

## Crawley Borough Council

### Minutes of Full Council

Wednesday, 27 March 2024 at 7.30 pm

#### **Councillors Present:**

J Hart (Mayor)

K Khan (Deputy Mayor)

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

#### **Also in Attendance:**

Mr Russell Brown and Mr Peter Nicolson

#### **Officers Present:**

Siraj Choudhury	Head of Governance, People & Performance
Ian Duke	Chief Executive
Heather Girling	Democratic Services Officer
Chris Pedlow	Democracy & Data Manager

#### **Apologies for Absence:**

Councillor K L Jaggard and M Morris

#### Absent:

Councillor D M Peck

#### **1. Disclosures of Interest**

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

#### **2. Minutes**

The minutes of the meeting of the Full Council held on 21 February 2024 were approved as a correct record and signed by the Mayor.

#### **3. Communications**

The Mayor then provided the Full Council with a brief update on the Mayoral events attended since the last meeting which included commemorating the invasion of Ukraine with many members of the Ukrainian community and other residents of Crawley, as well as welcoming HRH The Duchess of Edinburgh at Manor Green

College. Last week the fountains in Queens Square were switched back on with a large crowd in attendance, particularly children.

Cabinet Member Councillor S Mullins provided the Full Council with further context to their Cabinet Member announcements, as contained within the [Supplementary Agenda](#) (Order Paper).

#### 4. Public Question Time

Questions asked in accordance with Council Procedure Rule 9 were as follows:

Question	Response
<p><i>Mr Burnham - (Bewbush)</i></p> <p>The Council recently declared a Housing crisis. Therefore, is it not the case that any idea to resolve or relieve the housing crisis should be supported and implemented?</p> <p>Supplementary Question – As everyone knows, in July 2022 I submitted a petition ‘stop affordable housing, borrow money to build council housing at council rents using housing cooperatives’. Unfortunately the Council did not vote for this. Since then, I have given up on this petition itself, and asked Leaders of both parties to meet with me to get the petition issue put forward and voted upon. This is being put forward via the notion of motion and I hope everyone supports this.</p>	<p><i>Councillor Irvine (Cabinet Member for Housing)</i></p> <p>Yes. Any measures that come forward to increase our housing stock would be welcomed and investigated but we would have to wait for those to come forward. If there is a viable proposition, then it would be considered.</p>

#### 5. Recommendation 1: Review of the Constitution

The Full Council considered report [LDS/215](#) of the Head of Governance, People and Performance. Councillor Lamb as the Chair of Governance Committee introduced the report which recommended 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 changes would ensure consistency and that the Constitution remained transparent and accessible.

The recommendations were seconded and supported by Councillor Crow.

## RESOLVED

That the Full Council approves that:

- a) 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.
- b) The Licensing Sub-Committee (Hearings) Procedure Rules be amended as set out in the Appendix to the [minutes](#) of the Governance meeting 5 March 2024.
- c) 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).”

## 6. Recommendation 2: Second Home Council Tax Premium

The Full Council considered report [FIN/648](#) of the Head of Corporate Finance. The Leader of the Council presented the report and the recommendation. It was noted that 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 were only occupied occasionally (second homes). The additional charge was intended to encourage owners to bring properties back into use and could boost the supply of properties in the borough, whilst also assisting in providing additional money for other council services.

The recommendations were seconded and supported by Councillor Irvine.

Councillors Crow, Burgess and Jones also spoke on this item.

## RESOLVED

That Full Council:

- a) Approves 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) Approves 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) Delegates 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.

## 7. Notice of Motion - Supply and affordability of Social Housing

The Full Council considered the [Notice of Motion – Supply and Affordability of Social Housing](#) – as set out on page 71 of the agenda.

The Motion was moved and presented by Councillor Crow, who in doing so gave further explanation of the reasoning behind the Motion, which had followed the submission of a petition in July 2022 and the Full Council’s resolution declaring a housing emergency in February 2024. It was seconded and supported by Councillor Millar-Smith.

Councillor Jones moved and presented [Amendment 1](#) to the Notion of Motion (as shown in the Supplementary Agenda), along with a verbal amendment for accuracy purposes which replaced Natural England as a ‘Government department’ with a ‘non-departmental public body sponsored by DEFRA’. The amendment was seconded by Councillor Irvine.

A single debate occurred on both the recommendation and the proposed amendment. Councillors Lanzer, S Mullins, Charatan, Burgess, Nawaz, C Mullins, Mwangale, Lamb and Millar-Smith all spoke during the debate.

