

Crawley Borough Council

Minutes of Full Council

Wednesday, 20 July 2022 at 7.30 pm

Councillors Present:

J Hart (Mayor)

T Rana (Deputy Mayor)

Z Ali, M L Ayling, A Belben, T G Belben, J Bounds, S Buck, B J Burgess, R D Burrett, D Crow, I T Irvine, K L Jaggard, G S Jhans, K Khan, Y Khan, M G Jones, P K Lamb, R A Lanzer, T Lunnon, S Malik, K McCarthy, C J Mullins, S Mullins, M Mwagale, A Nawaz, B Noyce, D M Peck, S Pritchard, S Raja and S Sivarajah

Also in Attendance:

Mr Peter Nicolson and Mr Russell Brown

Officers Present:

Natalie Brahma-Pearl

Chief Executive

Siraj Choudhury

Head of Governance, People & Performance

Heather Girling

Democratic Services Officer

Chris Pedlow

Democracy & Data Manager

Apologies for Absence:

Councillors H Hellier, J Millar-Smith, M Morris, A Pendlington and S Piggott

1. Minute's Silence

The Mayor held a minute's silence in memory of former Councillor Doug Mayne who sadly passed in May 2022. The Mayor then invited representatives from each party to pay tribute. Councillors C Mullins, Burrett and Jones paid their respects.

The Mayor then held further a minute's silence in memory of former Councillor Mike Pickett who sadly passed a week prior. The Mayor then invited representatives from each party to pay tribute. Councillors Jones, McCarthy, Rana and K Khan paid their respects with touching tributes.

2. Disclosures of Interest

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

3. Minutes

The minutes of the meeting of the Full Council held on 29 May 2022 were approved as a correct record and signed by the Mayor.

4. Communications

The Mayor updated the Council on events since the last meeting, which included various Jubilee events, the opening of the new Open House Resource Centre, and Armed Forces Day. The presentation of long service badges and gifts to retired councillors would take place at the next ordinary meeting of the Full Council, along with the induction of the Youth Mayor and Deputy Mayor.

In other communications, Councillor Jones took the opportunity to convey his thanks to all Council staff who had continued to work during the recent record-breaking heatwave. It was noted this had been unprecedented and residents should continue to take care during hot conditions.

Councillor Nawaz also communicated that the town's economy had started to recover and improve and had been noted as being in the top 10% of the country. The continental market was returning to the town the following week, and this was welcomed.

5. Public Question Time

Questioner's Name	Name of Councillor Responding
<p>Richard Symonds, The Ifield Society</p> <p><i>My question relates to that asked of this Cabinet on July 6 two weeks ago, and another question asked at County Hall last Friday, concerning a possible 3,500-year-old Bell Barrow burial ground to the West of Ifield.</i></p> <p><i>My question also specifically relates to 'Specialist Archaeological Advice' by Place Services - advice given by letter two years ago in November 2020, another letter from Historic England on the same date two years ago, and a more recent Heritage Assessment by West Sussex County Council - all concerning SA101 Land West of Ifield.</i></p> <p><i>The 'Specialist Archaeological Advice' includes this statement: "There is high potential for significant palaeo-environmental deposits associated with both water courses [Ifield Brook and the River Mole], and their former routes". This has been confirmed by County Hall's recent Heritage Assessment which identified an Oxbow Lake and five Palaeo-channels. The Historic England also states -</i></p>	<p>Councillor Nawaz (Cabinet Member for Planning and Economic Development)</p> <p><i>Thank you for your question Mr Symonds. To be clear Crawley Borough Council is not looking to allocate the land west of Ifield for development and I would like to reiterate for the record that the Council opposed the development west of Ifield. This council has undertaken an heritage assessment however the land west of Ifield site falls outside Crawley Borough Council boundaries, in Horsham. Our understanding and expectations are that Horsham District Council is ensuring that the heritage assessment is indeed undertaken with regards to west of Ifield and this will take full account of the burial ground. The seriousness as to whether (or not) to allocate the site for residential use will be undertaken by Horsham District Council, should Homes England continue with the proposal. If there is any further technical information that you would like to share with us, please email the Council's Strategic Planning team who will respond to you in more detail via email.</i></p>

