

Crawley Borough Council

Minutes of Full Council

Monday, 16 December 2019 at 7.30 pm

Councillors Present:

R Sharma (Mayor)

S Malik (Deputy Mayor)

M L Ayling, A Belben, T G Belben, B J Burgess, R G Burgess, R D Burrett, D Crow, C R Eade, R S Fiveash, M Flack, F Guidera, J Hart, I T Irvine, K L Jaggard, G S Jhans, M G Jones, P K Lamb, R A Lanzer, T Lunnon, T McAleney, K McCarthy, J Millar-Smith, C J Mullins, M Mwagale, D M Peck, A Pendlington, J Purdy, T Rana, B A Smith, P C Smith and K Sudan

Also in Attendance:

Mr Peter Nicolson Appointed Independent Person

Officers Present:

Natalie Brahma-Pearl Chief Executive

Ann-Maria Brown Head of Legal, Democracy and HR

Chris Pedlow Democratic Services Manager

Jess Tamplin Democratic Services Support Officer

Apologies for Absence:

Councillor M W Pickett

Absent:

Councillor L M Ascough

1. Minute Silence and Tributes to Councillor Geraint Thomas

The Full Council observed a minute's silence in memory of Councillor Geraint Thomas who had sadly and suddenly passed away.

The Mayor then invited representatives from each party to pay tribute to Councillor Thomas. Councillors Lamb, R Burgess, P Smith, A Belben, Hart, Sudan, Rana, Lunnon, Guidera and the Mayor on behalf of the Council paid their respects with heartfelt and touching tributes.

2. Disclosures of Interest

The disclosures of interests made by Councillors were set out in Appendix A to the minutes.

3. Communications

The Mayor reported to the Full Council that he had recently attended the St Catherine's Hospice Tree of Light service at K2 Crawley on Sunday 8 December. It had been a moving service of remembrance at which the Mayor had paid his respects to Councillor Geraint Thomas.

4. Public Question Time

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

Questioner's Name	Name of Councillor Responding
<p>Mr Symonds (Ifield)</p> <p><i>In light of Homes England's monstrous SA101 development plan for the ancient parish of Ifield confusingly called the 'West of Ifield Plan', could the new Cabinet Member for Environmental Services and Sustainability investigate whether or not the developers are in breach of policies CH9, ENV2 and ENV3 of the Crawley Local Plan? Specifically relating to the rural fringe and buffer zone around the local green space of Ifield Brook Meadows and the local nature reserve of Willoughby Fields.</i></p> <p>Supplementary Question</p> <p><i>Is the Council aware of any relevant supplementary planning documents in preparation which might affect the Homes England SA101 Plan for the West of Ifield?</i></p>	<p>Councillor P C Smith (Cabinet Member for Planning and Economic Development)</p> <p><i>Thank you for your question. A full written response will be provided in due course. The details of your question are difficult to answer as we have not yet received any application from Homes England. Based on the vague information we do have, we expect the application in the first quarter of 2020. The majority of the site will be in Horsham and subject to Horsham District Council's planning policies. If there is any element that falls within the Crawley borough, this will be subject to the existing Crawley Local Plan until a revised version is adopted next year. The Ifield Brook Meadows area will have public protection as a Local Green Space, as put forward by Councillor Geraint Thomas in the Local Plan Working Group, which is now embedded in the Local Plan. After discussion with the Director of Homes England I can confirm that area is protected up to the Crawley boundary. Willoughby Fields is also subject to these protections but they are not quite as strong. We have supplementary planning documents in the public realm on our website and if an applicant comes to the Crawley area these documents will be applied. Some of these are due to be updated towards the end of 2020 after the adoption of the revised Local Plan.</i></p>

