

Crawley Borough Council

Minutes of Cabinet

Wednesday, 13 March 2019 at 7.30 pm

Councillors Present:

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| P K Lamb (Chair) | Leader of the Council |
| M G Jones | Cabinet Member for Housing |
| A C Skudder | Cabinet Member for Resources |
| B A Smith | Cabinet Member for Public Protection and Community Engagement |
| P C Smith | Cabinet Member for Planning and Economic Development and Deputy Leader |
| G Thomas | Cabinet Member for Environmental Services and Sustainability |

Also in Attendance:

Councillor T G Belben, D Crow and K Sudan

Officers Present:

| | |
|----------------------|---------------------------------|
| Natalie Brahma-Pearl | Chief Executive |
| Ann-Maria Brown | Head of Legal, Democracy and HR |
| Chris Pedlow | Democratic Services Manager |
| Clem Smith | Head of Economy and Planning |

Apologies for Absence:

Councillor C J Mullins

1. Disclosures of Interest

The following disclosure of interests was made:

| Councillor | Item and Minute | Type and Nature of Disclosure |
|--------------------|----------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Councillor P Smith | Employment & Skills Programme 2019-2024 (Minute 6) | Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District. |

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| Councillor P Smith | Proposed Article 4 Directions for Main Employment Areas (Minute 8) | Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District. |
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2. Minutes

The minutes of the meeting of the Cabinet held on 6 February 2019 were approved as a correct record and signed by the Leader.

3. Public Question Time

There were no questions from the public.

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

The Head of Legal, Democracy and HR reported that no representations had been received in respect of agenda item 13: *Watercourse and Drainage Management Services Contract*.

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

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

6. Employment and Skills Programme 2019-2024

The Cabinet Member for planning and Economic Development presented report [PES/313](#) of the Head of Economy and Planning, which provided an update on the success of the original Employment and Skills Programme, which was started in 2016, including Employ Crawley, Town Centre Skills Academy, Crawley Developer and Partner Charter, Crawley STEMfest and that the Council has employed nine apprenticeships during the period. It was noted that Employ Crawley was seen as one of the greatest successes with over 300 residents having received support interventions. The report also presented the proposed programme going forward to 2024, including the creation of the building/ construction Skills Academy.

Councillor T Belben 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 2019, including the Commission support for the Employment and Skills Programme, especially the links with Crawley College over devising professional skills courses and the promotion of the Apprentice schemes across the Borough.

Councillors Lamb Skudder and Thomas also spoke as part of the discussion on the report.

RESOLVED

The Cabinet

- a) approves the draft Employment and Skills Programme 2019-2024 shown in Appendix A to report [PES/313](#)
- b) delegates authority to the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development to (generic delegations 5 and 7 will be used to enact this recommendation):
 - i) the final Employment and Skills Programme 2019-2024, noting and considering any responses or representations received during the present period of stakeholder consultation;
 - ii) the regular update the Employment and Skills Programme 2019-2024 to take into account the delivery details of the individual projects listed within it, as they come forward;

Reasons for the Recommendations

This report seeks Cabinet approval of the draft, revised Employment and Skills Programme 2019-2024.

7. Social Mobility Scrutiny Panel Final Report

The Chair of Social Mobility Scrutiny Panel, presented report [OSC/276](#), which contains the Social Mobility Scrutiny Panel's findings from their review into social mobility within Crawley. Councillor Sudan informed the Cabinet that the review was set up following Crawley being ranked as the worst in the South East, for social mobility by the Government's Social Mobility Commission. The Panel focused on three areas of social mobility, education, housing and employment and across its five meetings considered evidence from Head teachers, the Cabinet Member for Education and Skills at West Sussex CC, individuals from Open House and officers from the Council's Housing and Economy and Planning divisions, along with other quantitative evidence.

The key findings arising from the reviews included the need for the continuation of the Alternative Provision Service for those past the age of 16 to cover those people still in full time education, the expansion of Employ Crawley following its initial success, and where possible a 'tenure blind' approach to housing design.

Councillor T Belben presented the Overview and Scrutiny Commission's comments of support and their endorsement of the Panel's findings.

