the repairs are complete and it is refilled with sand - I have not got a timescale but I can check that and let you know. The intention is to refurbish it as soon as possible.</i></p>

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Name of Councillor asking question	Name of Councillor responding
<p><i>Councillor Ali to the Mayor</i></p> <p><i>At a previous Full Council meeting I asked about the portrait of King Charles III. Today I walked past the Mayor's Parlour and saw that portrait on display. In most other councils, these portraits are in public view, for example in the council chambers, for residents to see and enjoy. Would you consider displaying the portrait in public view, and if not, why not?</i></p>	<p>Councillor Hart (Mayor)</p> <p><i>The one that is in the Mayor's Parlour, as far as I'm aware, will be staying there. But another portrait has been issued which we are in the process of applying for. That is going to be the standard one that will go into public places. That is in the process of being ordered to be framed to be put up I hope in a public area.</i></p>
<p>Councillor Ashraf to the Cabinet Member for Planning and Economic Development</p> <p><i>I understand the Local Plan consultation has concluded. How did it go and have we received any initial response from the inspectors?</i></p>	<p>Councillor Nawaz (Cabinet Member for Planning and Economic Development)</p> <p><i>Our Local Plan went through an intensive examination led by two Planning Inspectors from the Government. I would like to commend our officers on their professionalism and the brilliant way in which they coped with the hearing sessions and the volume and breadth of questions they had to deal with. We have received an initial letter from the inspectors with some good news. They have confirmed that our local plan is legally compliant. They have asked for some modifications and officers have worked very quickly on those so the Plan is out for consultation already, having begun on 12 February with an end date of 25 March. We are hoping to bring the Local Plan to Cabinet and to Full Council in the summer for consideration and adoption. Water neutrality was the main matter that halted the Plan, but now we are in a position to approve it.</i></p>

## 16. 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:

- Planning Committee – 4 December 2023
- Licensing Committee – 12 December 2023
- Overview and Scrutiny Commission – 8 January 2024
- Planning Committee – 9 January 2024
- Cabinet – 10 January 2024

# Agenda Item 3

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21 February 2024

- Licensing Committee – 15 January 2024
- Overview and Scrutiny Commission – 29 January 2024
- Cabinet – 31 January 2024

There were no items for debate.

## **Closure of Meeting**

With the business of the Full Council concluded, the Chair declared the meeting closed at 10.50 pm

**J Hart (Mayor)**

# Agenda Item 3

## Disclosures of Interest Received

<b>Councillor</b>	<b>Item and Minute</b>	<b>Meeting</b>	<b>Type and Nature of Disclosure</b>
Councillor Ali	Planning Application CR/2023/0357/OUT – Former Pay and Display Car Park, Telford Place, Three Bridges (Minute 7)	Planning Committee 4 December 2023	Personal interest – a West Sussex County Councillor
Councillor Ali	Statement of Licensing Policy (Minute 5)	Licensing Committee 12 December 2023	Personal Interest – a West Sussex County Councillor
Councillor Burgess	Statement of Licensing Policy (Minute 5)	Licensing Committee 12 December 2023	Personal Interest – a West Sussex County Councillor
Councillor Crow	Statement of Licensing Policy (Minute 5)	Licensing Committee 12 December 2023	Personal Interest – a West Sussex County Councillor
Councillor Crow	Statement of Licensing Policy (Minute 5)	Licensing Committee 12 December 2023	Personal Interest – the West Sussex County Council Cabinet Member for Community Support, Fire and Rescue (with responsibility for Trading Standards).
Councillor Hart	Statement of Licensing Policy (Minute 5)	Licensing Committee 12 December 2023	Personal Interest – secretary of Ewhurst Sports and Social Club (a licensed premises).
Councillor Nawaz	Statement of Licensing Policy (Minute 5)	Licensing Committee 12 December 2023	Personal Interest – leases a commercial unit from Crawley Borough Council
Councillor Ali	Planning Application CR/2023/0395/FUL – 10 Kithurst Close, Southgate (Minute 4)	Planning Committee 9 January 2024	Personal interest – a West Sussex County Councillor for Southgate & Gossops Green Ward.
Councillor Lanzer	2023-2025 Budget and Council Tax (Minute 5)	Overview and Scrutiny Commission 29 January 2024	Personal Interest – Member of WSCC

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Councillor Lanzer	Health and Adult Social Care Scrutiny Committee (HASC) (Minute 10)	Overview and Scrutiny Commission 29 January 2024	Personal Interest – Member of WSCC
Councillor Lanzer	Health and Adult Social Care Scrutiny Committee (HASC) (Minute 10)	Overview and Scrutiny Commission 29 January 2024	Personal Interest – Cabinet Member for Health & Wellbeing
Councillor Crow	2024-2025 Budget and Council Tax (Minute 7)	Cabinet 31 January 2024	Personal Interest – Member of WSCC
Councillor Nawaz	Allocating Monies Collected Through CIL (Minute 13).	Cabinet 31 January 2024	Personal Interest – Councillor for Three Bridges Ward
Councillor Ali	Notice of Precept Recommendation 5 (Minute 9)	Full Council 21 February 2024	Personal Interest – Member of WSCC
Councillor Burgess	Notice of Precept Recommendation 5 (Minute 9)	Full Council 21 February 2024	Personal Interest – Member of WSCC
Councillor Crow	Notice of Precept Recommendation 5 (Minute 9)	Full Council 21 February 2024	Personal Interest – Member of WSCC
All Officers attending this meeting of the Full Council	2024/2025 Budget and Council Tax (Minute 5)	Cabinet 31 January 2024	Personal Interest, as Officers of the Council in relation to the Pay Policy Statement

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# 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:

## **Appendix**

a) Governance Committee – 5 March 2024 (*page 25*)

***Recommendation 1*** – Review of the Constitution (*pages 25–7*)

b) Planning Committee – 6 March 2024 (*page 45*)

c) Overview and Scrutiny Commission – 11 March 2024 (*page 49*)

d) Audit Committee – 12 March 2024 (*page 59*)

e) Cabinet – 10 January 2024 (*page 67*)

***Recommendation 2*** – Second Home Council Tax Premium (*pages 68–9*)

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Crawley Borough Council

**Minutes of Governance Committee**

Tuesday, 5 March 2024 at 7.00 pm

**Councillors Present:**

P K Lamb (Chair)

C M Burke, D Crow, G S Jhans, M G Jones, R A Lanzer, T Lunnon, K McCarthy,  
S Pritchard, T Rana and S Sivarajah

**Officers Present:**

Siraj Choudhury                      Head of Governance, People & Performance

Mez Matthews                        Democratic Services Officer

Chris Pedlow                         Democracy & Data Manager

**Apology for Absence:**

Councillor J Bounds

**1. Disclosures of Interest**

The following disclosure of interest was made:

<b>Councillor</b>	<b>Item and Minute</b>	<b>Type and Nature of Disclosure</b>
Councillor Jones	Review of the Constitution ( <i>Order of Business for the Annual Meeting of the Full Council</i> )	Personal Interest as current Leader of the Council. If re-elected as Leader in May 2024 any change could potentially affect their office as Leader.

**2. Minutes**

The minutes of the meeting of the Governance Committee held on 28 November 2023 were approved as a correct record and signed by the Chair.

**3. Public Question Time**

No questions were asked by the public.

**4. Review of the Constitution**

The Committee considered report [LDS/215](#) of the Head of Governance, People & Performance which requested that the Committee consider proposed changes to the Council's Constitution, namely in relation to the guillotine procedures, Licensing Sub-

Committee (Hearings) Procedure Rules, and the Order of Business for the Annual Meeting of the Full Council.

The Committee discussed and voted upon each proposed change in turn.

### The Procedures for Guillotine

Following discussion, the Committee expressed its support for having consistency across procedures for both Committees and the Full Council by enabling Committees to vote to continue after a meeting had reached 2½ hours with a “hard” Guillotine only being retained to come into effect at 11pm when meetings were held outside the Town Hall. The Committee viewed that approach as an improvement to the current procedure, as a Committee would have the option to vote to continue the meeting rather than being required to conclude a meeting by 11pm regardless of whether all items on the agenda had been considered. The Committee’s attention was brought to paragraph 5.8 of the report which set out the consequences for any motions and recommendations which had not been dealt with by the time a guillotine fell.

The Committee AGREED to recommend to the Full Council that the Guillotine procedure for Committees be amended to enable Committees to vote to continue after the meeting had reached 2½ hours (mirroring the Full Council Procedure Rules), with a “hard” Guillotine for Committees being retained to come into effect at 11pm when a Committee was held outside the Town Hall.

The Committee did not wish to make any changes to the current Guillotine process for meetings of the Full Council.

### Licensing Sub-Committee (Hearing) Procedure Rules

Following a query from the Committee, the Head of Governance, People & Performance clarified that, once a Hearing has been arranged to consider an application to review a licence, legislation did not provide flexibility to withdraw the application (even where all parties had come to an agreement) and therefore such a Hearing was required to go ahead to consider the matter and could not be cancelled.

The Head of Governance, People & Performance informed the Committee that, since publication of the report, it had come to light that the Procedure Rules referred to regulations which were no longer in force. Consequentially the Committee was requested to delegate authority to the Head of Governance, People & Performance to make additional amendments to the Rules to ensure they reflected current legislation.

The Committee AGREED to recommend to the Full Council that the Licensing Sub-Committee (Hearings) Procedure Rules be amended as set out in Appendix A to the report; and that the Head of Governance, People & Performance be delegated to make additional amendments to those Rules to ensure they reflected current legislation, with those changes being included in the appendix to these minutes which would be put before the Full Council for its approval.

### Order of Business for the Annual Meeting of the Full Council

The Committee sought clarification on the current provisions available should a Councillor wish to put forward a Notice of Motion to the Full Council to remove the current Leader from office. The Committee was informed that, whilst the Constitution currently provided for a Notice of Motion or an urgent item of business to be brought before an ordinary meeting of the Full Council, and for an extraordinary meeting of the Full Council to be called, it did not currently allow such a Notice of Motion to be

considered at the Annual Meeting of the Full Council. Additionally, the Committee was assured that an item of business relating to such a Notice of Motion would only be on the agenda for the Annual meeting of the Full Council if one had been submitted.

The Committee AGREED that the Full Council be recommended to add the following in as new paragraph 2.1(l) (Order of Business for the Annual Meeting of the Full Council) to the Full Council Procedure Rules: "Consider a No Confidence Notice of Motion regarding the current Leader of the Council (if required)."

## RESOLVED

### RECOMMENDATION 1

That the Full Council be recommended that:

1. The Guillotine procedure for Committees be amended to enable Committees to vote to continue after the meeting had reached 2½ hours (mirroring the Full Council Procedure Rules), with a "hard" Guillotine for Committees being retained to come into effect at 11pm when a Committee was held outside the Town Hall.
2. The Licensing Sub-Committee (Hearings) Procedure Rules be amended as set out in the Appendix to these minutes.
3. The following be added in as new paragraph 2.1(l) (Order of Business for the Annual Meeting of the Full Council) to the Full Council Procedure Rules:  
  
*"Consider a No Confidence Notice of Motion regarding the current Leader of the Council (if required)."*

## 5. Review of Provisions Relating to Call-In and Urgency

The Committee was advised that there had been three cases since the last report where items have been protected from the Call-In Procedure on the grounds of urgency as provided for in Call-In Procedure Rule 8. Details of those decisions protected from Call-In were set out in report [LDS/214](#) of the Head of Governance, People & Performance.