Questioner's Name	Name of Councillor Responding
<p>Mr Khan (Bewbush)</p>	<p>In line with the Constitution, the Mayor rejected the question as it related directly to an individual's case.</p> <p>Mr Khan was then removed from the Council chamber due to disruptive behaviour.</p>
<p>Mr Skudder (Langley Green)</p> <p><i>After a chat with the traders at the market, they haven't heard anything about future plans. I wonder if the Council is able to share any details of when the market will relocate from the current location by the bus station and if all the current traders will be relocated or if there are any other changes in the pipeline.</i></p>	<p>Councillor P C Smith (Cabinet Member for Planning and Economic Development)</p> <p><i>Thank you for your question. In 2014 when we took control of the Council there had been an attempt made to move the market from the old High Street to Queens Square – there was an outsourced arrangement with a contractor to run the market and it was a very unsatisfactory situation. So we commissioned consultants to look at the long term potential for where the market was to be located as we were in the process of regenerating Queens square and turning it into the modern clean space that it is now. In the interim we asked our Town Centre Manager Alfredo Mendes to run the market on a temporary basis without using an external contractor and it's been working like that for about three years now and it's thanks to Mr Mendes and the Economic Development team that the market is currently as successful as it is. The long term plan based on the consultant's report is to re-establish a permanent market located on Queensway. There's underground work on cabling etc to support stalls on both sides. What is currently missing is the time and money to launch a new market which is not a trivial activity. We've also got to find some officer time, but as soon as we can we will do that. It's on the town centre regeneration programme and definitely on our to-do list.</i></p>

5. Minutes

The minutes of the meeting of the Full Council held on 16 October 2019 were approved as a correct record and signed by the Mayor.

6. Items for Debate (Reserved Items)

Councillors indicated that they wished to speak on a number of items as set out in the following table:

Page no.	Committee/ Minute no. <i>(and the Group reserving the item for Debate)</i>	Subject <i>(Decisions previously taken under delegated powers, reserved for debate only)</i>	Subject <i>(Recommendation to Full Council, reserved for debate)</i>
p. 56	Cabinet 27 November 2019, (Minute 6) Conservative Group		Budget Strategy 2020/21 – 2024/25 (Recommendation 1)
p. 58	Cabinet 27 November 2019, (Minute 7) Conservative Group		Treasury Management Mid-Year Review 2019/2020 (Recommendation 2)
p. 61	Cabinet 27 November 2019, (Minute 11) Conservative Group		Submission Crawley Local Plan (Recommendation 6)

7. Minutes of the Cabinet, Overview and Scrutiny Commission and Committees

1) Moved by Councillor Malik (as the Deputy Mayor):-

RESOLVED

That the following reports be received:

- Planning Committee – 21 October 2019
- Overview and Scrutiny Commission – 4 November 2019
- Licensing Committee – 11 November 2019
- Planning Committee – 18 November 2019
- Overview and Scrutiny Commission – 25 November 2019
- Cabinet – 27 November 2019.

2) That the recommendations contained in the reports on the following matters, which had not been reserved for debate, be adopted:-

Review of the Statement of Licensing Policy Gambling Act 2005 (2020 – 2022) – Cabinet – 27 November 2019 (Recommendation 3)

The Full Council considered report [HCS/018](#) of the Head of Community Services which had previously been considered by the Cabinet on 27 November 2019 and the Overview and Scrutiny Commission on 25 November 2019.

RESOLVED

That Full Council approves and adopts the proposed revised Statement of Licensing Policy Gambling Act 2005 (2020-2022) set out in Appendix A of report [HCS/018](#).

Homelessness Review and Homelessness Strategy (2019 – 2024) – Cabinet – 27 November 2019 (Recommendation 4)

The Full Council considered report [SHAP/76](#) of the Head of Strategic Housing which had previously been considered by the Cabinet on 27 November 2019 and the Overview and Scrutiny Commission on 25 November 2019.

RESOLVED

That Full Council be recommended to approve the Homelessness and Rough Sleeping Strategy 2019 – 2024 (Appendix A to report [SHAP/76](#)) for adoption and subsequent publication.

Tenancy Strategy (2019 – 2024) – Cabinet – 27 November 2019 (Recommendation 5)

The Full Council considered report [SHAP/77](#) of the Head of Strategic Housing which had been previously considered by the Cabinet on 27 November 2019 and the Overview and Scrutiny Commission on 25 November 2019.

RESOLVED

That Full Council be recommended to request Full Council to approve the Tenancy Strategy 2019 – 2024 (Appendix A of report [SHAP/77](#)) for adoption and subsequent publication.