Questioner's Name	Name of Councillor Responding
<p><i>disturbingly: "We think it essential that an integrated landscape approach to assessment of heritage assets (both designated and undesignated) is undertaken... The assessment should also consider the likelihood of alterations to drainage and ground water patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits and can also lead to subsidence of buildings and monuments".</i></p> <p><i>"Subsidence of buildings and monuments" I take to include St Margaret's 13th century Parish Church. So, my question is: as strongly advised by Historic England, has an integrated landscape approach to assessment of heritage assets been undertaken by this council?</i></p> <p>Supplementary question –</p> <p><i>If this Council is genuinely committed to protecting the community's heritage assets and wildlife, why are you proposing to build a link road straight through Willoughby Fields Local Nature Reserve?</i></p>	<p><i>The Council is not proposing to build a link road through Willoughby Fields, instead a draft search corridor for a potential Crawley western link road has been proposed in the draft Crawley Borough Council local plan which was subject to public consultation between January and June 2021. However, this does not establish a specification for a road. This Council expressed its position on the west of Ifield development, but it is not the decision-making authority, but should the west of Ifield development come forward we must make plans to address the development and impact that would have on Crawley's existing transport and infrastructure. In addressing the transport infrastructure, it may be a new link road is required as a multi-modal corridor including sustainable transport and serious consideration and assessments models will take place including environmental impacts of any proposed route.</i></p>
<p>Anthony Eden, Ifield</p> <p><i>I moved to Crawley as a young apprentice to APV in 1956. I have lived</i></p>	<p>Councillor Nawaz (Cabinet Member for Planning and Economic Development)</p>

Questioner's Name	Name of Councillor Responding
<p><i>in Crawley for more than 50 years. My daughter got married in St Margaret's church nearly 28 years ago. I also got married in St Margaret's Church 7 years ago. And I have since been a regular attendee. I am on the church's PCC, my wife and I regularly read at church are also welcomers at the Sunday morning services. I have only just been made aware of a letter sent by Historic England on 27 October 2020, ref PL00718972 to Horsham District Council that the proposed development on land west of Ifield "has the potential to impact on the Grade 1 listed St Margaret's Church". "The likelihood of alterations to drainage", "could lead to subsidence of buildings". May I ask what action has/are you taking to prevent such catastrophic results of St Margaret's Church, a heritage/historic, Crawley's Churches foundation crumbling?</i></p>	<p><i>That development is out of our hands I'm afraid as Horsham District Council has responsibility for decisions on the development. Detailed studies will take place on how it's going to impact on Crawley but we can look at this topic in more detail.</i></p>
<p>Dawn Corrie, Bewbush</p> <p><i>In relation to the shocking heatwave we've recently experienced – the changes are going much faster than scientists predicted and the world is getting warmer. In view of the fact that things have gone so much quicker, what is the council going to do to be more ambitious with its targets? In addition, I see lots of you have bottles of water and not many of you have brought your own so perhaps at all council events and meetings you should bring your own bottles and not use plastic.</i></p>	<p>Councillor Jhans (Cabinet Member for Environmental Services and Sustainability)</p> <p><i>Thank you for your question, I did bring my own bottle with me today which I reuse. I'm pleased to say the council on both sides takes this very seriously and as you know we actually enhanced our targets to meet net zero in 2040 rather than 2050, and to reduce emissions by at least 50% by 2030 or as close to net zero as possible. There are actions on the agenda to try and meet those targets such as retrofitting buildings, improving transport infrastructure and installing the district heat network. There is also the climate change action plan which we are currently developing the funding plan for to ensure there are the resources available to deliver this important work. The key message is that as a borough council we cannot do all the work alone and we need national government assistance. We all need to work together to make right and serious choices on a daily basis as to how we live our lives.</i></p>

