

Crawley Borough Council

Minutes of Cabinet

Wednesday, 21 March 2018 at 7.30 pm

Councillors Present:

P K Lamb (Chair)	Leader of the Council
S J Joyce (Vice-Chair)	Cabinet Member for Housing
M G Jones	Cabinet Member for Public Protection and Community Engagement
C J Mullins	Cabinet Member for Wellbeing
A C Skudder	Cabinet Member for Resources
P C Smith	Cabinet Member for Planning and Economic Development
G Thomas	Cabinet Member for Environmental Services and Sustainability

Also in Attendance:

Councillor D Crow, N J Boxall, K L Jaggard and D M Peck

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal and Democratic Services
Chris Pedlow	Democratic Services Manager
Hannah Martin	Performance, Policy and Project Officer
Chris Modder	Private Sector Housing Manager
Patricia Salami	Three Bridges Programme Manager
Clem Smith	Head of Economic & Environmental Services
Nigel Sheehan	Head of Partnership Services

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 7 February 2018 were approved as a correct record and signed by the Leader.

3. Public Question Time

The Cabinet received a question from Mr Charles Crane from Bewbush, in relation to the redevelopment of the Town Hall site. He commented would there be a possibility of making available some of the key costings for the redevelopment, without affecting the tendering and other exempt aspects? In response, Councillor Lamb commented that he had been advised that he could not for reasons of commercial sensitivity, but that figures would be made public once that was no longer the case.

Mr Crane asked a supplementary question again on the redevelopment of the Town Hall site. He asked that previously it had been stated that the New Town Hall would be free in cost, but just to clarify would that mean the 'free cost' includes all the fixtures and fittings required for the new building? The Leader responded, stating that there would undoubtedly be some cost for fixtures and fittings, but than the current upkeep of maintaining and or renewing the fixtures and fittings in the current Town Hall would also amount to a significant figure. The Council would be seeking Value for Money in the project and the new Town Hall would be a better facility at a better cost for our residents

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

The Head of Legal and Democratic Services reported that no representations had been received in respect of any of the following agenda items: 13, 14, and 15: *Crawley Leisure Management Contract, Building Cleaning Service Contract Award and Telford Place Car Park Development.*

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

The comments from the Overview and Scrutiny Commission had been circulated to all Cabinet Members. Details of those comments are provided under the minute to which the comments refer.

6. Banning Orders and the Database of Rogue Landlords and Property Agents - The Housing and Planning Act 2016

The Cabinet Member for Housing presented report SHAP/073 of the Head of Strategic Housing and Planning Services to the Cabinet. The report informed Members that legislation would be coming into force in April 2018 enabling Local Authorities to pursue banning orders for a number of specified offences under the Housing Act 2004. Also coming into force at the time were powers and duties on Local Authorities to include persons on a nationally held database of rogue landlords and property agents. Cabinet noted that the report sought approval to use banning orders and make entries onto the database as laid out in the Housing and Planning Act 2016 as a tool to assist the Council in improving standards within the private rented sector.

In considering the report the Cabinet were in support of the introduction of the national database of rogue landlords and property agents as this approach should hopefully

protect our residents who rent in the private section from being take advantage of by bad landlords.

The Cabinet noted the Overview and Scrutiny Commission's comments on the report and its comments to the Cabinet following consideration of the matter at its meeting on 19 March 2018.

RESOLVED

The Cabinet

1. agrees to the use of the new powers allowing the Council to apply for banning orders, as summarised in Sections 4.1 - 4.5 of report SHAP/73.
2. agrees to the use of the new duties and powers to make entries onto the database with respect to rogue landlords and property agents, as summarised in Sections 4.6 – 4.8 of report SHAP/73.
3. delegates authority to the Head of Strategic Housing and Planning Services in consultation with the Head of Legal and Democratic Services to agree when banning orders are to be applied for on a case by case basis. (*Generic Delegation 3 will be used to enact this recommendation*).
4. delegates authority to the Head of Strategic Housing and Planning Services in consultation with the Head of Legal and Democratic Services to agree when to exercise the power to include persons convicted of a banning order offence on the database. (*Generic Delegation 7 will be used to enact this recommendation*).

Reasons for the Recommendations

The recommendations will enable the Council to utilise additional legislative powers in driving up standards within the private rented sector.

7. Three Bridges Station Improvement Scheme

The Cabinet Member for Planning and Economic Development presented report PES/280 of the Head of Economic and Environmental Services to the Cabinet, which sought Cabinet approval to commence the utilisation of the £1.5 million previously allocated from the Council's capital programme to the Station improvement scheme, so that the next detailed design phase of the scheme could be implemented and subsequently achieved. It was emphasised that the Three Bridges Station improvements had been a partnership approach between the Council and West Sussex County Council (WSCC) along with other partners such as network rail, for a wide range of improvements to the areas at as part of the Crawley Growth Programme.