Extending Gigabit Ultrafast Public Fibre Connectivity – Cabinet – 27 November 2019 (Recommendation 7)

The Full Council considered report DAT/02 of the Head of Digital and Transformation which had been previously considered by Cabinet on 27 November 2019.

RESOLVED

That Full Council be recommended to approve a supplementary capital estimate up to a maximum of £2.7m in 2021/22.

8. Budget Strategy 2020/21 - 2024/25 - Cabinet - 27 November 2019 - (Recommendation 1)

The Full Council considered report [FIN/483](#) of the Head of Corporate Finance which had been previously considered by the Cabinet on 27 November 2019 and Overview and Scrutiny Commission on 25 November 2019. Councillor Lamb, as the Leader of the Council, presented the report and recommendations, which set out the projected financial position for 2020/21 to 2024/25 for the General Fund and the underlying assumptions, including working towards a balanced budget over a three year period. The report also set the policy framework for the budget process, recognising that there were a range of options for capital investment, income generation, savings and Council Tax levels; none of which can be considered in isolation.

Councillor Crow moved the proposed Conservative [amendment](#) to the Cabinet recommendation, which was seconded by Councillor Guidera. The amendment proposed kept the original recommendation unchanged but added an additional section namely:

(h) - Undertake a review of the Council's neighbourhood parade rents policy taking into account and balancing the requirements to:

- (i) Support a mixed range of trades to meet local needs*
- (ii) Ensure a sustainable and viable business presence*
- (iii) Recognise the importance of the neighbourhood parades as community assets*
- (iv) Maintain a revenue stream to support the provision of council services*

Councillors Lanzer, Lunnon, Sudan, McCarthy, McAleney, B Burgess, Jones, T Belben, Irvine, Burrett, Millar-Smith and P C Smith all spoke during a lengthy debate on both the recommendation and the proposed amendment.

Councillor Lamb used his right to reply to speak at the end of the debate and in doing so moved the recommendation which was formally seconded by Councillor P C Smith.

The Mayor then called for a recorded vote on the proposed Conservative amendment, following a request during the debate:

Voting in Favour: A Belben, T G Belben, B J Burgess, R G Burgess, R D Burrett, D Crow, C R Eade, F Guidera, K L Jaggard, R A Lanzer, K McCarthy, J Millar-Smith, M Mwangale, D M Peck, A Pendlington, J Purdy (16)

Voting Against: M L Ayling, R S Fiveash, M Flack, J Hart, I T Irvine, G S Jhans, M G Jones, P K Lamb, T Lunnon, S Malik, T McAleney, C J Mullins, T Rana, R Sharma, B A Smith P C Smith, and K Sudan (17)

Abstentions: None. (0)

The Mayor declared that the Conservative Amendment had fallen – votes in favour 16, and 17 votes against with no votes of abstentions.

The Mayor then called for the vote on the substantive Recommendation (Budget Strategy 2020/21 – 2024/25), which was carried.

RESOLVED

That Full Council approves the Budget Strategy 2020/21 to 2024/25 and

- a) notes, for the purpose of projections, the current budget surplus of £489,200 for 2020/21, on the basis of a Council tax increase of 2% which is £4.08 on a Band D in property 2020/21. This surplus is due in the main due to the extension of the four year financial settlement and the delay in the fairer funding review and unexpected New Homes Bonus. However the fair funding review and the changes to Business Rates Retention will result in future significant budget gaps which will need to be addressed.
- b) works towards balancing this over a three year period, including putting back into reserves when the Budget is in surplus which is the case in 2020/21.
- c) instructs Corporate Management Team to take action to address the long term budget gap and to identify policy options for consideration by Cabinet Members and the Budget Advisory Group, which will include areas where additional resources need to be redirected.
- d) notes that items for the Capital Programme are driven by the need for the upkeep of council assets and environmental obligations and schemes will also be considered that are spend to save or spend to earn but that such prioritisation should not preclude the initial consideration of capital projects that could deliver social value.
- e) notes that the Budget is aligned to the Council's Corporate Priorities.
- f) approves the updates to section 5.1 in the Capital Strategy in Appendix A of report [FIN/483](#).
- g) approves an increase in the capital programme of £500,000 for the purchase of an investment property as outlined in section 8.3 of report [FIN/483](#).

