



Crawley Borough Council

Notification of Decisions

To: All Councillors

The decisions of the **Cabinet** held on **6 November 2024** are attached.

The Call-In period ends at noon on the 5th day following publication, namely noon on the 12 November 2024.

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

Yours faithfully

A handwritten signature in black ink, appearing to be "J. A.", written in a cursive style.

Chief Executive

Published on 7 November 2024

Item No.	Title	Decision
6.	Crawley Town Centre Business Improvement District (BID) Renewal	<p>RESOLVED</p> <p>That the Cabinet:</p> <ol style="list-style-type: none"> 1) notes the achievements and impact of the Town Centre BID during its first term (2019-2024). 2) agrees the proposal to support the renewal of the Town Centre BID and that the Council will vote ‘Yes’ in favour of the BID and, by doing so, agree to pay the levy on those rateable hereditaments owned by the Council which are located in the BID area, as listed in Appendix A of report PES/469. The cost to the Council to be included within future years budgets if the renewal ballot is successful. 3) requests the Leader of the Council, as the nominated representative, to cast the ‘YES’ vote in respect of the Council’s eligible hereditaments in the BID boundary area. 4) approves that the Chief Executive, as Returning Officer and Ballot holder, should hold a ballot for the Town Centre BID renewal. 5) approves that the Head of Governance, People and Performance be authorised to complete the necessary legal agreements required for the BID levy operation together with any other relevant documentation for the proposed BID renewal. 6) agrees that the Council continues to perform the role of billing authority for a further five years, collecting the BID levy on behalf of the Town Centre BID, subject to the BID securing renewal. <p>Reasons for the Recommendations</p> <ol style="list-style-type: none"> a) Since the outcome of the ballot for the Town Centre BID’s initial term permitted a maximum five-year period to 31 March 2025, a renewal ballot for a second term is required amongst Town Centre levy payers to determine whether the majority wish for the Town Centre BID to continue for a further five years. Cabinet is therefore asked to agree to the Town Centre BID’s renewal proposal.

		<p>b) The Council also needs to determine whether it wishes to continue to undertake the role of billing authority, collecting the BID levy on behalf of the BID (subject to legal agreement).</p> <p>c) The BID (England) Regulations 2004 require the Council as ‘billing authority’ to instruct the ballot holder to hold the renewal ballot. The ballot holder is the person the relevant billing authority has appointed under section 35 of the Representation of the People Act 1983 (a) as the Returning Officer for elections to that authority i.e. the Chief Executive.</p> <p>d) Given the Council owns 20 rateable property hereditaments within the Town Centre BID area (with a rateable value of more than £10,000) it will be required to pay a BID levy for those properties (except for 7 properties leased to tenants that are liable for the BID levy) should the BID be renewed for a second term. Details of these hereditaments and their respective liabilities are shown in Appendix A and in paragraphs 6.2.3 to 6.2.5 of report PES/469. This entitles the Council to vote during the period of the BID ballot as a levy payer.</p> <p>e) The Council is required to ensure that the process associated with BID renewal and the operation of the Town Centre BID during a second term (subject to a ‘Yes’ vote) is undertaken in accordance with the BID (England) Regulations 2004.</p>
<p>8.</p>	<p>Crawley Leisure Contract: Contract Extension</p>	<p>Exempt Paragraph 3 <i>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</i></p> <p>RESOLVED</p> <p>That the Cabinet:</p> <p>1) notes the success of K2 Crawley and the wider portfolio of leisure facilities and the contribution these make to wider social value outcomes as set out in paragraphs 4.2 and 4.3 of report HPS/043.</p> <p>2) approves the extension of the leisure management contract with Everyone Active from 14 November 2028 to 13 November 2033 on the terms set out in paragraphs 5.8 to 5.11 of report HPS/043.</p>