The Committee was of the view that, although three cases appeared to be a relatively low amount, it was more than the Committee had seen historically. Additionally, the Committee expressed its disappointment that all three cases had taken place in the month prior to an election. The Committee therefore wished for its views to be drawn to the attention of the Chief Executive.

**RESOLVED**

1. That no change to the provisions relating to Call-In and Urgency be made.
2. That the Committee's view on the number of cases of Protection from Call-In and the timing of those Protections be brought to the attention of the Chief Executive.

**Closure of Meeting**

With the business of the Governance Committee concluded, the Chair declared the meeting closed at 7.30 pm

**P K Lamb (Chair)**

## APPENDIX A

### LICENSING SUB-COMMITTEE (HEARINGS) PROCEDURE RULES

These Rules are divided into two sections relating to the format of the meeting:

- **Section A:** Procedures for In-Person Meetings.
- **Section B:** Procedures for Virtual Meetings.

#### SECTION A: PROCEDURES FOR IN-PERSON MEETINGS

##### 1. SCOPE OF THESE RULES

- 1.1. These Rules apply specifically to Licensing Sub-Committee Hearings under the Licensing Act 2003 ('the Act') and the *Licensing Act 2003 (Hearings) Regulations 2005* ('the Regulations').
- 1.2. These Rules should be read in conjunction with paragraphs 9 (Declarations of Interest), 16 (Councillors' Conduct) and 17 (Disturbance by Public) of the General Committee Procedure Rules as appropriate.
- 1.3. In these Rules all references to "party" and "parties" is a reference to all persons to whom a Notice of Hearing must be given pursuant to Regulation 6 of the Regulations.

##### 2. CONSULTATION PERIOD AND SUBMISSION OF RELEVANT REPRESENTATIONS/DOCUMENTATION

###### Consultation Period and Relevant Representations

- 2.1. The Council encourages that all representations made in relation to an application/notice be submitted by e-form on the Council's website or by e-mail to [licensing@ Crawley.gov.uk](mailto:licensing@ Crawley.gov.uk) (rather than by post or other means) to reduce the risk that they may not be received or considered by the Council. The Council's website will clearly state this.
- 2.2. When submitting representations/documentation parties are ~~encouraged~~ **required** to provide a contact email address.

###### Submission of Documentation Supporting an Application, Notice or Representation

- 2.3. All parties must use their best endeavours to submit any documentation in support of their application, notice or representation which they wish to be included within the Notice of Hearing electronically to [licensing@ Crawley.gov.uk](mailto:licensing@ Crawley.gov.uk).
- 2.4. The Council encourages parties to follow these principles when drafting submissions in support of their application, notice or representation:
  - a) Focus on the promotion of one or more of the four Licensing Objectives as defined by the Act.
  - b) Make reference to the relevant parts of the Council's Licensing Policy

Statement and Section 182 Guidance.

- c) Be relevant.
  - d) Be evidence-led not based on speculation.
- 2.5. Parties should endeavour to submit all additional documentation they wish to be considered by the Sub-Committee (which was not included in the Notice of Hearing) no later than 48 hours before the Hearing so that it can be circulated to all other parties. All submissions and supporting documentation/evidence should be submitted by email to [democratic.services@crowley.gov.uk](mailto:democratic.services@crowley.gov.uk).

### **Submission of CCTV and Audio Evidence**

- 2.6. Any video evidence submitted before a Hearing which a party wishes the Sub-Committee to view should be submitted in MP4 format. Parties are asked to ensure that any recording is edited to only contain relevant matters which relate to their representation. Parties are encouraged to submit any video evidence with a description of how, when and where the video was recorded and a summary of its contents.
- 2.7. Parties should endeavour to submit any video evidence they wish to rely upon at least 72 hours before the Hearing to allow sufficient time for it to be made available to the other parties.

## **3. NOTICE OF HEARING, AGENDA DOCUMENTS, NOTICE OF INTENTION TO ATTEND AND CANCELLATION OF THE HEARING**

### **Notice of Hearing and Agenda**

- 3.1. A Notice of Hearing (in the form of an agenda) will be sent via email to all parties at least ten clear working days before the meeting. The Notice will also be published via the Council's website in line with normal procedure. The Notice will include:
- a) Details of the date and time of the Hearing.
  - b) The report of the Council's Licensing Officer.
  - c) The application/notice.
  - d) Any relevant representations/notices received.
  - e) Any other supporting documentation submitted.
  - f) A copy of these Licensing Sub-Committee (Hearings) Procedure Rules.
  - g) A "Parties' Notice of Intention" form.

### **Notice of Intention to Attend and Request for Permission for other Persons to Attend**

- 3.2. All parties must provide written notification of the following to the Council:
- a) Whether they intend to attend or be represented at the Hearing, or whether they consider a Hearing to be unnecessary.
  - b) Whether they wish any other person (other than the person they intend to represent them at the Hearing) to appear at the Hearing and why.
- 3.3. ~~All parties wishing to participate in the Hearing must register their wish to participate and provide their own email address and the email address(es) of any~~



~~representatives/witnesses they wish to speak at the meeting. This must be done by returning the "Parties' Notice of Intention" form via email to the Council at [democratic.services@ Crawley.gov.uk](mailto:democratic.services@ Crawley.gov.uk) no later than five working days before the day of the Hearing~~ The above information **must** be provided by completing and returning a "Parties' Notice of Intention" form via email to the Council at [democratic.services@ Crawley.gov.uk](mailto:democratic.services@ Crawley.gov.uk) within the following deadlines:

- a) For Hearings under section 48(3)(a) (cancellation of interim authority notice following police objection), or section 105(2)(a) (counter notice following police objection to temporary event notice) – **no later than one working day before the day or the first day on which the Hearing is to be held.**
- b) For a Hearing under section 167(5)(a) (review of premises licence following closure order) and section 53C (review of premises licence following review notice) – **no later than two working days before the day or the first day on which the Hearing is to be held.**
- c) For all other Hearings, **no later than five working days before the day (or the first day) on which the Hearing is to be held.**

- 3.4. ~~Where a party has informed the Council they neither intend to attend or be represented, the Hearing will proceed in their absence, and the decision will be taken based on the information available at the Hearing. Applicants are encouraged to attend the Hearing although they may choose not to attend and instead allow the decision to be considered on the basis of the written representations, and for the decision to be taken based on the information available at the Hearing.~~
- 3.5. Where it is unclear whether a party (or their representative) intends to attend the Hearing, the Council will consider whether the Hearing will proceed in their absence and the decision will be taken based on the information available at the Hearing, or if it is in the public interest to adjourn the Hearing to a specified date.
- 3.6. At the Hearing, the Council will consider the application, representations or notice made by any absent party.

**Cancellation of the Hearing**

- 3.7. If the application (other than an application for review) is withdrawn, or all relevant representations are withdrawn, ~~or an agreement is reached between the applicant and those who have submitted a representation,~~ the Hearing will be cancelled as there will be no business to be considered. However, **relevant representations can only be withdrawn in writing more than 24 hours before the Hearing is due to take place. After that, the meeting will not be cancelled and any party wishing to withdraw their representation can do so at the Hearing on that basis.**

**4. SPECIFIC LICENSING SUB-COMMITTEE (HEARINGS) RULES**

- 4.1. **Establishment of a Sub-Committee:** A Sub-Committee will only be arranged when there is a requirement for a Hearing as defined in the Act.
- 4.2. **Membership:** A Sub-Committee will consist of a panel of three Councillors drawn from a pool of four Councillors who have confirmed that they are available to attend the scheduled Hearing. (The purpose of having four is to ensure that there is a reserve Councillor available to substitute for one of the other three Councillors in the event that one of the others cannot attend due to unforeseen circumstances.) The pool of four Councillors will be drawn from the Councillors appointed to the Licensing

Committee. Endeavours will be made for the Sub-Committee membership to be drawn from different political parties where possible, although this is not a requirement in law.

- 4.3. **Quorum:** The quorum of a Sub-Committee will be three.
- 4.4. **Appointment of Chair:** A Chair will be elected from the membership of the panel.
- 4.5. **Officer Attendance:** ~~A Council legal advisor ('Legal Clerk'), Democratic Services Officer and Licensing Officer will usually attend a Sub-Committee for the sole purpose of providing advice on law and procedure.~~ **The following Council officers will usually attend a Licensing Sub-Committee:**
- a) Legal Advisor to provide advice on law, evidence and procedure.
  - b) Democratic Services Officer to co-ordinate the arrangements for the Hearing, take a record of the meeting proceedings and provide advice on procedure.
  - c) Licensing Officer (Report Author) to present the report and provide the Sub-Committee with clarifications and technical advice.
  - d) Where the Council has made the application or submitted a representation as a Responsible Authority, an additional Licensing Officer will attend to represent the Council (Responsible Authority).
- 4.6. **Sub-Committee Pre Meeting:** The Sub-Committee will usually meet with the Democratic Services Officer and Legal Advisor in advance of a Hearing. The purpose of this meeting will be to identify any matters upon which the Sub-Committee may require clarification (see Paragraph ~~5.4 – Order of Business~~ **5 - Hearing Procedure**), to ensure the Sub-Committee members have all the documentation for the Hearing, and to remind themselves of the Hearing Procedure. During any pre-meeting **no** decisions will be made and **no** discussions will take place regarding the substantive merits of the application or representations.
- 4.7. **Minutes:** The minutes of the Sub-Committee remain the responsibility of the Licensing Committee and will be brought before a minimum of ten Committee Members for their approval at a Licensing Committee meeting. Only a member of the relevant Sub-Committee is permitted to question the accuracy of the minutes. Once the minutes have been agreed, they shall be signed by a member of that Sub-Committee, which would normally be the Chair of the Panel.
- 4.8. **Procedure at the Meeting:** The procedure to be followed at Sub-Committee meetings is outlined later in these Rules.
- 4.9. **Additional Information:** When making their presentation/s, parties may only introduce documentary or other information produced either before the Hearing or, with the consent of all the other parties, at the Hearing.
- 4.10. **Duration of Representations:** Each party will be given an equal amount of time to make representations. The amount of time will be at the Chair's discretion based on the number of parties present.
- 4.11. **Exclusion of the Public/Retiring for Deliberation:** By virtue of Regulation 14 of the Regulations, the Sub-Committee shall exclude from all or part of the Hearing any member of the public and/or any other person present at the Hearing if it believes that the public interest in doing so outweighs the public interest in allowing the person(s) in question to remain.

This exclusion will be used when the Sub-Committee retires for its deliberations.