Questioner's Name	Name of Councillor Responding
<p>Michelle Mineau, Furnace Green</p> <p><i>I found the Tilgate Park rules online and they state that barbecues are not allowed, dogs must be kept on a lead around the lake, dogs are not permitted in the nature centre, walled garden or play area, and cycling is allowed on the bridle paths. These are the current rules only available online however dogs walk off lead around the lake, barbecues are found around the park, and cycling around the park causes issues for people especially the elderly. There is no sign about these rules around the park or the lake. Are dog walkers being discriminated against? They are not the only ones creating problems. Does the council think the problem is being under-reported and they don't know the extent of the situation? Would it not be sensible to know exactly what is happening prior to setting rules around a bigger area and a punishment that may not cover all the issues? It would be cost effective to ensure the actual rules are known before they are extended to a bigger area by installing signage.</i></p>	<p>Councillor C Mullins (Cabinet Member for Wellbeing)</p> <p><i>We haven't arrived at the position we are in tonight simply because we are 'anti dog'. There will be 241 acres left in Tilgate where people can exercise dogs where they have done historically. We are making provision for dogs such as the hound ground, obstacle park and dog shower. We are trying to find a balanced approach.</i></p>
<p>Peter Crosskey, Furnace Green</p> <p><i>Upon what data and upon what grounds was the extension of the PSPO to cover the golf course based?</i></p>	<p>Councillor C Mullins (Cabinet Member for Wellbeing)</p> <p><i>We are trying to work with everybody. Dogs are not banned from the golf course – we are requesting they are placed on a lead when crossing it. We see the golf course as a dedicated area of sporting activity, we've taken on board where activities are concerned and we need to consider all users of the park.</i></p>
<p>Christine Cowell, Tilgate, speaking on behalf of Jackie Bradley (from Furnace Green)</p>	<p>Councillor C Mullins (Cabinet Member for Wellbeing)</p> <p><i>I think the consultation was done fairly and</i></p>

Questioner's Name	Name of Councillor Responding
<p><i>Do CBC councillors and officers think that the PSPO public consultation was carried out fairly with enough advertising across the whole area with clear information and time allowed for all interested stakeholders to participate? The wording seemed biased and there was nothing on the golf course entrances for people on the golf course to see. Where are the 238 acres that dogs can roam freely?</i></p>	<p><i>openly. It can be judged by the responses – around 2,800 people participated. We have to consider all users of the park along with different activities. We could have gone for a complete ban on dogs like some of the royal parks. We have taken a reasonable approachable and want to work with dog owners, allowing certain areas where dogs can roam freely.</i></p>
<p>David Lightfoot, Furnace Green</p> <p><i>Given that Councillor Mullins has just said how satisfied he is with the consultation that took place that we all paid for, and I understand there were 2 consultations, the result of those consultations was that the majority of people were against these proposals. Therefore, if any of you believe in democracy is it not the case that you should actually be putting into place the will of the people that were consulted on the existence of this policy who have clearly told you they don't want it and that is what should be respected. Councillor Mullins has said he respects the process and therefore he should respect the outcome.</i></p>	<p>Councillor C Mullins (Cabinet Member for Wellbeing)</p> <p><i>I support the consultation process, which was to obtain opinions, but we also need to look at how those results break down, the reasons behind those results and the comments behind them. 86.9% were Crawley residents, 58.4% said no, 38.7% said yes, but one needs to further investigate the observations and remarks made.</i></p>
<p>Karen Sudan, Ifield</p> <p><i>We are currently experiencing a cost of living crisis. Before Coronavirus, Crawley was already about the fourth most expensive place to live in the UK, when housing costs are related to average wages. I'd like to ask whether the Cabinet Member for Housing is aware that the Council's policy for charging an affordable rent to new council tenancies (tenancies, not new tenants) is resulting in Crawley's council house rent being the highest in the country and the highest in the South East?</i></p>	<p>Councillor Jones (Leader of the Council)</p> <p><i>We are all very conscious in this Council of the pressures people are under with regards to the cost of living crisis as well as rental costs in general. I would dispute that the rents in Crawley, certainly council rents, are the highest in the country. Councillor Buck and myself are working hard to ensure that we get council housing and protect council housing in this borough and we are trying to do everything we can but we are doing it under the circumstances we find ourselves in.</i></p>