9. Treasury Management Mid-Year Review 2019/2020 - Cabinet - 27 November 2019 - (Recommendation 2)

The Full Council considered report [FIN/484](#) of the Head of Corporate Finance which had been previously considered by the Cabinet on 27 November 2019 and Overview and Scrutiny Commission on 25 November 2019. Councillor Lamb, as the Leader of the Council, presented the report and recommendations.

Councillors Crow, Lanzer, Lunnon, Purdy, Ayling, Jaggard and McAleney also spoke on the item. The discussion focused on the proposed change to the Council's Ethical Investment Policy, regarding companies that generate more than 10% of their revenue from the extraction of fossil fuels.

Councillor Lamb moved the recommendation which was seconded by Councillor P C Smith.

The recommendation was carried by 17 votes in favour and 16 votes against with no abstentions.

RESOLVED

That Full Council be recommended to the approval of an amendment to the Ethical Investment Policy within the Council's Annual Investment Strategy (see section 5.3 of report [FIN/484](#)).

10. Submission Crawley Local Plan 2020 - 2035 - Cabinet - 27 November 2019 - (Recommendation 6)

The Full Council considered report [PES/336](#) of the Head of Economy and Planning which had been previously considered by the Cabinet on 27 November 2019 and Overview and Scrutiny Commission on 25 November 2019. Councillor P C Smith, the Cabinet Member for Planning and Economic Development, presented report [PES/336](#) of the Head of Economy and Planning which set out the proposed submission of Crawley Local Plan 2020 – 2035 and its supporting documents, for public consultation and submission to the Secretary of State for Independent Examination.

Councillors Jaggard, McCarthy, Purdy, and Irvine also spoke on the item and the recommendation. Councillor P C Smith used his right to reply to speak at the end of the debate.

Councillor Lamb moved the recommendation which was seconded by Councillor P C Smith.

RESOLVED

That Full Council:

- a) approves the submission draft Local Plan and Local Plan Map for Publication consultation (a statutory six-week period of public consultation).
- b) approves the submission draft Local Plan for Submission to the Secretary of State for Examination by an independent Planning Inspector, subject to amendments deemed necessary following consultation and updated evidence for the purposes of clarity.
- c) notes that the final Local Plan will be brought back to Full Council following its independent examination for adoption.

11. Notice of Motion 1 - Fireworks

The Council considered the Notice of Motion 1 'Fireworks' as set out in the Full Council's agenda. The Motion was moved and presented by Councillor Guidera and seconded and supported by Councillor Crow.

During the debate Councillors Lamb, R Burgess, Mullins, P C Smith, Irvine, Rana, Jhans and Sharma all spoke in support of the Notice of Motion. Councillor Guidera used his right to reply to speak at the end of the debate.

The Mayor then called for a vote on the Notice of Motion, which was carried unanimously.

RESOLVED

That the Council:

- requires all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
- actively promotes a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- will write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- encourages local suppliers of fireworks to stock ‘quieter’ fireworks for public display.

12. Councillors' Written Questions

Councillors' written questions, together with the answers, were published in advance of the start of the meeting with the Council's Supplementary Agenda under [item 10](#).

Questions were as follows:-

Questioner: Councillor Jaggard
Addressed to: Leader of the Council
Subjects(s): Civil Enforcement Officers' patrols at Crawley's schools

Questioner: Councillor A Belben
Addressed to: Deputy Leader and Cabinet Member for Planning and Economic Development
Subjects(s): Local Planning Authority decisions and appeal statistics

Questioner: Councillor Crow
Addressed to: Deputy Leader and Cabinet Member for Planning and Economic Development
Subjects(s): Public consultation of the Three Bridges Station Forecourt Scheme

Questioner: Councillor Crow
Addressed to: Leader of the Council
Subjects(s): Rent reviews of neighbourhood parade shop tenants