In considering the report the Councillors P. Smith, Thomas and Lamb all spoke as part of the discussion on the Panel's report. Councillor P. Smith commented that he as the Cabinet Member that was responsible for many of the areas covered by the review, that he was happy to endorse and enact the Panel recommendation that were related to his remit.

RESOLVED

The Cabinet approves:

- a) General; put forward suggestions to the Social Mobility Commission on how the social mobility index can be further improved e.g. including information about residents who have relocated out of the local authority area following periods of further education.
- b) Housing; continue to support the Council's commitment to building social housing.
- c) Housing; that consideration be given to a 'tenure blind' approach to housing design wherever possible.
- d) Employment; recognise and continue to support the good work that is taking place with the Council's Employment and Skills Plan.
- e) Employment; that, as part of the Employment and Skills Plan, consideration be given for bringing training providers together to embark upon a solution for adult learning and re-training (adult education).
- f) Employment; that, as part of the Employment and Skills Plan, further work be undertaken with the 'Information and Advice Group' (IAG) to engage with junior children and careers advice, particularly on how to access pathways.
- g) Employment; that, as part of the Employment and Skills Plan, support additional funding opportunities to expand Employ Crawley.
- h) Employment; that the Head of Legal, Democracy and HR, on behalf of the Council, give consideration to the Council becoming a Social Mobility Employer through the Social Mobility Foundation.
- i) Education; that the Leader, on behalf of the Council, request WSCC to further consider that the Alternative Provision Service continues past the age of 16.
- j) Education; that the Leader, on behalf of the Council, request WSCC to further consider that the Access and Exclusion Team resources could be involved at an earlier stage.
- k) Education; that consideration be given to incorporating careers advice into the Junior Citizen Scheme run by the Council.
- l) Education; that the Council continues to support the 'Be the Change' initiative.
- m) Education; that the Council continues to support Crawley College in building closer co-operation with local employers, to help develop skills pathways into better paid jobs for more Crawley residents.
- n) Education; that further promotion should take place with regards to Free School Meals (FSM), as this benefits both pupils and schools. Schools receive additional funding from the government for each child registered for FSM.

Reasons for the Recommendations

To address some of the concerns around the low level of social mobility within the town. These are practical steps that can be taken by the Council, and other relevant organisations, to improve the life chances of those growing up in Crawley.

8. Proposed Article 4 Directions for Main Employment Areas

The Cabinet Member for Planning and Economic Development presented report [PES/314](#) of the Head of Economy and Planning, which detailed the proposal to issue

Article 4 Directions on four key employment areas within the Borough, namely: Lowfield Heath, Maidenbower Business Park, Tilgate Forest Business Centre and the majority of the Three Bridges corridor (including Denvale Trade Park, Stephenson Way, Spindle Way). It was noted the Council had previously placed an Article 4 Direction for the Manor Royal due to it being the main employment area within the Borough.

The purpose of the use of the Article was to protect offices and other employment hubs, from being conversed to housing by permitted develop. It was stated that the problem with the use of permitted development was, firstly that no planning requirements such as minimum floor space conditions, bin stores, or infrastructure contributions such as CIL or S106 payments were required for such developments. Secondly it was significantly reducing the employment opportunities for residents of the Borough, by removing offices and thus employment venues, it meant there would be less places where people could work.

Councillors Lamb, Jones, Skudder and Thomas also spoke as part of the discussion in support of the report. Views were expressed in support of the recommendations as the use of office block conversions to housing meant unsuitable living conditions for those residents of those buildings and hindered local government by removing the funding through CIL and S106 payments to provide the required infrastructure for those properties.