**5. HEARING PROCEDURE**

- 5.1. ~~Order of Business: Each Sub-Committee will usually follow the procedure below. However, a Sub-Committee may decide to vary the order of business below if it considers it appropriate, after it has first sought and considered any views of the parties present.~~ **Order of Business: Each Sub-Committee will usually follow the procedure below. However, a Sub-Committee may decide to vary the order of business below if it considers it necessary to do so in the interests of affording the Applicant or the Respondent (in a Review Hearing) a fair Hearing or to take into account all relevant considerations. The Sub-Committee will seek and consider any views of the parties present.**
  - 5.2. The Sub-Committee will appoint a Chair for the duration of the meeting.
  - 5.3. The Chair will explain the Hearing Procedure.
  - 5.4. **The Sub-Committee will decide whether to hold the Hearing in a party's absence (if their intention to attend is unknown) or whether it would be in the public interest to adjourn to another date.**
  - 5.5. The Chair will ask all parties present to introduce themselves.
  - 5.6. **The Applicant, the Respondent (in a Review Hearing) or any other party may be represented by a friend or a professional person to speak on their behalf who will follow the same procedure as described below and those being represented may be called as a witness.**
- NB: In a Review Hearing, the Applicant will be either a Responsible Authority or an Other Person and the Respondent will be the Licence Holder.**
- 5.7. The Legal ~~Advisor~~ **Clerk** will ask if any of the parties at that point have an application to make (for example for an adjournment).
  - 5.8. The Sub-Committee will consider and decide on any applications made.
  - 5.9. **The Sub-Committee, as advised by the Legal Advisor, will consider any requests from the parties set out in their Notice of Intention form for permission for another person to appear at the Hearing. The Sub-Committee will not unreasonably withhold permission. Any such person given permission to appear is referred to as "witness" in this Procedure.**
  - 5.10. The Legal ~~Advisor~~ **Clerk** will inform the meeting whether, during any pre-meeting, the Sub-Committee sought clarification on any aspect of the application.
  - 5.11. ~~The Council's Licensing Officer (Report Author) will outline the application, any relevant representations and highlight any points relevant to the Licensing Authority's Statement of Licensing Policy and statutory guidance. Alternatively, the Licensing Officer (Report Author) may summarise the key points of the report on the agenda. present the report which details the application and relevant representations.~~ **The Council's Licensing Officer (Report Author) will outline the application, any relevant representations and highlight any points relevant to the Licensing Authority's Statement of Licensing Policy and statutory guidance. Alternatively, the Licensing Officer (Report Author) may summarise the key points of the report on the agenda. Any updates which have taken place since the report was published will also be provided at this stage.**
  - 5.12. The Sub-Committee may ask the Licensing Officer (**Report Author**) any questions in relation to the report.

- 5.13. ~~In the order listed below, Each party will present their application / representation to the Sub-Committee, including, with the permission of the Sub-Committee, presenting evidence from any witness they have brought with them.~~
- 5.14. During the Hearing, the Sub-Committee will allow the parties an equal maximum amount of time to address the Sub-Committee, but all parties should keep points relevant and the discussion moving in the interests of time, cost and efficiency. The overriding principle for the Licensing Authority will be to ensure that all parties receive a fair Hearing.
- 5.15. If a party attempts to introduce information, evidence or documentation which is not relevant to the Hearing or may constitute a data breach, the Legal Advisor will determine whether or not it should be heard. This may require an adjournment to allow the Legal Advisor to review the content in private with the party in question.
- 5.16. Presentations will take place in the following order:

<b>Review Hearings i.e. an application for a review of a premises licence or club premises certificate</b>	<b>All other Hearings</b>
1. The Applicant for the review <b>(Responsible Authority or an Other Person)</b>	1. The Applicant <b>(licence/certificate holder)</b>
2. Those who made a relevant representation in respect of the application, in this order: <ul style="list-style-type: none"> <li>a) Any <b>R</b>esponsible <b>A</b>uthorities (as defined in the Act) other than the Applicant. If more than one, in the order determined between themselves, or as decided by the Sub-Committee in the absence of an agreement.</li> <li>b) Any <b>O</b>ther <b>P</b>erson. If more than one, in the order determined between themselves, or as decided by the Sub-Committee in the absence of an agreement.</li> </ul>	2. Those who made a relevant representation in respect of the application, in this order: <ul style="list-style-type: none"> <li>a) Any <b>R</b>esponsible <b>A</b>uthorities (as defined in the Act). If more than one, in the order determined between themselves, or as decided by the Sub-Committee in the absence of an agreement.</li> <li>b) Any <b>O</b>ther <b>P</b>erson. If more than one, in the order determined between themselves, or as decided by the Sub-Committee in the absence of an agreement.</li> </ul>
3. <b>The Respondent</b> <del>(the</del> licence/certificate holder)	

- 5.17. After each party's presentation (including any evidence from witnesses) **the following will take place:**
- a) The Sub-Committee will lead a discussion on the issues raised, including asking any questions of the presenting party and/or their witnesses, and the Legal **Advisor** ~~Clerk~~ will ensure that any such requests are satisfactorily addressed; and
  - b) Each **Responsible Authority or Other Person** (in the order set out above) may, with the permission of the Sub-Committee, ask questions of the presenting party and/or their witnesses.
  - c) **The Sub-Committee may invite the Licensing Officer (Report Author) to provide clarification or technical advice on a specific point arising from a presentation. The Sub-Committee may also allow a request from the Licensing Officer (Report Author) to provide clarification or technical advice.**
- 5.18. **Although a party may ask questions of another party with the Sub-Committee's permission, that questioning should not amount to cross-examination. Cross-examination may be defined as (but is not limited to):**
- a) **Advancing one's case by putting it to witnesses from the other side and getting them to say things which support that case; or**
  - b) **Undermining the case of the other side by exposing weaknesses in the reliability and credibility of its evidence (e.g. attempting to show that a witness' account is mistaken, inconsistent or deceitful).**
- N.B: If a party wishes to cross-examine another party (or their witness), permission must first be sought from the Sub-Committee. Cross-examination will only be permitted if the Sub-Committee considers it necessary to enable it to consider the representations or application. If any party feels that it is being cross-examined where permission has not been given, this should be raised with the Chair at the Hearing. The Chair will intervene to stop cross-examination that has not been authorised.**
- 5.19. Any closing statements will be made in the same order as described in **5.16** ~~3-10~~ above. **The Chair will then ask all parties if they are satisfied that they have said all they wish to (the Licence Holder will have the last word).**
- 5.20. ~~The Sub-Committee shall retire in private for its deliberation (along with the Legal Clerk, to provide legal advice, and the Democratic Services Officer, for minuting purposes) to consider the application and other representations made, both written and oral. The Sub-Committee will be joined by the Legal Advisor (for advice on the law, evidence or procedure) and the Democratic Services Officer (for minuting purposes and procedural advice).~~
- 5.21. **If, after the Sub-Committee has withdrawn to make its decision, it decides that it needs to ask a question of any of the parties involved in the proceedings or wishes to clarify any matter then it shall do so in the presence of all parties.**
- 5.22. **Members of the Sub-Committee must be present throughout the Hearing and must not communicate with any party involved in the proceedings except for when they are in the presence of all the parties and the remainder of the Sub-Committee.**
- 5.23. When the Sub-Committee returns from its deliberations, the Legal **Advisor** ~~Clerk~~ will summarise any legal advice given during the Sub-Committee's deliberations.

- 5.24. The Sub-Committee's decision will be given by the Chair (or the Chair may invite the Legal Clerk **Advisor** to do so).
- 5.25. A full written version of the decision will be provided to all parties within the timeframe prescribed by the Act.

## SECTION B: PROCEDURE FOR VIRTUAL MEETINGS

NB. This section will only come into force if, and when, fully virtual Sub-Committee meetings are able to place.

### 6. SCOPE OF THESE RULES

- 6.1 These Rules apply specifically to Licensing Sub-Committee Hearings under the Licensing Act 2003 ('the Act') and the *Licensing Act 2003 (Hearings) Regulations 2005* ('the Regulations').
- 6.2 These Rules form part of the Council's Hearings Procedures and should be read in conjunction with the Virtual Committee Procedure Rules as well as paragraphs 9 (Declarations of Interest) and ~~47~~ **18** (Disturbance by Public) of the General Committee Procedure Rules as appropriate.
- 6.3 **When relevant and when legislation allows** these Rules will replace the ~~previously published~~ Licensing Sub-Committee (Hearings) Procedure Rules to reflect that all Licensing Sub-Committee (Hearings) **will be which are** held virtually via Microsoft Teams Live ~~until such time as it is deemed safe by the Government to hold public meetings.~~
- 6.4 In these Rules all references to "party" and "parties" is a reference to all persons to whom a Notice of Hearing must be given pursuant to Regulation 6 of the Regulations.

### 7. CONSULTATION PERIOD AND SUBMISSION OF RELEVANT REPRESENTATIONS/DOCUMENTATION

#### Consultation Period and Relevant Representations

- 7.1. The Council encourages that all representations made in relation to an application/notice be submitted by e-form on the Council's website or by e-mail to [licensing@ Crawley.gov.uk](mailto:licensing@ Crawley.gov.uk) (rather than by post or other means) to reduce the risk that they may not be received or considered by the Council. The Council's website will clearly state this.
- 7.2. As ~~all the~~ **the** Hearings ~~until further notice~~ will be held virtually through Microsoft Teams Live Event, when submitting representations/documentation parties are ~~asked~~ **required** to provide a contact email address.

#### Submission of Documentation Supporting an Application, Notice or Representation

- 7.3. All parties must use their best endeavours to submit documentation in support of their application, notice or representation which they wish to be included within the Notice of Hearing electronically to [licensing@ Crawley.gov.uk](mailto:licensing@ Crawley.gov.uk).

- 7.4. The Council encourages parties to follow these principles when drafting submissions in support of their application, notice or representation:
- a) Focus on the promotion of one or more of the four Licensing Objectives as defined by the Act.
  - b) Make reference to the relevant parts of the Council's Licensing Policy Statement and Section 182 Guidance.
  - c) Be relevant.
  - d) Be evidence-led not based on speculation.
- 7.5. Parties should endeavour to submit all additional documentation they wish to be considered by the Sub-Committee (which was not included in the Notice of Hearing) no later than 48 hours before the Hearing so that it can be circulated to all other parties. All submissions and supporting documentation/evidence should be submitted by email to [democratic.services@ Crawley.gov.uk](mailto:democratic.services@ Crawley.gov.uk).

#### **Submission of CCTV and Audio Evidence**

- 7.6. Any video evidence submitted before a Hearing which a party wishes the Sub-Committee to view should be submitted in MP4 format. Parties are asked to ensure that any recording is edited to only contain relevant matters which relate to their representation. Parties are encouraged to submit any video evidence with a description of how, when and where the video was recorded and a summary of its contents.
- 7.7. Parties should endeavour to submit any video evidence they wish to rely upon at least 72 hours before the Hearing to allow sufficient time for it to be made available to the other parties.

### **8. NOTICE OF HEARING, AGENDA DOCUMENTS, NOTICE OF INTENTION TO ATTEND AND CANCELLATION OF THE HEARING**

#### **Notice of Hearing and Agenda**

- 8.1. A Notice of Hearing (in the form of an agenda) will be sent via email to all parties at least ten clear working days before the meeting. The Notice will also be published via the Council's website in line with normal procedure. The Notice will include:
- a) Details of the date and time of the online Hearing.
  - b) The report of the Council's Licensing Officer.
  - c) The application/notice.
  - d) Any relevant representations/notices received.
  - e) Any other supporting documentation submitted.
  - f) A copy of these Virtual Licensing Sub-Committee (Hearings) Procedure Rules.
  - g) A copy of the Virtual Committee Procedure Rules.