- 3) authorises the Head of Corporate Finance, Head of Governance and Head of Major Projects and Commercial Services to enter into a contract variation based upon the terms set out in paragraphs 5.8 to 5.11 of report HPS/043.
- 4) approves a capital budget transfer (virement) of £957k funded from £707k Sports England grant funding and a £250k contribution from CIL (Community Infrastructure Levy) or if not available the Council's capital reserve as partnership funding toward the installation of an additional 415 kw of solar pv within the car park at K2 as set out in paragraph 5.10 of report HPS/043.
- 5) approves the appointments the contractor (up to the value stated) as detailed in paragraph 5.10 in report HPS/043, for the K2 Carport Scheme using the procurement process as detailed in paragraph 5.10 of this report.
- 6) delegates the negotiation, approval and completion of all relevant documentation in relation to that contract to the Head of Major Projects and Commercial Services, Head of Governance, People & Performance and Head of Corporate Finance, in consultation with the Cabinet Member for Leisure and Wellbeing.

The Full Council be recommended to:

- a) approve a supplementary capital estimate of £2million to provide a capital contribution of £2million to Everyone Active to remodel the health and fitness facilities at K2 Crawley as set out in paragraph 5.9 of report HPS/043 funded from the Council's capital reserve. Capital financing to be confirmed as part of the budget 2025/26 report.
- b) subject to the approval of recommendation a) above, authorise the Head of Corporate Finance to enter into a funding agreement with Everyone Active setting out the terms of the funding award of £2million to improve health and fitness facilities at K2 Crawley.

Reasons for the Recommendations

The recommendations will help to ensure the leisure facilities in Crawley remain competitive, in keeping with market expectations and support on going work to improve environmental sustainability. The recommendations will also help to ensure the Council continues to receive the current

		<p>level of management payment through to November 2033, despite an increasingly competitive and challenging commercial environment.</p>
<p>9.</p>	<p>Hawth Theatre: Options Appraisal and Contract Extension</p>	<p>Exempt Paragraph 3 <i>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</i></p> <p>RESOLVED</p> <p>That the Cabinet:</p> <ol style="list-style-type: none"> 1) approves entering into a contract extension with Parkwood Theatres from 1 February 2026 for a term of five years with the option to extend for a further five years under the terms set out in paragraphs 6.19 – 6.21 of report HPS/044. 2) authorises the Head of Corporate Finance, Head of Governance and Head of Major Projects and Commercial Services to enter into a contract variation based upon the terms set out in paragraphs 6.19 - 6.21 of report HPS/044. <p>Reasons for the Recommendations</p> <ol style="list-style-type: none"> a) The option to extend the contract with Parkwood Theatres enables the Hawth to continue as a valuable and valued service for Crawley residents. Nearly half of the visits to the Hawth are from Crawley residents and the venue offers a wider economic benefit from a variety of sources. The Hawth has also significantly grown its community and participation programmes and this option enables these to continue. b) The extension significantly reduces the revenue cost to the Council of running the Hawth. Although an improved offer could be achieved through a competitive process, an assessment from specialist consultants indicates that, given the venue size, the offer from Parkwood is at or indeed above market expectations. There is also a risk that market conditions may not be as positive when bids would be invited (in approximately 12 months) and competition is limited as a result. c) The extension secures a significant saving on the 2025/26 revenue budget. This option is the only viable

		<p>means of achieving this within the current contract period. This option continues to provide risk transfer for the Council and protects from potentially volatile market conditions and cost volatility as experienced with energy costs in recent years.</p> <p>d) The option to extend the contract secures a significantly improved revenue position while balancing the capacity and resourcing requirements for the Council. A competitive tender would be a significant resource undertaking and the negotiated option is less impactful enabling resources to be applied to other priority projects.</p>
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FORM OF NOTIFICATION OF SUPPORT FOR CALL-IN

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

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

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

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

Signatories

1. Signature of councillor calling in the decision

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Name in capitals

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2. Signature of councillor supporting the Call-In

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Name in capitals

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3. Signature of councillor supporting the Call-In

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Name in capitals

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4. Signature of councillor supporting the Call-In

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Name in capitals

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