6. Petition - 'We need truly affordable, publicly owned homes for Crawley people'

The Full Council considered a petition which had been received by the Council's Petitions Officer. As the petition contained over 1,000 valid signatures it was required to be debated by the Full Council. The petition stated as follows – *"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."*

The Petition related to a responsibility of the Cabinet, and as such the Cabinet was required to take the final decision. The Full Council was to consider the petition and decide whether or not to make recommendations to inform the Cabinet's decision.

The Mayor reminded councillors that the Constitution limited debates on petitions to 30 minutes per meeting. Robin Burnham, the Principal Petitioner, presented the petition to the Full Council (a summary of the presentation is attached as Appendix B to these minutes).

Councillor Jones, the Leader of the Council, addressed the meeting and thanked the Principal Petitioner for submitting the petition. The following points were made:

Whilst sympathising with many of the sentiments within the petition, as of 31 March this year (including shared ownership), there were 8,071 properties, of which only 326 were charged at the affordable rate instead of the social rate. It was noted this was a small amount of the Council's stock, approximately 4%. The rest, existing tenants and any voids were all charged at the social rate. Even with the new units being built these were not all charged at the affordable rate with all of the new homes at Forge Wood being let at social rent rate. The Council has one of the best records in the country for bringing council housing forward. Whilst not an exhaustive list, the Council had new home developments in Breezehurst Drive, Forge Wood, the old Council depot, Bridgefield House, Apex Apartments, Dobbins Place and there were more to come. It was hoped the retrofitting for water neutrality would allow more homes in the near future as well. It was acknowledged there were restrictions around right to buy receipts and government grants, and yet still homes were being able to be delivered. Councillor Jones thanked the officers for assisting the housing delivery programme.

None of the issues within the petition leave the Council with enough money to reduce the rent without taking it straight out the repairs budget for other tenants, who would then be subsidising all of the tenants in the affordable units too. It would also mean that many of the important environmental implications to tackle the climate emergency would not be able to go ahead and the Council needs to action these within its housing stock. Most of the issues can only be addressed by central government but the Council still continued to do what it can as a local authority. Councillor Jones proposed that the petition be noted and this was seconded by Councillor Buck.

The Mayor then opened the debate to the floor.

Councillor Irvine acknowledged the need for more housing within the town, but it was noted that the Council had a good track record of council housing as it had performed better than the private sector and housing associations. It was thought that the best thing a council can do is to allocate a home to an individual and the Council had continued to build on its housing stock.

Councillor Crow commented that housing was a big issue within town but unfortunately, with regards to the information that Mr Burnham had quoted from the government website, it was felt councillors had not been able to ascertain facts or analyse the information prior to the meeting and yet were being requested to make a decision without the evidence. In comparison, if there was a petition, West Sussex County Councillors were provided with an officer's report or briefing note to help inform them in advance of considering a petition. Councillor Crow moved that Councillors receive a briefing note containing background information on the petition. This was seconded by Councillor McCarthy.

Councillor Burgess felt that additional evidence would be welcomed via a background paper as this was a very important matter and one that residents deserve to know the Council has taken seriously.

Councillor Lanzer commented that it was under the Conservative administration in 2012 that the Council borrowed money, with the support of Labour opposition, to exit the HRA subsidy regime as part of the Localism Act 2011. The Council received an interest payment which enabled better maintenance of the housing new build programme. Whilst the petition had mentioned borrowing, decisions had previously been taken which had already been beneficial for the existing housing stock and for the addition of houses to that stock.