**Notice of Intention to Attend and Request for Permission for other Persons to Attend**

- 8.2. All parties must provide written notification of the following to the Council:
- a) Whether they intend to attend or be represented at the Hearing, or whether they consider a Hearing to be unnecessary.
  - b) Whether they wish any other person (other than the person they intend to represent them at the Hearing) to appear at the Hearing and why.
- 8.3. ~~All parties wishing to participate in the Hearing must register their wish to participate and provide their own email address and the email address(es) of any representatives/witnesses they wish to speak at the meeting. This must be done by email to the Council at [democratic.services@ Crawley.gov.uk](mailto:democratic.services@ Crawley.gov.uk) within the appropriate timeframe as set out below.~~ The above information **must** be provided by completing and returning a "Parties' Notice of Intention" form via email to the Council at [democratic.services@ Crawley.gov.uk](mailto:democratic.services@ Crawley.gov.uk) within the following deadlines:
- a) For Hearings under section 48(3)(a) (cancellation of interim authority notice following police objection), or section 105(2)(a) (counter notice following police objection to temporary event notice) – **no later than one working day before the day or the first day on which the Hearing is to be held.**
  - b) For a Hearing under section 167(5)(a) (review of premises licence following closure order) **and** section 53C (review of premises licence following review notice), paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate), or paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence) – **no later than two working days before the day or the first day on which the Hearing is to be held.**
  - c) For all other Hearings, **no later than 72 hours five working days before the day (or the first day) on which the Hearing is to be held.**
- 8.4. ~~Where a party has informed the Council they neither intend to attend or be represented, the Hearing will proceed in their absence, and the decision will be taken based on the information available at the Hearing. Applicants are encouraged to attend the Hearing online although they may choose not to attend and instead allow the decision to be considered on the basis of the written representations, and for the decision to be taken based on the information available at the Hearing.~~
- 8.5. Where it is unclear whether a party (or their representative) intends to attend the Hearing, the Council will consider whether the Hearing will proceed in their absence and the decision will be taken based on the information available at the Hearing, or if it is in the public interest to adjourn the Hearing to a specified date.
- 8.6. At the Hearing, the Council will consider the application, representations or notice made by any absent party.

**In Advance of the Hearing**

- 8.7. The Sub-Committee, in discussion with the Democratic Services Officer and Legal ~~Clerk~~ **Advisor**, will decide upon a practical protocol for management of the Hearing and decision-making in an online environment (e.g. self-introduction before speaking, asking all participants to keep their microphones on mute when not speaking, etc). Such a protocol can be amended from time to time and does not require Committee approval for any change.



- 8.8. The Council will email an invitation to join the Hearing to all parties (and their representatives/witnesses) who **notified the Council of their intention to attend or be represented at the Hearing** ~~registered their wish to participate~~ within the time set out in Paragraph 8.3 ~~3.2~~ above and where an email address has been provided.
- 8.9. All parties are requested to join the Microsoft Teams Live Event meeting 15 minutes before the scheduled start time of the Hearing to ensure that communication between the Sub-Committee, officers and all parties is working correctly.

### **Cancellation of the Hearing**

- 8.10. If the application (**other than an application for review**) is withdrawn, **or all relevant representations are withdrawn**, ~~or an agreement is reached between the applicant and those who have submitted a representation~~, the Hearing will be cancelled as there will be no business to be considered. However, **relevant representations can only be withdrawn in writing more than** ~~should the withdrawal or agreement be confirmed less than 24 hours before the Hearing is due to take place.~~ **After that, the meeting will not be cancelled and any party wishing to withdraw their representation can do so at the Hearing on that basis.**

## **9. SPECIFIC LICENSING SUB-COMMITTEE (HEARINGS) RULES**

- 9.1. **Establishment of a Sub-Committee:** A Sub-Committee will only be arranged when there is a requirement for a Hearing as defined in the Act.
- 9.2. **Membership:** A Sub-Committee will consist of a panel of three Councillors drawn from a pool of four Councillors who have confirmed that they are available to attend the scheduled Hearing. (The purpose of having four is to ensure that there is a reserve Councillor available to substitute for one of the other three Councillors in the event that one of the others cannot attend due to unforeseen circumstances.) The pool of four Councillors will be drawn from the Councillors appointed to the Licensing Committee. Endeavours will be made for the Sub-Committee membership to be drawn from different political parties where possible, although this is not a requirement in law.
- 9.3. **Quorum:** The quorum of a Sub-Committee will be three.
- 9.4. **Appointment of Chair:** A Chair will be elected from the membership of the panel.
- 9.5. **Participation in the Hearing:** Members of the Sub-Committee, officers, and all relevant parties, including Applicants, Interested Parties and Responsible Authorities will be invited to join (attend) the meeting remotely via a Microsoft Teams participation feed. Such invitation links must not be shared. Microsoft Teams enables individuals to view and participate in a video-conference using a desktop computer or laptop.
- 9.6. **Officer Participation:** ~~A Council legal advisor ('Legal Clerk'), Democratic Services Officer/s (which may include a Producer) and Licensing Officer/s will usually participate in a Sub-Committee for the purposes of facilitating the meeting and providing advice on law and procedure.~~ **The following Council officers will usually attend a Licensing Sub-Committee:**
- a) **A Council Legal Advisor to provide advice on law, evidence and procedure.**
  - b) **Democratic Services Officer to co-ordinate the arrangements for the Hearing, take a record of the meeting proceedings and provide advice on procedure.**

- c) **Licensing Officer (Report Author) to present the report and provide the Sub-Committee with clarifications and technical advice.**
- d) **Where the Council has made the application or submitted a representation as a Responsible Authority, an additional Licensing Officer will attend to represent the Council (Responsible Authority).**

- 9.7. **Observation of the Hearing:** To meet the legal requirement for Hearings to be held in public, members of the press and public will be able to observe (but not participate in) the Hearing meetings online via a public feed. Councillors who are not members of the Sub-Committee must also view the meeting through the public feed rather than directly participating in the meeting.
- 9.8. **Sub-Committee Pre-Meeting:** The Sub-Committee will usually meet virtually with the Democratic Services Officer and Legal Advisor in advance of a Hearing. This pre-meeting will be held in private, and will not be streamed via the public feed. The purpose of this meeting will be to identify any matters upon which the Sub-Committee may require clarification (see Paragraph ~~5.6 — Order of Business~~ **10 - Hearing Procedure**), to ensure the Sub-Committee members have all the documentation for the Hearing, and to remind themselves of the Hearing Procedure. During any pre-meeting **no** decisions will be made and **no** discussions will take place regarding the substantive merits of the application or representations.
- 9.9. **Minutes:** The minutes of the Sub-Committee remain the responsibility of the Licensing Committee and will be brought before a minimum of ten Committee Members for their approval at a Licensing Committee meeting. Only a member of the relevant Sub-Committee is permitted to question the accuracy of the minutes. Once the minutes have been agreed, they shall be signed by a member of that Sub-Committee, which would normally be the Chair of the Panel.
- 9.10. **Procedure at the Meeting:** The procedure to be followed at Sub-Committee meetings is outlined later in these Rules.
- 9.11. **Additional Information:** When making their presentation/s, parties may only refer to the documentation/information submitted in advance of the Hearing. Additional/tabled information may only be referred to with the consent of all parties at the Hearing.
- 9.12. **Exclusion of the Public/Retiring for Deliberation:** By virtue of Regulation 14 of the Regulations, the Sub-Committee may exclude from all or part of the Hearing any member of the public and/or any other person present at the Hearing if it believes that the public interest in doing so outweighs the public interest in allowing the person(s) in question to remain. This exclusion will be used when the Sub-Committee retires for its deliberations.

## 10. HEARING PROCEDURE

It should be noted that particular reference should be made to the Virtual Committee Procedure Rules in regard to issues such as adjournments and voting procedures.

- 10.1. **Order of Business:** Each virtual meeting of the Sub-Committee will usually follow the procedure below. However, a Sub-Committee may decide to vary the order of business below if it considers it ~~appropriate~~ **necessary to do so in the interests of affording the Applicant or the Respondent (in a Review Hearing) a fair Hearing or to take into account all relevant considerations. The Sub-Committee will seek and consider any views of the parties present.**

- 10.2. At the commencement of the meeting the Democratic Services Officer will seek nominations for a Chair for the duration of the meeting.
- 10.3. The Chair will make reference to this Hearings Procedure.
- 10.4. **The Sub-Committee will decide whether to hold the Hearing in a party's absence (if their intention to attend is unknown) or whether it would be in the public interest to adjourn to another date.**
- 10.5. The Chair will ask all parties present to introduce themselves.
- 10.6. **The Applicant, the Respondent (in a Review Hearing) or any other party may be represented by a friend or a professional person to speak on their behalf who will follow the same procedure as described below and those being represented may be called as a witness.**  
  
**NB: In a Review Hearing, the Applicant will be either a Responsible Authority or an Other Person and the Respondent will be the Licence Holder.**
- 10.7. The Legal ~~Clerk~~ **Advisor** will ask if any of the parties have an application to make at that point (for example for an adjournment).
- 10.8. The Sub-Committee will consider and decide on any applications made.
- 10.9. **The Sub-Committee, as advised by the Legal Advisor, will consider any requests from the parties set out in their Notice of Intention form for permission for another person to appear at the Hearing. The Sub-Committee will not unreasonably withhold permission. Any such person given permission to appear is referred to as "witness" in this Procedure.**
- 10.10. The Legal ~~Clerk~~ **Advisor** will inform the meeting whether, during any pre-meeting, the Sub-Committee sought clarification on any aspect of the application.
- 10.11. ~~The Council's Licensing Officer (Report Author) will outline the application, any relevant representations and highlight any points relevant to the Licensing Authority's Statement of Licensing Policy and statutory guidance. Alternatively, the Licensing Officer (Report Author) may summarise the key points of the report on the agenda. present the report which details the application and relevant representations. Any updates which have taken place since the report was published will also be provided at this stage.~~  
**The Council's Licensing Officer (Report Author) will outline the application, any relevant representations and highlight any points relevant to the Licensing Authority's Statement of Licensing Policy and statutory guidance. Alternatively, the Licensing Officer (Report Author) may summarise the key points of the report on the agenda. Any updates which have taken place since the report was published will also be provided at this stage.**
- 10.12. The Sub-Committee may ask the Licensing Officer (**Report Author**) any questions in relation to the report.
- 10.13. ~~In the order listed below,~~ **Each party will be given 10 minutes to present their application/representation to the Sub-Committee (their written representations having been considered) including presenting evidence from any witnesses.**
- 10.14. **During the Hearing, all parties should keep points relevant and the discussion moving in the interests of time, cost and efficiency. The overriding principle for the Licensing Authority will be to ensure that all parties receive a fair Hearing.**
- 10.15. **If a party attempts to introduce information, evidence or documentation which is not relevant to the Hearing or may constitute a data breach, the Legal Advisor will determine whether or not it should be heard. This may require an adjournment to allow the Legal Advisor to review the content in private with the party in question.**

10.16. **Presentations will take place in the following order:**

<b>Review Hearings of an application for a review of a premises licence or club premises certificate</b>	<b>All other Hearings</b>
1. The Applicant for the review <b>(Responsible Authority or an Other Person)</b>	1. The Applicant <b>(licence/certificate holder)</b>
2. Those who made a relevant representation in respect of the application, in this order:  a) Any <b>Responsible Authorities</b> (as defined in the Act) other than the Applicant. If more than one, in the order determined between themselves, or as decided by the Sub-Committee in the absence of an agreement.  b) Any <b>Other Person</b> . If more than one, in the order determined between themselves, or as decided by the Sub-Committee in the absence of an agreement.	2. Those who made a relevant representation in respect of the application, in this order:  a) Any <b>Responsible Authorities</b> (as defined in the Act). If more than one, in the order determined between themselves, or as decided by the Sub-Committee in the absence of an agreement.  b) Any <b>Other Person</b> . If more than one, in the order determined between themselves, or as decided by the Sub-Committee in the absence of an agreement.
3. <b>The Respondent</b> <b>(the licence/certificate holder)</b>	