Councillor Crow used his right to reply on the proposed Amendment and on what had been debated.

The Mayor then called for a vote on the proposed Amendment in respect of Notice of Motion 1 – Supply and Affordability of Social Housing, which was carried by 20 votes in favour, 0 against and 13 abstentions.

The Mayor then called for a vote on the substantive Notion of Motion – Supply and Affordability of Social Housing (as amended), which was carried unanimously.

### **RESOLVED**

That the Full Council notes that:

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. It was also noted that at the time of the meeting, only 4% of Crawley Homes stock was charged at the higher affordable rate, a percentage which remains broadly the same at the current date.

That the Full 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 which can be directly attributed to the delays caused by the additional planning restrictions on water neutrality imposed on the Borough by Natural England, a non-departmental public body sponsored by DEFRA.

That the Full 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.
2. Notes the plans being brought forward by the Labour administration at Crawley Borough Council for approximately another 500 council and affordable homes anticipated to be delivered over the forthcoming two years of the next council.
3. Notes the failure of the national Conservative Government (a) to adequately support social and council housebuilding in the UK, (b) their lack of action and active attempts to suppress the replacement of housing stock lost to councils and (c) their continuing failure to respond to unsustainable levels of expenditure being incurred by councils such as Crawley on temporary accommodation costs by refusing to unfreeze housing benefit subsidy from 2011 levels.
4. 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.
5. To assist with affordability for future tenants, continue to share information and best practice with other local authorities, 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.
6. Request 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 five resolutions of this motion.

## 8. Councillors' Questions Time

Name of Councillor asking Question	Name of Cabinet Member Responding
<p><i>Councillor Hellier to the Cabinet Member for Leisure and Wellbeing</i></p> <p>Supplementary question to written question - Thank you for your response. I just wanted to seek clarification that the site is going to remain for use by children because the response mentions 'development of the site'.</p>	<p><i>Councillor C Mullins, Cabinet Member for Leisure and Wellbeing</i></p> <p>The site is still being used by children as there is a nursery using the facility and there isn't the intention to change that. However the site itself has limits on its popularity and development. There was an approach by a tennis association for Paddle Tennis but that did not come forward. I cannot guarantee the site will remain purely for children's use as the site needs a use that will be beneficial and work, particularly as there are now the 2 main centres within the town. It is not the intention to close the site, but we want to investigate all options and consider all proposals and consult local councillors and residents.</p>
<p><i>Councillor McCarthy to the Cabinet Member for Planning and Economic Development</i></p> <p>With the recent news that Marks and Spencer is the latest shop to leave Crawley town centre, how does the current administration score its performance on preventing the loss of high profile retailers?</p> <p>Supplementary question – What actions specifically are in the pipeline to make the town centre more desirable?</p>	<p><i>Councillor Nawaz, Cabinet Member for Planning and Economic Development</i></p> <p>It is sad news for the town and a great loss for the town centre. I can't say I agree with the decision, but it is one that Marks and Spencer have made based on what they believe to be the most profitable business model for them in the future. We will work with Employ Crawley to help any members of staff who do not wish to be transferred to another store and we will continue to invest in improving in the town centre to make it attractive for businesses and retailers.</p> <p>We will do public art, improvement grants, update shop fronts and regeneration improvements to The Boulevard, The Marlets and the Station Gateway. Whilst the majority of properties are owned by private companies we will help the owners in any way we can to find a suitable replacement tenant in the current building. Vacancy rate in Crawley town centre is 11% which is below the national average (which is 14%). Recent data from Town Centre BID shows that Crawley is outperforming the</p>