The Cabinet commented how pleased they were that the scheme was finally moving forward at great pace and acknowledged the importance of the station as the first impression of the Town for many people, as they arrive into the Borough. Thus the proposed improvement can only be of benefits to our residents and the wider economy.

The Leader of the Council invited Councillor Boxall on behalf of the Maidenbower Councillors to address the Cabinet on the impact of the proposals on Maidenbower residents. Councillor Boxall commented that whilst he and his colleagues were in general support over the need for the redevelopment of Three Bridges station, there were real concerns over the traffic impact of the proposal especial on Station Hill. Councillor Boxall requested that when the further traffic surveys, studies and modelling takes place that they must capture the main morning rush hour from approximately 7.30am to 9.30am. At this time currently the traffic can already back up to the Oriel School roundabout and with the proposed changes they were concerns that this would exacerbate the traffic in Maidenbower.

Councillor Smith in response to Councillor Boxall's comments understood his concerns over the impact of traffic in Maidenbower. He confirmed he would request that the appropriate traffic management surveys take place at part during morning rush hour. Noting however that decision was partly out of his hands as that element was being undertaken by WSCC. He stated he would pass their request to the Cabinet Member for Highways and Infrastructure at West Sussex, County Councillor Bob Lanzer.

The Cabinet noted the Overview and Scrutiny Commission's comments on the report and its comments to the Cabinet following consideration of the matter at its meeting on 19 March 2018.

RESOLVED

The Cabinet approves

1. in principle, the overall design concept for the Three Bridges Station Improvement Scheme, subject to the detailed design stage.
2. expenditure of up to £675,000 from the £1.5 million previously allocated from the Crawley Borough Council capital programme for spend on the detailed design stage of the scheme as part of the Crawley Growth Programme.
3. the addition of £393,759.00 of Section 106 monies to the existing Crawley Borough Council capital programme allocation to the Three Bridges station improvement scheme as part of the Crawley Growth Programme.

Reasons for the Recommendation

The proposed scheme seeks to improve access to and exit from the station, transforming the public realm and strengthening sustainable transport connections to benefit both local residents and commuters to Manor Royal and all parts of Crawley.

On 29 June 2016, Cabinet approved the allocation of £1.5m to the Three Bridges Station Scheme (Financial Outturn 2015/16 - FIN/385). This forms part of a wider allocation of £5.4m to support the delivery of the Crawley Growth Programme, which was reported to Cabinet on 4 October 2017 PES/259. Cabinet approval for expenditure of up to £675,000 is now required in order to progress and achieve the detailed designs for the scheme and prepare a planning application submission.

Once the detailed designs are drawn up and prior to submission of a planning application, Crawley Borough Council, West Sussex County Council and partners will go out to public consultation to ensure local support for the scheme proposals and

officers will subsequently go back to Cabinet in the autumn to seek approval for the detailed designs. The current concept design is therefore subject to change.

The S106 monies referred to in section 2.2(c) were previously approved by Cabinet for use on this scheme in the report SHAP/43 dated 11 February 2015. Cabinet approval is required in order to add them to the capital programme. Furthermore, developers are often required through Section 106 planning agreements to make financial contributions towards the provision or improvement of infrastructure if a need is generated by the new developments. These monies must be spent as set out in the planning agreements and in accordance with government guidance. These monies are reported quarterly to the Planning Committee and report PES/279 identifies £393,759.00 as specific Section 106 funds to Three Bridges station.

8. Irrecoverable Debts 2017/2018

The Leader presented report FIN/436 of the Head of Finance, Revenues and Benefits. The purpose of this report was to obtain approval to write-off a debt that was considered to be irrecoverable and exceed the delegated limit of £50,000 per write-off. It was noted that a summary of debts to be written-off under delegated powers was also contained within the report. The Leader commented that he had been privy to the lengths that the finance team go to in chasing debts owed to the Council and was satisfied that it was now in the Council's best interest to write off the proposed irrecoverable debts in line with accounting best practice.

RESOLVED

That the Cabinet approves the write-off of amounts exceeding £50,000 as detailed in the table below:

Name and Address	Reason	Total £
Trustees of Emergency Aid Victory House Manor Royal	Charity in Liquidation	107,181.80
Mar City Homes Ltd Zurich House East Park	Received part payment following Court action	61,952.85
		169,134.65

Reasons for the Recommendations

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

9. To Approve Options for the Council's Insurance

The Cabinet Member for Resources presented FIN/044 by Head of Finance, Revenues, and Benefits –which sought Cabinet approval for the Council to become a founding member of a local government mutual insurance scheme. It was confirmed that becoming a member of the mutual did not restrict the Council to have to purchase its insurance from them, when its insurance needs renewing next year.

RESOLVED

The Cabinet:

1. approves the Council's participation as a Founding Member of the new Local Government Mutual.
2. nominates the Leader of the Council to be appointed as a Founding Member committee member and to oversee and make strategic decisions in respect of the Mutual's build phase activity pending trading.
3. delegates the authority to the Head of Finance, Revenues and Benefits in consultation with the Leader of the Council to approve and execute any documentation necessary to give effect to recommendation 2.1 (a) above. (Generic Delegation 8 will be used to enact this recommendation).
4. notes that a further report with a business case for utilising the mutual would come back to Cabinet when the Council's current long term agreement for insurance cover comes to an end.