10.17. After each party's presentation (including any evidence from witnesses) **the following will take place:**

- a) The Sub-Committee will lead a discussion on the issues raised, including asking any questions of the presenting party and/or their witnesses, and the Legal ~~Clerk~~ **Advisor** will ensure that any such requests are satisfactorily addressed; and
- b) Each **Responsible Authority or Other Person** (in the order set out above) may, with the permission of the Sub-Committee, ask questions of the presenting party and/or their witnesses.
- c) **The Sub-Committee may invite the Licensing Officer (Report Author) to provide clarification or technical advice on a specific point arising from a presentation. The Sub-Committee may also allow a request from the Licensing Officer (Report Author) to provide clarification or technical advice.**

- 10.18. Although a party may ask questions of another party with the Sub-Committee's permission, that questioning should not amount to cross-examination. Cross-examination may be defined as (but is not limited to):
- a) Advancing one's case by putting it to witnesses from the other side and getting them to say things which support that case; or
  - b) Undermining the case of the other side by exposing weaknesses in the reliability and credibility of its evidence (e.g. attempting to show that a witness' account is mistaken, inconsistent or deceitful).
- N.B: If a party wishes to cross-examine another party (or their witness), permission should first be sought from the Sub-Committee. Cross-examination will only be permitted if the Sub-Committee considers it necessary to enable it to consider the representations or application. If any party feels that it is being cross-examined where permission has not been given, this should be raised with the Chair at the Hearing. The Chair will intervene to stop cross-examination that has not been authorised.
- 10.19. Any closing statements will be made in the same order as described in 5.16 ~~3-10~~ above. The Chair will then ask all parties if they are satisfied that they have said all they wish to (the Licence Holder will have the last word).
- 10.20. The Sub-Committee's deliberations will take place without the parties, other participants, the press, and members of the public being able to hear or see those deliberations. At this point in the Hearing the live public feed will end and deliberations to consider the application and other representations made will take place by way of a separate virtual meeting between the Sub-Committee members, the Legal Clerk Advisor ~~(to provide legal advice)~~ (for advice on the law, evidence or procedure) and the Democratic Services Officer (for minuting purposes and procedural advice).
- 10.21. If, after the Sub-Committee has withdrawn from the virtual meeting to make its decision, it decides that it needs to ask a question of any of the parties involved in the proceedings or wishes to clarify any matter then it shall do so in the presence of all parties. The Democratic Service Officer will attempt to reconvene the virtual meeting but, failing this, all parties will (with the main decision notice) be informed of any clarification questions which have been asked by the Sub-Committee (separate to the main Hearing) and the answers which were provided in response.
- 10.22. Members of the Sub-Committee must be present throughout the virtual hearing and must not communicate with any party involved in the proceedings except for when they are in the (virtual) presence of all of the parties and the remainder of the Sub-Committee.
- 10.23. The summary decision and reasons will be sent via email to all those who have provided the Democratic Services Officer with a valid email address in advance of the Hearing.
- 10.24. A full written version of the decision will be provided to all parties within the timeframe prescribed by the Act.

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Crawley Borough Council

**Minutes of Planning Committee**

Wednesday, 6 March 2024 at 7.30 pm

**Councillors Present:**

S Pritchard (Chair)

M Mwangale (Vice-Chair)

Z Ali, J Charatan, K Khan, Y Khan and A Nawaz

**Officers Present:**

Valerie Cheesman                      Principal Planning Officer

Siraj Choudhury                      Head of Governance, People & Performance

Jess Tamplin                          Democratic Services Officer

**Apologies for Absence:**

Councillors J Bounds, K L Jaggard and S Mullins

**Absent:**

Councillor M Morris

**1. Disclosures of Interest**

The following disclosures of interests were made:

<b>Councillor</b>	<b>Item and Minute</b>	<b>Type and Nature of Interest</b>
Councillor Ali	Tree Preservation Order Application CR/2023/0510/TPO – Woldhurstlea Wood, Buckswood Drive (Trees to Rear of 40 Tintern Road), Gossops Green (minute 4)	Personal interest – West Sussex County Councillor for Southgate & Gossops Green division.
Councillor Ali	Planning Application CR/2023/0658/FUL – 93 Downland Drive, Southgate (minute 5)	Personal interest – West Sussex County Councillor for Southgate & Gossops Green division.

**2. Lobbying Declarations**

No lobbying declarations were made.

### 3. Minutes

The minutes of the meeting of the Planning Committee held on 9 January 2024 were approved as a correct record and signed by the Chair.

### 4. Tree Preservation Order Application CR/2023/0510/TPO - Woldhurstlea Wood, Buckswood Drive (Trees to Rear of 40 Tintern Road), Gossops Green, Crawley

The Committee considered report [PES/454a](#) of the Head of Economy and Planning which proposed as follows:

1 x maple (5672) - reduce height and crown by a maximum of 2 metres to nearest suitable growth points.

1 x ash (071805) - reduce height and crown by a maximum of 2 metres to nearest suitable growth points.

1 x oak (5641) - reduce height and crown by a maximum of 2 metres to nearest suitable growth points.

Councillor Ali declared he had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought consent for works to three protected trees in Woldhurstlea Wood. It was heard that the works were not considered to harm the health of the trees and were necessary in order to maintain the trees at a manageable size and rectify overhanging of an adjacent property.

The Committee then considered the application. In response to a query from a Committee member, the Planning Officer explained that the trees had already been protected under a Tree Preservation Order, and that there had been a number of applications in the past for works to various trees in the woodland.

#### RESOLVED

Consent subject to the conditions set out in report PES454a.

### 5. Planning Application CR/2023/0658/FUL - 93 Downland Drive, Southgate, Crawley

The Committee considered report [PES/454b](#) of the Head of Economy and Planning which proposed as follows:

Retrospective application for single storey rear extension.

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

The Principal Planning Officer provided a verbal summation of the application, which sought retrospective planning permission for a householder extension to a terraced property in Southgate. 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 noted that representations from neighbours had raised concerns about the potential for the property to be used



as a house of multiple occupation (HMO) and the impact of this on parking in the area. Clarification was sought from the Planning Officer as to whether this was a consideration for the Committee. The Officer confirmed that the property's current use was as a dwelling and there was no change of use proposed, so this was not for the Committee to determine. It was explained that if a change of use was sought for a property to become an HMO which housed more than six inhabitants, a separate planning application would be required and these issues could be considered at that time. If the property were to house six or less inhabitants, a change of use application would not be required as it would be permitted development – however a water neutrality application would be required under the Habitat Regulations.

## **RESOLVED**

Permit subject to the condition set out in report PES/454b.

## **6. Section 106 Monies - Q2 & Q3 2023/24**

The Committee considered report [PES/456](#) of the Head of Economy and Planning, which summarised all the Section 106 (S106) monies received, spent and committed to project schemes in quarters two and three of the financial year 2023/24.

## **RESOLVED**

That the update on S106 monies received, spent and committed in quarters two and three of the financial year 2023/24 was noted.

### **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 7.48 pm.

**S Pritchard (Chair)**

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## Crawley Borough Council

### Minutes of Overview and Scrutiny Commission

Monday, 11 March 2024 at 7.00 pm

**Councillors Present:**

M L Ayling (Chair)

H Hellier (Vice-Chair)

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

**Also in Attendance:**

Councillors I T Irvine, A Nawaz and B Noyce

**Officers Present:**

Helen Davies	Housing Options Manager
Ian Duke	Chief Executive
Heather Girling	Democratic Services Officer
Carolin Martlew	Head of Corporate Finance
Diana Maughan	Head of Strategic Housing
Philip Morris	Sustainability Manager
Clem Smith	Head of Economy and Planning

**Apologies for Absence:**

Councillor A Pendlington

#### 1. Disclosures of Interest and Whipping Declarations

The following disclosures were made:

<b>Councillor</b>	<b>Item and Minute</b>	<b>Type and Nature of Disclosure</b>
Councillor R A Lanzer	Health & Adult Social Care Scrutiny Committee (HASC) (Minute 7)	Personal Interest – Member of WSCC
Councillor R A Lanzer	Health & Adult Social Care Scrutiny Committee (HASC) (Minute 7)	Personal Interest – WSCC Cabinet Member for Health & Wellbeing

## 2. Minutes

The minutes of the meeting of the Commission held on 29 January 2024 were approved as a correct record and signed by the Chair.

## 3. Public Question Time

No questions from the public were asked.

## 4. Second Home Council Tax Premium

The Commission considered report [FIN/648](#) of the Head of Corporate Finance. The Levelling-up and Regeneration Act came into force on 26 October 2023. The Act allowed Councils to charge higher Council Tax on properties that were defined as long term empty homes and properties that are only occupied occasionally (second homes).

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

- It was noted that the report recommended the introduction of Council Tax premiums on long term empty properties and on second homes. The wider aim was to reduce the number of empty homes and to encourage the use of properties as main residences rather than as second homes in the borough. It was therefore proposed to introduce a 100% premium on empty homes after 1 year instead of 2 years and to also introduce a second homes premium of 100% both with effect from 1 April 2025.
- Acknowledgement that the additional charge was intended to encourage owners to bring properties back into use and could boost the supply of properties in the borough.
- It was commented that given the housing emergency declaration in February 2024, together with the Council's financial pressures the report was welcomed in an attempt to meet both objectives.
- Clarification was sought and obtained regarding the penalties that would exist for any potentially fraudulent claims. It was recognised that the Council had a variety of information available to assist in fraud prevention and undertook visits to confirm the information held against properties, together with credit searches and further involvement from the Council's Fraud Investigation Team where required.

### **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

## 5. Climate Emergency Action Plan Update

The Commission received an update on the Climate Emergency Action Plan from the Cabinet Member for Environment, Sustainability and Climate Change, the Head of Economy and Planning and the Sustainability Officer. It had been agreed that following the completion of the Climate Change Scrutiny Panel, and the previous Climate Emergency Action Plan Update, that the Overview and Scrutiny Commission would receive regular updates on the Climate Emergency Action Plan. (Presentation attached as Appendix A to the minutes).

The following main points were noted during the discussion:

- Acknowledgement that the Council had declared a Climate Emergency in 2019 and following this and the subsequent Climate Change Scrutiny Panel, the formal Climate Emergency Action Plan was adopted by Cabinet in November 2021.
- Recognition that there were many significant pathways to achieving net zero and local authorities were only responsible for a small percentage of direct emissions, and yet influence was required in other areas to achieve specific targets.
- Details were provided as to the implementation of the action plan and the challenges faced. These included ensuring the monitoring systems and decision making tools were embedded throughout the Council, together with the introduction of carbon emissions training. It was added that the main current challenge was identification of sources of funding. Whilst significant progress had been made, there was an urgent need to remain committed to delivery task prioritisation.
- It was noted that the Council's climate commitment included scope 3 emissions (from procured goods and services) and this was the biggest risk to achieving climate commitments. The highest direct emission percentage derived from K2 Crawley, followed by other Council assets. In order to complete heat decarbonisation further information and clarity would be required on capital investment and various government funding streams as it was acknowledged that retrofitting various sites was costly. It was noted however, that the new town hall building was extremely efficient and being supplied by the DHN which made this a significant opportunity for the town and would assist in attracting clients to the town hall.
- The action plan would be refreshed to focus on delivery, trends of decarbonisation and also link to service plans. It would also identify dependencies outside the Council's control. The action plan would be brought forward to OSC and Cabinet via a report in the autumn.
- Acknowledgement that procurement played a key role in reducing carbon dioxide emissions through the supply chain, which included construction projects, manufacturing of goods and services. It was important to work with partners to reduce carbon emission throughout the supply chain and the Procurement charter was being updated to include decarbonisation in decision making.
- It was noted that there had been an implementation delay with regards to waste and green infrastructure. It was hoped that the changes to be implemented as a result of the National Waste Strategy would increase recycling and reduce waste. Recognition that currently the lack of grid capacity and funding streams proved challenging in procuring new (electric) fleet vehicles and as a result alternative fuel sources were being investigated such as HVO.
- Clarity obtained that there were several actions relating to Crawley Homes, in particular retrofitting various properties. Carbon emissions from individual properties were not considered direct emissions from the Council, but did contribute to borough-wide emissions.
- Further information was provided on sequestration of carbon. There was a need to investigate decarbonisation first prior to successful sequestration and offsetting and further options were being explored.
- Recognition that there was a need to encourage and influence behaviour change and the Council should be leading on this. Regular communications on climate and home heating were already taking place, but a strategy for communications and engagement was important to align channels and messaging to influence staff, as well as externally with residents and stakeholders. It was felt the joint working with partners and other councils would assist this further. Furthermore, there may be a link with the Waste and Recycling Scrutiny Panel and communications to residents.