13. Announcements by Cabinet Members

Cabinet Member	Announcement
Councillor Mullins (Cabinet Member for Wellbeing)	<i>I'd encourage Councillors to visit Tilgate Park to see the wonderful winter displays up there where the ice rink has</i>

	<p><i>been re-sited. There's been good footfall and it's been very successful and I want to congratulate the officers involved in putting it all together.</i></p>
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14. Questions to Cabinet Members

Name of Councillor asking Question	Name of Cabinet Member Responding
<p>Councillor Crow to the Leader of the Council</p> <p><i>Regarding the written question (item 10 of the supplementary agenda) on rent reviews – I requested statistics for 'each individual neighbourhood parade in Crawley'. Why have I been provided with overall statistics for the town and not those broken down by parades?</i></p> <p><i>I would also like to know why the total number of shops in these statistics adds up to 80, not the total 144 shops we have across all the parades. Surely all 144 shops have either been recently reviewed or are due a review.</i></p> <p><i>Finally, the answers to parts 1, 2 and 3 of the question show we are behind on the rent reviews. If only two reviews have been done this year and there are two outstanding from last year, does this not imply we need a different approach in the future?</i></p>	<p>Councillor Lamb (Leader of the Council)</p> <p><i>The question I received discussed 'rent renewals' and most of what is taking place are lease renewals which do not fall under Council revenue. This is why the total number of shops doesn't add up to 144.</i></p> <p><i>I will attain the figures per neighbourhood parade and provide you with these.</i></p>
<p>Councillor Eade to the Cabinet Member for Housing</p> <p><i>I have received a number of reports of Crawley Homes vans being parked on grass verges. What does the Cabinet Member intend to do about this?</i></p>	<p>Councillor Irvine (Cabinet Member for Housing)</p> <p><i>Thank you for bringing this to my attention. I will raise it with the Head of Crawley Homes.</i></p>

<p>Councillor T Belben to the Leader of the Council</p> <p><i>Would the Leader agree that the ability to organise e-petitions in today's multimedia world is important as they are one of the most direct ways that residents can come together to raise their concerns to the council? Why was the e-petitions scheme not operational and inaccessible to our residents for several weeks? It is currently only working in a beta form.</i></p>	<p>Councillor Lamb (Leader of the Council)</p> <p><i>IT systems require occasional improvement which sometimes leads to them being down. We will be able to receive any petition with identifiable names and addresses that are able to be checked against the electoral register, such as those via change.org.</i></p>
<p>Councillor Millar-Smith to the Leader of the Council</p> <p><i>Thank you for the answer to Councillor Jaggard's written question (item 10 of the supplementary agenda). This issue is important to a lot of people in Maidenbower. Regarding point two – the dates of the patrols – the context is important here so further information on patrols in the summer and dates of these would be helpful, as would information on penalty notices. Also information on the areas being patrolled would help us understand the big picture.</i></p>	<p>Councillor Lamb (Leader of the Council)</p> <p><i>I am unaware of the specifics but I can investigate and if the information is available, provide the Councillor with this.</i></p>

15. Questions to Committee Chairs

Name of Councillor asking Question	Name of Committee Chair Responding
<p>Councillor Burrett to the Chair of the Overview and Scrutiny Commission</p> <p><i>In regard to the Overview and Scrutiny Commission (OSC) meeting on 25 November 2019, there were a number of large items on the agenda and I attended to hear the debate. As you will see from the minutes, the meeting finished in just under an hour. There were not a great deal of</i></p>	<p>Councillor Rana – (Chair of the Overview and Scrutiny Commission)</p> <p><i>I too was surprised at the duration of the meeting. Councillors agreed beforehand that each item will be timed at 30 minutes due to the large agenda. There were few questions but the questions that were asked were answered quickly and accurately. We attained everything</i></p>

questions on some of the items and I was surprised at how the meeting panned out. In light of this, does the Chair feel the OSC is fulfilling its full remit or could it be more detailed in some of its questioning?

we wanted to know and it was a successful meeting, and I'd like to thank the Democratic Services Officer (HG) for their support in running the meeting.

Closure of Meeting

With the business of the Full Council concluded, the Chair declared the meeting closed at 9.48 pm

R Sharma (Mayor)