Reasons for the Recommendations

Local Government Mutual aims to offer the prospect of affordable, high quality risk transfer and risk management through a mutual structure for the benefit of the local government sector. It may make a valuable contribution to sector-wide efficiencies and financial stability. Participation in the manner described above allows the Council to contribute to the establishment of the new Mutual without exposing itself to any financial or operational risk.

To confirm there is no commitment to using the services of the Mutual at this stage or in the future, unless there is a justifiable business case.

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. Crawley Leisure Management Contract

The Cabinet Member for Wellbeing presented report HPS/012 of the Head of Partnership Services which sought Cabinet approval of the final contractual requirements for the leisure management contract in order that the final tender documentation could be issued. The report also included as a part of the interim tender stage, a number of variations to the bid proposals to assess additional value. In looking at the various proposals, the Cabinet stated they wanted any options

relating to potentially converting the indoor bowls hall at K2 Crawley to be removed from the tender process.

The Cabinet noted the Overview and Scrutiny Commission's comments on the report and its comments to the Cabinet following consideration of the matter at its meeting on 19 March 2018.

RESOLVED

The Cabinet

1. notes the progress made with the Crawley Leisure Management Contract Procurement, and
2. approves the recommended options in respect of the variant bids as set out in section 6 of this report, subject to any options related to potentially converting the indoor bowls hall at K2 Crawley.

Reasons for the Recommendations

The recommendations will enable the final tender documentation to be issued.

12. Building Cleaning Service Contract Award

The Leader presented HCS/05 of the Head of Community Services, to the Cabinet which sought Cabinet approval to delegate the decision of the award of the Building Cleaning Service Contract to the Leader of the Council, in consultation with relevant Cabinet Members. It was noted that the Council's current contract expired on 31 May 2018. The Council was currently undertaking a collaborative tender process with Horsham District Council and Mid Sussex District Council for these cleaning services.

It was noted that Council had included the 'real living wage' as a requirement of the tender. It was also confirmed that an in-house bid had been costed, but that the cost was too uncompetitive and thus an in-house bid had not been submitted formally as a tender.

RESOLVED

The Cabinet, delegates the decision to award the contract for the provision of the Building Cleaning Service to the Leader of the Council, in consultation with relevant Cabinet Members, following the evaluation of the tender process.

Reasons for the Recommendations

In line with the Constitution, Cabinet would normally award any contract with a total value over £500,000. Due to tight implementation timescales and the requirement to obtain Cabinet approval from each of the authorities participating in the tender process, the report recommends that the best approach in order to meet the contract start date is to seek approval to delegate the contract award decision. Due to the contract being cross-portfolio it is recommended that the Leader of the Council makes the award decision, in consultation with Cabinet Members who have responsibilities for the buildings included within the contract.

13. Telford Place Car Park Development

The Cabinet Member for Housing presented report CH/180 of the Head of Crawley Homes which sought delegated approval to appoint a development partner and enter into a Development Agreement and progress the delivery of the scheme within the agreed budget, at Telford Place car park site. It was noted that the outline scheme mix would be approved as part of the finalisation of the Development Agreement.

RESOLVED

The Cabinet

1. approves the appointment Developer 1 as the Council's preferred partner
2. delegates authority to the Head of Crawley Homes in consultation with the Head of Finance Revenues and Benefits, the Head of Legal and Democratic Services, the Leader of the Council and the Cabinet Member for Housing to agree final terms and enter into a Development Agreement. The agreement will incorporate the obtaining of planning permission for the whole development, designing and building of the whole scheme including contractual arrangements to enable the delivery of the works to be undertaken for the council within the available budget. The arrangements for the leasehold and/or/freehold sale of the site as required to enable the development will also be included in the Agreement.
3. delegate authority to the Head of Crawley Homes in consultation with the Head of Finance Revenues and Benefits, the Head of Legal and Democratic Services, the Leader of the Council and the Cabinet Member for Housing to agree final terms and enter into a funding agreement in respect of available funding through the Housing Infrastructure Fund (HIF).

Reasons for the Recommendations

The Council acquired this key town centre development site which is identified in the Local Plan as suitable for mixed-use development with a requirement to contribute, together with the County Buildings, Crawley Station and land north of The Boulevard sites, to a minimum cumulative delivery of 499 residential units within the town centre. This is the only one of these sites in the Council's ownership and affords an opportunity to make a significant contribution to this delivery target.

To provide housing for Crawley residents in need from the housing register. To continue the delivery of dwellings funded from the HRA as part of HRA business plan and the Council's RTB Receipts (one-for-one) funding programme.

To maximise the use of the potential funding through the Housing Infrastructure Fund (HIF) bid process to aid the viability of the scheme.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.05 pm

Councillor Lamb
Chair