## RESOLVED

That the update be noted, with the views and actions expressed being acknowledged and documented by the officers.

## 6. Homelessness Update

The Commission considered report [CEX/067](#) of the Chief Executive. As a result of the costs being attributed to housing and in particular temporary accommodation, at the meeting on 29 January 2024 the Commission felt that it would be beneficial to receive a detailed report on the rising costs and data attributing to these factors.

During the discussion with the Cabinet Member for Housing and Chief Executive, the Commission raised a number of queries. The issues raised and key responses included:

- Homelessness was one of the biggest issues facing the Council and the report was welcomed in providing additional information on this matter.
- Acknowledgement that the current scale of the predicament facing the borough as well as others across the country was unsustainable.
- Commission members were updated that much groundwork had taken place within the sector in anticipation of the budget announcement. Partnership working continued with other authorities and the District Councils Network around the Housing Benefit Subsidy (the government contribution to the Council meeting its statutory duty) as the amount had been frozen since 2011.
- There had been marginal measures to assist the Council as a result of the budget, including increasing the cap from 40% to 50% on the percentage of the cost of a replacement home that can be funded from Right to Buy (RTB) receipts. It was noted that RTB sales had declined over the last few years and reforms had recently been proposed to the RTB scheme with suggestions that councils maintain a degree of local determination in the application of RTB policy which would allow discretion within the scheme.
- Following the Notice of Motion in February 2024, the Leader and Cabinet Member for Housing had written to various government departments to urge them to take decisive action following the housing emergency declaration. Concerns raised included the Housing Benefit Subsidy, additional housing pressures arising from asylum contingency dispersal (following the same principles as agreement for the Chagossians Overseas Territories Citizenship scheme), along with the impact of water neutrality. It was queried whether there was a need to campaign more openly and highlight the consequences should the housing issue not be addressed.
- Concerns were raised over the growing demand and constricted supply of housing, with the inevitable result of cost increases, which also impacted on other Council services. It was recognised that over the last several years, approximately 1600 affordable and social houses have been built and whilst water neutrality had impacted this, longer term housing development was key.
- Acknowledgement that the budget for 2024/24 showed a predicted new cost of £5.25m, however this was very much dependent on the success and delivery of mitigations being developed and delivered. Trends, costs and acquisitions were continually being explored however the risk factors were harder to predict.
- Clarity provided regarding the Water Neutrality Strategy that provided mechanisms for circumventing the issue. The current Crawley Homes retrofitting had come from the HRA and assisted the progression of housing development.
- Confirmation provided that population growth was a consideration and the Local Plan set out the figures and housing needs for the borough over the next 15 years. The Council would need to be using Duty to Cooperate with other authorities in order to meet its wider housing need.

## **RESOLVED**

That the update be noted, with the views and actions expressed being acknowledged and documented by the officers.

## **7. Health and Adult Social Care Scrutiny Committee (HASC)**

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

South East Coast Ambulance Service Update –

- Nationally, ambulance services had remained in a challenged position throughout 2023, which had transitioned into 2024. The Trust had operated, at times, at its highest levels of escalation. Despite these pressures and following the national focus by NHS England on category 2 ambulance response times, the Trust's category 2 performance remained positive and on track to hit the 30 minutes mean target for the year, 2023-24.
- Overall, the Trust had improved its response times when compared to August/September 2023 and the Trust's positioning when benchmarked against ambulance services across England. However, was acknowledged that Trust response times were below the national Ambulance Response Programme targets.
- Emergency call answering had also been a significant challenge to the Trust and it was noted that maintaining the workforce at the Trust's "West" Emergency Operations Centre in Crawley was challenging due to Gatwick Airport and the service industries that support it. Options were being investigated to improve call times.

University Hospitals Sussex NHS Foundation Trust –

- There was a review of the previously considered Adult Social Care's self-assessment in preparation for Care Quality Commission (CQC). Within that self-assessment document were a number of areas for improvement.
- The improvement programme was being delivered during a period of significant challenge, which included the need to support NHS partners in the facilitation of discharging patients from hospital, as well as manage increased demand for adult social care. Workforce recruitment and retention issues remained key, as well as independent and voluntary sector providers, with the fragility in the care market together with increasing prices across the whole care sector.
- Ongoing management oversight of the capacity required had been planned and resourced for the improvement programme during the remainder of 2023/24 and throughout 2024/25.

Performance and Resources Report – Adult Services

- The report had been designed to reflect the priorities, outcomes and measures included in the Council Plan.
- Work had continued this quarter to drive forward the two-year Adult Social Care Improvement Programme, which commenced in April 2023 and had been informed by work undertaken throughout 2022/23 to design models of care and support that were focussed on users of adult social care services.
- The performance for each area was highlighted including pressures and actions for ongoing work.

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

It was noted that this was the last OSC meeting of the municipal year. The reports that were listed on the Forthcoming Decision List for the late June 2024 meeting included:

1. Financial Outturn 2023-2024 (Quarter 4)
2. Treasury Management Outturn 2023-2024
3. Crawley Borough Local Plan 2023-2040

**Closure of Meeting**

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 8.20 pm

**M L Ayling (Chair)**



## Climate emergency action plan: update for OSC

11 March 2024

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1

## Proposed Agenda

- Introduction
- Action plan performance
- Impact of action plan – emissions reduction
- Proposed changes to the current plan

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## Introduction

- Climate Emergency Declaration
  - Approved by Cabinet: Jul 2019
  - Carbon emissions reduction commitments (direct and supply chain emissions)
    - at least 50% reduction by 2030
    - net zero by 2040 at the latest
- Climate Emergency Board and Action Plan
  - Approved by Cabinet: Nov 2021

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3

## Action plan performance

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4

## Overarching actions

- 14 cross-cutting actions relating to the overall delivery of climate commitments (5 complete)

	- Design and adopt action plan
	- Establish Board
	- Establish monitoring and decision-making tools and embed them in council practice
	- Climate awareness training
	- Identify sources of funding

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## Use of Energy

- 29 actions relating to energy efficiency and reduction in gas consumption (7 complete)

	- Phase 1 of District Heat Network completed, decision on Phase 2 imminent.
	- Energy audits of building stock completed, carbon reduction plan in progress.
	- Roll-out of cloud-based computing and efficient devices completed.
	- Sustainable development criteria in local plan
	- Phase out of gas boilers.
	- Linking retrofit to planned maintenance.
	- Investing in Solar PV and battery storage

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## Transport and Procurement

- 19 actions relating to measuring and reducing in travel and supply chain emissions (2 complete)

	- Hybrid working has reduced staff travel.
	- County-wide EV charging strategy is underway but roll-out is slower than anticipated.
	- Update to staff travel plan and travel policies needed.
	- Supply chain emissions are hard to measure. Procurement charter is being updated to embed decarbonisation in decision making.

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## Waste and Green infrastructure

- 18 actions relating to waste reduction and enhancing Crawley's natural spaces (4 complete)

	- New conservation strategies being developed to reduce environmental impact of parks management. Tree strategy adopted, Climate mitigation and adaptation strategies being developed.
	- Government waste strategy due for implementation in 2025 will increase recycling rates and reduce waste.
	- New diesel refuse collection fleet procured (grid capacity and funding prevented alternatives). HVO (Biofuel) being investigated.
	- Communication and engagement strategy needed to help public understand approaches to conservation.

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## Impact of action plan – emissions reduction

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## Categorising Emissions

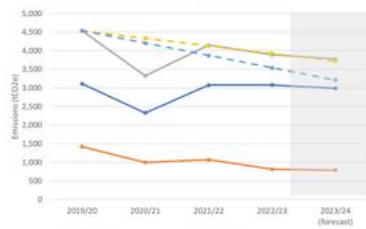
- **Scope 1**
  - Direct emissions from use of gas, diesel and petrol (7%, approx. 3,000 tonnes CO<sub>2</sub>e)
- **Scope 2**
  - Emissions from electricity (5%, approx. 1,000 tonnes CO<sub>2</sub>e)
- **Scope 3**
  - Purchased goods and services (mainly construction, but also contractor transport and staff commute; 88%, approx. 31,000 tonnes CO<sub>2</sub>e)
  - Most UK local authorities have not made commitment for reducing scope 3.

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## Emissions reduction (direct emissions)



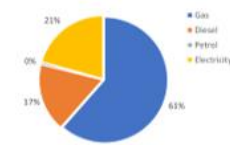
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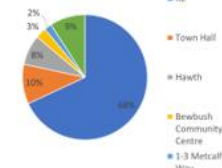
11

## Direct emissions: analysis

CBC scope 1 and 2 emissions 2022



CBC Gas consumption by site



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## Direct emissions: action

- Urgent need for quality data and heat decarbonisation plans to unlock grant funding.
- Grant funding could provide 70% of capital expenditure
  - Public Sector Decarbonisation Scheme announced for 2024
  - Suggested targets for grant application to be delivered in 2025/26

Site	Capital cost	Grant funding (to be bid for)	CBC Contribution (to be proposed)
K2	£5,000,000	£3,500,000	£1,500,000
Retrofit for other priority sites (Depots and community centres)	£2,000,000	£1,400,000	£600,000
<b>Total</b>	<b>£7,000,000</b>	<b>£4,900,000</b>	<b>£2,100,000</b>

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## Proposed changes to the current plan

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## Action plan refresh proposal

- Focus on delivery
  - Clear, targeted objectives,
  - Direct link to service action plans
  - Identifying Assumptions and dependencies
  - Owned by Climate Emergency Board
- Target for presentation to OSC and Cabinet: October 2024

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## Proposed action plan: Scope 1

<b>Proposed Target</b>	- 90% reduction by 2030 (net zero)		
<b>Priorities</b>	Improve data quality	Buildings: Eliminate gas consumption	Transport
<b>Delivery</b>	- Automatic Meter Reading roll-out and bureau service	- Heat decarbonization through Energy Action Plan	- Electric vehicle programme - Bio fuel / HVO (short term)
<b>Assumptions / dependencies outside our control</b>	- Grant funding (Public sector decarbonisation scheme or similar) - Grid capacity (strategic engagement needed with UKPN)		

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## Proposed action plan: Scope 2

<b>Proposed Target</b>	- 50% reduction in emissions by 2030			
<b>Priorities</b>	Energy efficiency	Electrification of heat	Strategic engagement with UKPN	Local generation and storage
<b>Delivery</b>	LED lighting, insulation, IT strategy	- Heat decarbonisation and electrification of heat through Energy Action Plan - 50% increase in electricity consumption by 2030	- Completion of Local Area Energy Plan or similar - Early submission of connection applications	Target 1,000 kW rooftop solar and battery storage
<b>Assumptions / dependencies</b>	- Grid decarbonisation - Grid capacity			

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## Proposed action plan: Scope 3

<b>Current Commitment</b>	- 50% reduction by 2030, net zero by 2040		
<b>Priorities</b>	Supply chain emissions	Staff behaviour	Consumption and waste
<b>Delivery</b>	- Procurement charter to include consider emissions - Tools to identify impact of decision making on emissions	- Training and awareness - Staff travel plan (update to current plan)	- Training and awareness - Circular economy approaches
<b>Assumptions / dependencies outside our control</b>	- Grid decarbonisation - Contractors reducing their emissions		

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## Supporting strategies needed

- Communications and engagement
  - New strategy planned for June 2024.
  - Carbon literacy training.
- Sequestration and offsetting
  - Needed to drive invest in green spaces, offset residual emissions and reduce risk of 'carbon tax' liability.
- Borough wide emissions
  - District heat network is most significant opportunity.
  - Transport remains key challenge.