RESOLVED

That the Cabinet

- a) approves the making of non-immediate Article 4 Directions under the Town and Country (General Permitted Development Order) 2015, removing the permitted development right for offices (Use Class B1a), light industrial (Use Class B1c) and storage and distribution (Use Class B8) to convert to residential (Use Class C3) for the areas outlined in bold on the plans at Appendix A. The Directions will apply to the designated main employment areas at Lowfield Heath, Maidenbower Business Park, Tilgate Forest Business Centre and the majority of the Three Bridges Corridor.
- b) delegate authority to the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development to formally confirm the non-immediate Article 4 Directions set out at 2.1(a) above following the 12 month notification period, if having fully considered all representations made during the consultation period, they are of the opinion that the Article 4 Directions should be made. (Generic Delegation 3 will be used to enact this recommendation).
- c) requests that work commences to scope the feasibility and expediency of making a Town Centre Article 4 Direction(s) and that a consideration report be brought back to Cabinet on this matter in due course.

Reasons for the Recommendations

Crawley's economy has grown by 31% since 2010, and there is strong potential for further economic growth in Crawley. Many existing companies are seeking to expand their operations, and new companies are enquiring about opportunities to locate in the borough. However, a major impediment to continued growth is that Crawley has a

very limited supply of available new business land, and the Local Plan identifies a land supply deficit of 35 hectares. Further, the borough of Crawley has lost 61,500 square metres of commercial space to residential development via permitted development rights.

In some cases, main employment areas have been undermined to such an extent by the introduction of residential uses, that the overall employment function of the designated area has been lost. Non-immediate Article 4 Directions are therefore proposed for selected main employment areas, in order to remove these permitted development rights, and protect the important economic function of these locations.

9. Irrecoverable Debts 2018/2019

The Leader of the Council presented report FIN/463 the Head of Corporate Finance, which sought approval to write-off debts to the Council that were considered to be irrecoverable and exceed the delegated limit of £50,000 per write-off. The proposed write off in excess of £50,000 totalled £465,312.38.

RESOLVED

That the Cabinet approves the write-off of the Business Rates debt of the following

| Name & Address | Reason | Total £ |
|-------------------------------------------------|-----------------------------------|-------------------|
| Genus UK Ltd 15 County Mall | Entered into CVA | 67,633.43 |
| Hhgl Ltd Homebase, Crawley Ave | Entered into CVA | 117,148.50 |
| New Mount Properties Ltd 8 & 9 Queens Square | Offshore Company Unenforceable | 164,089.55 |
| Smokin Joes Crawley Ltd 75 County Mall | Proposal to strike off | 64,348.49 |
| The Buyco Ltd Pegasus Place | In Liquidation | 52,092.41 |
| | | 465,312.38 |

Reasons for the Recommendations

The Council's Constitution necessitates amounts exceeding £50,000 requiring write off to be approved by the Cabinet.

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

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the

public be excluded from the meeting for the following item of business on the grounds that it involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

11. Watercourse and Drainage Management Services Contract (Exempt Paragraph 3)

The Cabinet Member for Environmental Services and Sustainability presented report HPS/17 of the Head of Major Projects and Commercial Services which sort approval to request delegated authority to award the Watercourse and Drainage Contract to the most advantageous (winning) tenderer and enter into a contract to progress the delivery of the service being provided within the agreed budget. The duration of the contract will be for an initial period of five years from 1st July 2019 until 30th June 2024, with an option to extend the contract for up to a further two years until 30th June 2026. The estimated value of the contract is £100,000 per annum.

RESOLVED

That the Cabinet delegates authority to the Head of Major Projects & Commercial Services in consultation with the Head of Corporate Finance, the Head of Legal, Democracy and HR, the Leader of the Council and the Cabinet Member for the Environmental Services and Sustainability to enter into a contract with the most advantageous (winning) tenderer to progress the delivery of these works and services.

The estimated value of the contract is £100,000 per annum and the contract term is for an initial period of five years commencing 1st July 2019 until 30th June 2024. The procurement will include an option to extend the contract for a further two years, subject to an acceptable performance review. (*Generic Delegation 3 will be used to enact this recommendation*).

Reasons for the Recommendations

The existing contract for Watercourse & Drainage Maintenance (Grill Clearance & Emergency Works) has provided a means of ensuring that the Council delivers on those liabilities associated with its Watercourse & Drainage Management function. The current contract expires on 30th June 2019 and the recommendation will provide continuity of service thereafter.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.08 pm

P K LAMB
Chair