	neighbouring towns. With BA Holidays and Varian moving into the town it is hoped this will attract further businesses and retailers to the town.
<p><i>Councillor Charatan to the Leader of the Council</i></p> <p>I'm aware we recently had a visit from the Home Secretary, and I understand you recently wrote to the Home Secretary and perhaps you were a little disappointed that he didn't take the time to speak to you following the borough housing emergency?</p>	<p><i>Councillor Jones, Leader of the Council</i></p> <p>It is tremendously disappointing, and that in the midst of a housing crisis where councillors have unanimously declared a housing emergency one of the ministers who is directly accountable for attributing to the pressures on the borough visits the town announcing policy issues and yet fails to engage on the most serious issue facing the borough. This was apparently a ministerial visit and yet neither the council nor the Safer Crawley Partnership were notified. The Home Office still has 3 asylum contingency hotels within the borough, and this is a further reduction in the nightly paid accommodation available to the council, resulting in out of town temporary accommodation and impacts on council finances. A discussion with the Home Office would have been beneficial.</p>
<p><i>Councillor Mwangale to the Cabinet Member for Leisure and Wellbeing</i></p> <p>This question is regarding the deterioration of the facilities at K2 Crawley. It is unacceptable that one of the women's showers has been out of action since summer 2023, another since before Christmas and a third just last week. Not to mention, there is a lack of hot water in the other showers. They are filthy and I'm not even sure when the changing rooms were last cleaned. Furthermore, there is broken equipment in the gym, which is not only an inconvenience but also a health concern as four of the machines today were out of order. The water fountains keep breaking and the ground floor one is out of order. Please can you kindly confirm what specific steps will be taken to improve the facilities and services for the benefit of the community? And how will you ensure the improvements are carried out in a timely and cost effective manner?</p>	<p><i>Councillor C Mullins, Cabinet Member for Leisure and Wellbeing</i></p> <p>The cleaning regime is the responsibility of Everyone Active but I'm not sure about all the equipment. The cleanliness is important and should be a high standard. We do need people to report issues to us to ensure they are rectified. I have made a note of all these that you mention, and I will speak to the officers, investigate and try to resolve.</p>
<p><i>Councillor Pritchard to the Cabinet Member for Environment, Sustainability and Climate Change</i></p>	<p><i>Councillor Noyce, Cabinet Member for Environment, Sustainability and Climate Change</i></p>

<p>I have noticed a significant improvement in the pathway following my question at the last Full Council regarding the pathway behind the Snooty Fox which runs along the Gatwick Stream. A lot of rubbish has been cleared on the riverbank. However there is a lot of fencing that needs repairing or replacing and there is a lot of mud on the pathway, and I've seen in other areas where measures have been taken to mitigate the mud. Please can you kindly provide an update on whether you will be able to do anything about these issues?</p>	<p>The Patch Teams have been out and the pathway has been cleared. The Patch Teams do wonderful work all over the town. The riverbanks were difficult areas to get to safely, but the waterworks team were able to address that. They are aware of the fence and looking at options to either repair or replace it in the near future. With regards to the muddy ground, it is an issue probably due to usage, and it would be beneficial to mitigate the concerns. I'll update you when I have further information on that issue.</p>
<p><i>Councillor Crow to the Chair of the Overview and Scrutiny Commission</i></p> <p>We're now at the end of the council year and all the Scrutiny meetings have taken place. One of the key things Scrutiny does is to act as a critical friend to the Cabinet and seek to add value. What do you feel over the last year where the Overview and Scrutiny Commission has most added value to a Cabinet decision?</p>	<p><i>Councillor Ayling, Chair of the Overview and Scrutiny Commission</i></p> <p>I think that the Overview and Scrutiny Commission scrutinises all parts of the council and we do a good job of all items that come through at committee, such as homelessness and parking. I can come back to you on other items that have been scrutinised and added value.</p>
<p><i>Councillor Russell to the Cabinet Member for Housing</i></p> <p>At the last Full Council, I did receive confirmation on the process for the Bristol Close housing consultation and it's clear from the outcome that we are a listening council. As we go forward in the battle against the housing emergency, which hasn't been as a result of this council, I would ask for the Cabinet Member's reflections on how we balance the Ward interest and the borough-wide need and also how we continue to ensure local residents where there is a possibility of a development are clear about developments being put forward.</p>	<p><i>Councillor Irvine, Cabinet Member for Housing</i></p> <p>I am keen on consultation, and it should be taken into account along with everything else. Regarding the Bristol Close consultation, we could have taken the decision that following the consultation the application would go to Planning Committee, but that would have only prolonged the process. Having reviewed the feedback the comments being made were realistic. We will look at any improvements from that process for the future. As Cabinet Member it's important to look at what's best for the town as a whole and there are only a few sites that have yet to be allocated. There will inevitably be conflict when sites are identified.</p>
<p><i>Councillor Ali to the Cabinet Member for Planning and Economic Development</i></p> <p>The Queens Square fountains have been out of action for 4 summers and cost a lot of money to repair. What more could the council have done to protect Crawley's residents' money spent on this work for example any insurance claim?</p>	<p><i>Councillor Nawaz, Cabinet Member for Planning and Economic Development</i></p> <p>We did try to progress a legal route, but it was complicated. There were two options, which was to progress that route delaying the works or ensure the fountains were working for our residents and provide a facility that the community can enjoy. When the fountains were switched on,</p>