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## Conclusions

1. Significant progress made, but urgent need for delivery task prioritisation to stay on track.
2. Pathways to net-zero are clear for CBC's direct emissions, but many external dependencies.
3. Scope 3 emissions are greatest risk for current climate commitments.

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## Crawley Borough Council

### Minutes of Audit Committee

Tuesday, 12 March 2024 at 7.00 pm

#### Councillors Present:

J Millar-Smith (Chair)

J Charatan (Vice-Chair)

I Ashraf, H Hellier, J Russell and S Sivarajah

#### Also in Attendance:

Elizabeth Jackson                      Partner, Ernst & Young

Mr Ul Haque                                Independent Member to the Audit Committee

#### Officers Present:

Vicki Basley                                Chief Accountant

Siraj Choudhury                          Head of Governance, People & Performance

Carolin Martlew                          Head of Corporate Finance

Mez Matthews                              Democratic Services Officer

Anna Pedlow                                Corporate Performance Manager

#### Apology for Absence:

Councillor T G Belben

#### 1. Disclosures of Interest

No disclosures of interests were made.

#### 2. Minutes

The minutes of the meeting of the Audit Committee held on 21 November 2024 were approved as a correct record and signed by the Chair subject to the following bullet point being added to the discussion points raised under Minute 7 (Internal Audit Progress Report):

- “Noted that, whilst checking sign-off from the Legal department on any agreement with vendors had not been reviewed in the Contract Management Audit, that procedure would be incorporated into future audits concerning vendor management.”

### 3. Public Question Time

No questions were asked by members of the public.

### 4. Questions Asked in Advance of the Meeting

A significant number of questions had been submitted by the Committee in advance of the Committee meeting. The Chair advised that, for openness and transparency, those questions, along with any responses, had been published in a supplementary agenda via report [LDS/218](#) of the Head of Governance, People & Performance.

### 5. Auditor's Annual Report for the Year Ended 31 March 2022

The Committee considered report [FIN/651](#) which had been submitted by Ernst & Young, the Council's External Auditors.

The Committee noted the questions submitted by the Committee in advance of the meeting which were detailed in report [LDS/218](#) of the Head of Governance, People & Performance and contained within the Supplementary Agenda. In response to the outstanding advance questions (advance question number is shown in brackets) the Committee noted that:

- The National Audit Office (NAO) was still processing the 2021/22 Accounts and it reserved the right to ask questions regarding a Council's Accounts work. Although it was not anticipated that the NAO would raise questions of Crawley Borough Council's Accounts (due to the Council's size) the Certificate could not be issued until the NAO had confirmed as such (Question 1).
- EY did look at the recognition of grants to ensure that the terms and conditions of a grant had been met (Question 5).
- As a standard test, right up until the date in which an Audit Report was given, EY considered the risk of cut-off errors for expenditure at year-end (Question 6).
- As part of closing the current year-end, new processes would be introduced including a robust timetable and a more advanced spreadsheet model to improve the verification processes (Question 7).
- The cyber security training was now up to date. The training was a rolling programme for all Councillors and Council staff (Question 8).

#### RESOLVED

That the Auditor's Annual Report for the year ended 31 March 2022 be received and noted.

### 6. Value for Money Interim Report: Year Ended 31 March 2023

The Committee considered report [FIN/652](#) which had been submitted by Ernst & Young, the Council's External Auditors and gave its opinion on value for money as it currently stood. The Committee was informed that the Auditor's Annual Report for this period was expected to be brought to the September 2024 Audit Committee meeting.

The Partner for EY assured the Committee that no significant weaknesses had been identified in the work to date and that the processes were considered robust. Where financial risks to the Council had been identified, EY was satisfied that the Council was doing everything from an arrangements perspective to underpin that. Internal Audit had also provided reasonable assurance for the year and the Council's draft Financial Statements had been published within the required timeframe.

The Committee noted the questions submitted by the Committee in advance of the meeting which were detailed in report [LDS/218](#) of the Head of Governance, People & Performance and contained within the Supplementary Agenda.

## RESOLVED

That the Value for Money Interim Report: Year Ended 31 March 2023 be received and noted.

## 7. Accounting Policies 2023/24 and 2024/25

The Committee considered report [FIN/649](#) of the Head of Corporate Finance which requested that the Committee consider and approve the Accounting Policies that would be applied to the Statement of Accounts for 2023/24 and 2024/25.

The Committee's attention was drawn to the outstanding questions submitted by the Committee in advance of the meeting which were detailed in report [LDS/218](#) of the Head of Governance, People & Performance and contained within the Supplementary Agenda. In response to those questions (advance question number is shown in brackets) the Committee noted that:

- The Council had been an early adopter of the IFRS-16 which would bring "right of use" assets onto the balance sheet (Question 11).
- The two accounting policies which were relevant to financial assets measured at fair value through profit and loss related to the financial instrument notes. Those referred to investments, namely gilts and the shared equity the Council had in some residential properties. For those items the value could change during the year and as such they were valued at market value at year-end, (Question 12).

The Chair informed the Committee that the Audit Committee had previously received information on IFRS-16 as the Council was aware that would be coming forward.

## RESOLVED

That the Committee:

1. Confirm it is satisfied with the adequacy of the Accounting Policies set out as Appendix A to report FIN/649.
2. Approve the Accounting Policies set out as Appendix A to report FIN/649 be applied to the 2023/24 and 2024/25 Financial Statements.

## 8. Internal Audit Progress Report

The Committee considered report [FIN/653](#) of the Head of Corporate Finance. The purpose of the report was to update the Committee on the status of 'live' internal audit reports, the progress against the Annual Audit Plan and provide a summary of internal audit as well as any significant issues which might impact the annual audit opinion.

The Head of Corporate Finance presented the report on behalf of Southern Internal Audit Partnership (SIAP), the Council's Internal Auditors.

The Committee's attention was drawn to the outstanding questions submitted by the Committee in advance of the meeting which were detailed in report [LDS/218](#) of the Head of Governance, People & Performance and contained within the Supplementary Agenda. The Head of Corporate Finance informed the Committee that they did not have the information available to answer those questions (namely questions 15-20), and as such responses would be sought from SIAP and published in the Councillors' Information Bulletin.

Several members of the Committee commented that the responses provided to some of the advanced questions gave reassurance on the concerns raised. It was suggested that if reassurance was given via additional commentary within future reports, fewer queries would be raised by the Committee. The Head of Corporate Finance agreed to ask SIAP to consider including such commentary in future reports. The Committee noted that it would be provided with additional training in the new municipal year, whereby SIAP would explain its processes to the Committee.

Following a query from the Committee it was confirmed that the management action for the Contract Management Audit, namely to review the Contracts Register, had been completed and the Register would be reviewed on a quarterly basis going forward.

It was questioned whether completed Audit reports could be distributed to the Committee or whether another option, such as Committee members having access to those reports on request, would be more appropriate. The Chair agreed to liaise with Democratic Services further on that point.

### **RESOLVED**

That the report be received and that the progress to date, as at 31 January 2024, be noted.

## 9. Internal Audit Charter 2024/2025

The Committee considered report [FIN/654](#) of the Head of Corporate Finance which presented the Internal Audit Charter 2024/2025 to the Committee in accordance with the requirements of the Public Sector Internal Audit Standards.

The Head of Corporate Finance presented the report on behalf of Southern Internal Audit Partnership (SIAP), the Council's Internal Auditors.

The Committee's attention was drawn to the outstanding questions submitted by the Committee in advance of the meeting which were detailed in report [LDS/218](#) of the Head of Governance, People & Performance and contained within the Supplementary Agenda. The Independent Member, who had raised those outstanding questions



(namely questions 21-23), raised concerns about the independence of the Internal Auditors and the involvement of the Corporate Management Team (CMT) as the Charter stated that CMT were engaged in “approving the Internal Audit Charter (minimum annually); and approving the risk based Internal Audit Plan”. He emphasised that CMT should not be involved in the approval of the Audit Plan. In response, the Head of Corporate Finance reassured the Committee that SIAP operated independently and CMT’s involvement in the Audit Plan referred mainly to the scope and timing of audits to ensure they were built around the workload of the service area. The Chair drew the Committee’s attention to the section of the Charter which detailed the “Independence and Objectivity” of the Internal Auditors. After further discussion it was agreed that the wording in the Charter was misleading and the word “approving”, in reference to CMT’s involvement in the finalising of the Internal Audit Charter and Internal Audit Plan, should be replaced with the word “agreeing”.

## **RESOLVED**

That the Internal Audit Charter 2024-25 (attached as Appendix A to report FIN/654) be approved subject to the word “approving”, in reference to CMT’s involvement in the finalising of the Internal Audit Charter and Internal Audit Plan, being replaced with the word “agreeing”.

### **10. Internal Audit Annual Plan 2024/2025**

The Committee considered report [FIN/655](#) of the Head of Corporate Finance which presented the Internal Audit Plan 2024-25 to the Committee in accordance with the requirements of the Public Sector Internal Audit Standards.

The Head of Corporate Finance presented the report on behalf of Southern Internal Audit Partnership (SIAP), the Council’s Internal Auditors.

The Committee’s attention was drawn to the outstanding questions submitted by the Committee in advance of the meeting which were detailed in report [LDS/218](#) of the Head of Governance, People & Performance and contained within the Supplementary Agenda. The Head of Corporate Finance informed the Committee that they did not have the information available to answer those questions (namely questions 25-26), and as such responses would be sought from SIAP and published in the Councillors’ Information Bulletin.

## **RESOLVED**

That the Internal Audit Plan 2024-25 (as attached as Appendix A to report FIN/655) be approved.

### **11. Risk Management Update**

The Committee considered report [LDS/216](#) of the Head of Governance, People & Performance which asked the Committee to review the action taken by the Corporate Management Team (CMT) and staff to mitigate Strategic Risks.

The Corporate Performance Manager presented the report and in doing so advised:

- That the Head of Housing Strategic Services had agreed that the current risk score (no controls) for Risk 4: Homelessness should be raised to 25 to provide consistency with the risk score (no controls) associated with the Climate emergency previously declared by the Council.
- That, due to a typographical error, the risk score (post mitigation) of 15 for Risk 15: Cost of Living should be replaced with a score of 12.

The Committee's attention was drawn to outstanding question 29 submitted by the Committee in advance of the meeting which were detailed in report [LDS/218](#) of the Head of Governance, People & Performance and contained within the Supplementary Agenda. That question cited a news article where another Council had made payments to vendors with limited due diligence and asked whether Crawley Borough Council (CBC) had considered that risk. The Head of Corporate Finance was not aware that CBC had been exposed to that risk but was of the view that the news article should be brought to the attention of CMT for it to consider whether the risk should be added to the Risk Register. The Committee agreed that the matter should be drawn to the attention of CMT and noted that an email on the outcome of CMTs discussion would be sent to the Committee.