	<p>there was a festival atmosphere. The equipment is now working and covered for the future.</p>
<p><i>Councillor Ayling to the Cabinet Member for Leisure and Wellbeing</i></p> <p>Please can you provide an update on the animal exhibitions and feeding opportunities taking place at Tilgate Nature Centre please?</p>	<p><i>Councillor C Mullins, Cabinet Member for Leisure and Wellbeing</i></p> <p>There will be opportunities coming forward. The Nature Centre is a fast developing and exciting centre with lots of new and interesting animals such as armadillo, porcupine, capybara, serval, lemur and meerkat. We have just imported some wildcats and hoping to expand further. Residents can obtain discount via myCrawley which we hope increases footfall.</p>
<p><i>Councillor Lanzer to the Leader of the Council</i></p> <p>I refer to a specific press release (11020) issued on the 19 February "<a href="#">Views sought on first phase of major town centre regeneration scheme</a>". This refers to Station Gateway and a project that Crawley Borough Council leads on. The top of the press release emphasises the town centre regeneration programme and only very much later does it reference the Crawley Growth Programme. To the casual reader it could look as though the Station Gateway is entirely a Crawley Borough Council undertaking in terms of resources and financing. Would either the Leader or Cabinet Member agree with me that it is really important from the point of view of transparency that our press releases give credit to partner organisations, especially those within the Crawley Growth Programme of which this scheme is a part, which would include Project Centre (the former Coast to Capital Local Enterprise Partnership), London Gatwick Airport, WSCC, Metrobus and the UK government. Would you acknowledge and take care that appropriate reference is made to partner organisations?</p>	<p><i>Councillor Jones, Leader of the Council</i></p> <p>I can assure Councillor Lanzer that there is no intention to understate any of our partners involvement in any our worthy projects and regeneration programme. I would be surprised if WSCC press office had not been liaised with over the draft press release, but I will speak to our Communications Team and confirm going forward for the future. We've had many joint projects and no intention to downplay any involvement from partners to make the borough a better place to live.</p>
<p><i>Councillor Sivarajah to the Cabinet Member for Public Protection</i></p> <p>Is spiking of drinks a serious problem in the town following the Home Secretary's announcement and if not, do you know why he decided to make the announcement here?</p>	<p><i>Councillor Y Khan, Cabinet Member for Public Protection</i></p> <p>The Home Secretary's visit seems mainly linked to the 'Clear, Hold, Build' project, which is Home Office initiated. As the Cabinet Member and Chair of Safer Crawley Partnership we have a green rating for engagement with others.</p>

The town does not really have a spiking problem and information and guidance has been provided to premises across the town. The council works with licensing team, Police and premises when any issue is reported.

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

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

**RESOLVED**

That the following reports be received:

- Governance Committee – 5 March 2024
- Planning Committee – 6 March 2024
- Overview and Scrutiny Commission – 11 March 2024
- Audit Committee – 12 March 2024
- Cabinet – 13 March 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 9.36 pm

**J Hart (Mayor)**

## **Appendix A Disclosures of Interest Received**

<b>Councillor</b>	<b>Item and Minute</b>	<b>Meeting</b>	<b>Type and Nature of Disclosure</b>
Councillor Jones	Review of the Constitution (Order of Business for the Annual Meeting of the Full Council)  (Minute 4)	Governance Committee  5 March 2024	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.
Councillor Ali	Tree Preservation Order Application CR/2023/0510/TP O – Woldhurstlea Wood, Buckswood Drive (Trees to Rear of 40 Tintern Road), Gossops Green (minute 4)	Planning Committee  6 March 2024	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)	Planning Committee  6 March 2024	Personal interest – West Sussex County Councillor for Southgate & Gossops Green division.
Councillor R A Lanzer	Health & Adult Social Care Scrutiny Committee (HASC) (Minute 7)	Overview and Scrutiny Commission  11 March 2024	Personal Interest – Member of WSCC
Councillor R A Lanzer	Health & Adult Social Care Scrutiny Committee (HASC) (Minute 7)	Overview and Scrutiny Commission  11 March 2024	Personal Interest – WSCC Cabinet Member for Health & Wellbeing
Councillor Nawaz	Enhanced Shop Front and High Street Improvement Programme (Minute 6)	Cabinet  13 March 2024	Disclosable Pecuniary Interest – As he rents an unit on a Council's own neighbourhood parade.

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