## RESOLVED

1. That the Committee confirm it is satisfied with the risk management arrangements.
2. That the Corporate Management Team be requested to review the news article cited in question 29 of report LDS/218 (Questions Asked in Advance of the Meeting) and consider whether to add a risk on "payments being made to vendors with limited due diligence" to the Risk Register.

## 12. Frequency of Reports

The Committee was advised that the Chair and Vice-Chair of the Committee had been in initial discussion with officers about the possibility of reducing the frequency at which both the Fraud and Investigation Team report and the Risk Management Update were brought before the Committee given that the Audit Committee agendas were often quite full. It was recognised that both those reports provide updates on areas of importance.

The Chair explained that, before the scheduled Audit Committee in July 2024, they, along with the relevant Heads of Service, Democratic Services Officer and Vice Chair would come to a solid, well-thought through proposal for a way forward, which allowed for exception reporting when necessary. Any proposed change would be brought to the Committee for its approval.

It was emphasised that this was being brought to the Committee's attention for its information only and the Committee would have an opportunity to express its views if any proposed change in frequency was brought before a future meeting.

Following a query from the Committee regarding lengthy agendas, the Head of Governance, People & Performance recognised that reviewing complex financial data electronically could be challenging and therefore hard copies of Audit papers relating to such financial data would be provided to Committee members on request. The

Committee noted however that the Council was promoting a paperless approach to Committee documents and therefore reports which did not fall within that category would continue to be provided electronically only. The Head of Governance, People & Performance advised the Committee that should they require a paper copy of Committee papers for disability or medical reasons they should contact him directly.

### 13. **Approval of RIPA (Regulation of Investigatory Powers Act 2000) Policy and Update on Usage of RIPA**

The Committee considered report [LDS/217](#) of the Head of Governance, People & Performance which advised the Committee of the recent inspection by the Investigatory Powers Commissioner's Office regarding RIPA Authorisations, provided information on the usage of RIPA during 2021-23 and sought the Committee's approval of the reviewed Council Policy on RIPA.

The Committee noted that, due to a clerical error, reference to "Chichester District Council" in the third paragraph of section 9.12 of the RIPA Policy should be replaced with "Crawley Borough Council".

At the request of the Committee, it was agreed that an additional provision be included in the revised Policy on RIPA to ensure that the relevant Cabinet Member was informed when it has been agreed that RIPA powers be approved for use within their service area.

Following queries from the Committee the following was confirmed:

- That the Council's RIPA procedures accorded with General Data Protection Regulation (GDPR), human rights, and other relevant legislation.
- That covert surveillance would only be used by the Council when it was not possible to obtain the necessary information via any other means.
- That the Council would be required to comply with any Order imposed by the Magistrates Court.
- The training arrangements for those officers who could look to use RIPA powers.

### **RESOLVED**

That the Committee:

1. Note the outcome of the recent inspection.
2. Note the usage of RIPA during 2021-2023.
3. Approve the reviewed Council Corporate Policy and Procedural Guidance Document on RIPA as attached as Appendix A to report LDS/217 subject to the following amendments:
  - i) That reference to "Chichester District Council" in the third paragraph of section 9.12 of the RIPA Policy be replaced with "Crawley Borough Council".
  - ii) That an additional provision be included to ensure that the relevant Cabinet Member is informed when it has been agreed that RIPA powers be approved for use within their service area.

**Closure of Meeting**

With the business of the Audit Committee concluded, the Chair declared the meeting closed at 8.31 pm

**J Millar-Smith (Chair)**

## Crawley Borough Council

### Minutes of Cabinet

Wednesday, 13 March 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

**Officers Present:**

Ian Duke	Chief Executive
Chris Pedlow	Democracy & Data Manager
Clem Smith	Head of Economy and Planning

**Apologies for Absence:**

Siraj Choudhury	Head of Governance, People & Performance
Carolin Martlew	Head of Corporate Finance

**1. Disclosures of Interest**

The following disclosures of interests were made:

<b>Councillor</b>	<b>Item and Minute</b>	<b>Type and Nature of Disclosure</b>
Councillor Nawaz	Enhanced Shop Front and High Street Improvement Programme (Minute 6)	Disclosable Pecuniary Interest – As he rents an unit on a Council’s own neighbourhood parade.

## 2. Minutes

The minutes of the meeting of the Cabinet held on 31 January 2024 were approved as a correct record and signed by the Leader.

## 3. Public Question Time

There were no questions from the public.

## 4. Matters referred to the Cabinet and Report from the Chair of the Overview and Scrutiny Commission

It was confirmed that no matters had been referred to the Cabinet for further consideration.

## 5. Second Home Council Tax Premium

The Leader of the Council presented report [FIN/648](#) of the Head of Corporate Finance. The Levelling-up and Regeneration Act came into force on 26 October 2023. The Act allows Council's to charge higher Council Tax on properties that are defined as long term empty homes and properties that are only occupied occasionally (second homes). The additional charge is intended to encourage owners to bring properties back into use and could boost the supply of properties in 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 [11 March 2024](#), which included:

- Noting it was proposed to introduce a 100% premium on empty homes after 1 year instead of 2 years and to also introduce a second homes premium of 100% both with effect from 1 April 2025.
- The additional charge was intended to encourage owners to bring properties back into use and could boost the supply of properties in the borough.
- Clarification was sought and obtained regarding the penalties that would exist for any potentially fraudulent claims. It was recognised that the Council had a variety of information available to assist in fraud prevention.

Councillor Crow was invited to speak on the item, and in doing made a number of comments that included he was of the view that the proposed approach was the right way forward for dealing with the empty properties.

Councillors Irvine, C Mullins, Noyce, S Mullins and Rana, all spoke in support of the recommendation as part of the discussion on the report.

**RESOLVED**

## RECOMMENDATION 1

That Full Council be recommended to:

- a) approve a Premium of 100% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) after 1 year, instead of two years from 1 April 2025;
- b) approve the application of a premium for dwellings Occupied Periodically (Second Homes) charged at 100% (twice the current Council Tax Amount) from 1 April 2025;
- c) delegate authority to the Head of Corporate Finance (Section 151 Officer) to implement this Council's policy on premiums in line with statute and any subsequent guidance issued by the Secretary of State following the outcome of the consultation (Appendix A of report FIN/648) which recommends exceptions to the second homes premium in certain circumstances.

## Reasons for the Recommendations

The Council declared a housing emergency at the Full Council meeting on 21 February 2024. The aim of introducing a council tax premium on long term empty homes and second homes is to reduce the number of empty homes within the Borough and to encourage the use of premises as main residences by local residents rather than second homes.

## 6. Enhanced Shop Front and High Street Improvement Programme

*Councillor Nawaz had an interest for this item, so left the room and took no part in the debate.*

The Leader presented report [PES/455](#) of the Head of Economy and Planning. The report included proposals to launch an enhanced Retail / Shop Front improvement grants programme. Local independent retailers / small businesses will be able to apply for a grant in order to boost the appearance of their retail unit premises and / or their business operation in Crawley town centre retail units or in one of Crawley's neighbourhood parades. The grants programme fit with the "Town Centre Renewal" strategic priority of the Crawley "One Town" Economic Recovery Plan 2022-2037" in support of the development of a "dynamic business growth" hub in the Town Centre. The Economic Recovery Plan was consulted on in spring 2021 and adopted as a policy by the Council in November 2021.

Councillor Crow was invited to speak on the item and made a number of comments that included recording his support for the scheme and the related criteria.

Councillors Irvine, Rana, S Mullins and Y Khan all spoke as part of the discussion on the report. It was confirmed to the Cabinet, following a request for clarification, that the Improvement Programme, would be available to any independent shops and retail units such as pharmacies, include those on non-Council owned parades as long as they meet the proposed criteria.

## RESOLVED

That the Cabinet:

- a) approves the relaunch of the previously named Retail Improvement Grant Scheme as the Shop Front and High Street Improvement Programme and the assessment process as set out in section 5.1 of this report.
- b) allocates £70,000 of high street improvement funding from the government to the relaunched Shop Front and High Street Improvement Programme and to combine that funding with £58,000 of residual monies from the West Sussex Business Rates Pool to establish the Shop Front and High Street Improvement Programme.
- c) delegates authority to the Head of Economy and Planning, in consultation with the appropriate Cabinet Member, to review and make minor amendments to the Shop Front and High Street improvement Programme as further changes to legislation are introduced or following any review. (Generic Delegation 7 will be used to enact this recommendation).
- d) requests that the Head of Governance, People & Performance to amend the Council's Constitution to reflect any minor changes arising from the decision.

## Reasons for the Recommendations

To strengthen the ability for the relaunched Shop Front and High Street Improvement Programme to support the growth of independent retailers and small businesses in Crawley by improving the attractiveness and relevance of the programme to the needs of those businesses.

To enable the relaunched Shop Front and High Street Improvement Programme to strengthen the visual appearance of Crawley's neighbourhood parades and parts of Crawley town centre in order to enhance footfall and economic vibrancy.

## Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 7.41 pm

**M G JONES**  
Chair



# Agenda Item 7

## Full Council

27 MARCH 2024

### NOTICE OF MOTION – SUPPLY AND AFFORDABILITY OF SOCIAL HOUSING

*Mover Councillor Crow and Seconder Councillor Millar-Smith*

#### **This Council notes:**

At the meeting of the Full Council in July 2022, the following petition was submitted under the Petition Scheme, signed by over 1,000 Crawley residents.

*“We need truly affordable, publicly owned homes for Crawley people. We, the undersigned, are appalled at Crawley Borough Council’s decision to charge council tenants so-called affordable rents at the maximum 80% of the market rate. This policy is causing unnecessary hardship and must be scrapped. Instead, we call upon the Council to borrow the money to build council houses at rents comparable to existing stock and use housing cooperatives to reduce the cost.”*

It was presented and after discussion, it was agreed to note the petition and for councillors to be provided with information relating to the charging levels for affordable rents, which was subsequently done.

#### **This Council further notes:**

Since July 2022, we have seen increased housing costs for all tenures, including for council tenancies charged at social and affordable rent levels.

At the February 2023 meeting of the Full Council, the following items occurred:

- The annual budget was passed, with it being highlighted how exceptionally high temporary housing accommodation costs would become financially unsustainable for the council.
- A motion declaring a Housing Emergency for Crawley was passed with unanimous support.
- A written question was submitted and answered, which showed that in 2023, only 37 new Council homes were delivered, which was lower than in previous years.

#### **This Council resolves to:**

1. Following the declared Housing Emergency declared for Crawley, fully explore all options with renewed vigour, including borrowing and using housing co-operatives, to maximise both the delivery and the speed of delivery, of new social housing for Crawley.

# Agenda Item 7

2. Increase the rate of lobbying to all those who could potentially positively influence the outcome, to resolve the water neutrality restrictions that is negatively impacting the delivery of new housing in Crawley, and wherever possible, present a united cross-party approach in doing so.
3. To assist with affordability for future tenants, seek learning from other local authorities, including London boroughs such as Kensington and Chelsea, to see how more affordable rents for new properties can be realistically set at the lowest possible amount within the 50-80% range that is national policy.
4. Bring back a report to the Overview and Scrutiny Commission in 2025, to report back on social housing delivery during 2024, including what efforts and progress the council has made with regard to the first three resolutions of this motion.