Councillor Buck noted that government grants had been used to fund the affordable homes and it was a condition of that grant that the Council set affordable not social rents. There was no flexibility due to government policy.

The Mayor called time on the debate at the conclusion of the 30 minute period. The Mayor confirmed that there had been two proposal options moved and seconded during the debate, by Councillor Jones and Councillor Crow respectively. It was also confirmed that the two proposals did not conflict with each other and individual votes would be held on each. The Full Council was reminded that the Constitution states that 'all petitions considered by the Full Council will be subject to a recorded vote where the decision is not unanimous'.

The Mayor called for a recorded vote on Councillor Jones' proposal of noting the petition and invited the Democracy and Data Manager to commence the recorded voting process.

For: Councillors Ayling, Buck, Hart, Irvine, Jhans, Jones, K Khan, Y Khan, Lamb, Lunnon, Malik, C Mullins, Nawaz, Noyce, Pritchard, Raja, Rana and Sivarajah (18)

Against: Councillors Ali, A Belben, T Belben, Bounds, Burgess, Burrett, Crow, Jaggard, Lanzer, McCarthy, Mwagale and Peck (12)

Abstain: (0)

The proposal was carried.

The Mayor then called for a vote on the proposal moved by Councillor Crow that councillors receive a briefing note on the background to the petition. The proposal was carried unanimously and as such a recorded vote was not required.

RESOLVED

1. That the contents of the petition and the views expressed by the principal petitioner be received.
2. That the petition be noted.
3. That councillors receive a briefing note on the background to the petition.

7. Extension to the Current Councillors' Allowance Scheme - Recommendation 1

Councillor Lamb as the Chair of the Governance Committee introduced the item to the Full Council, which proposed to extend the current Councillors' Allowances Scheme, which was due to end on 31 March 2023, to cease on the day of the next Annual Meeting of the Full Council (currently scheduled for 26 May 2023). Councillor Bounds seconded the recommendation.

RESOLVED

The Full Council approves an extension the current Councillors' Allowances Scheme, to ceases on the day of the next Annual Meeting of the Full Council (currently scheduled to take place on 26 May 2023).

8. Public Spaces Protection Order - Keep your dog on a lead in Tilgate Park – Recommendation 2

Councillor Jones introduced reports HCS/41 and HCS/41a of the Head of Community Services which reviewed the findings of the consultation and considered the options for implementing a Public Space Protection Order named 'keep your dog on a lead in Tilgate Park' which had been considered at the Overview and Scrutiny Commission meeting on 4 July 2022 and the Cabinet meeting on 6 July 2022. In presenting the item, it was explained that the Cabinet decision was not to endorse a recommendation and instead recommend that a full discussion took place at the Full Council meeting to enable the decision to be made with all options available. Councillor Jones commented that unfortunately, there had been issues within the park, and it was important to consider an option to restrict dogs where incidents had taken place or where activities occur (such as the golf course) to ensure the safety of both users and dogs. He emphasised that there was not a proposal for a complete ban on dogs within the park but a fair and reasonable approach, which offered a compromise. Whilst non-dog owners were the minority responding to the consultation, they were clearly the majority of those who use the park and the proposal needed to reflect all park users. It was important to acknowledge that the decision can be reviewed, and it would be important for this to be analysed. Councillor Jones then moved the [technical amendment](#) following legal advice, as detailed in Agenda 14 in the Supplementary Agenda together with the proposed '[Option X](#)' as Agenda 15 in the Supplementary Agenda, which were both seconded by Councillor C Mullins.

The Mayor then invited Councillor Crow to address the Full Council. Councillor Crow moved and presented the Furnace Green & Maidenbower Councillors' amendment, (as shown as '[Option 3](#)' in the Supplementary Agenda Order Paper). In doing so, Councillor Crow commented that it was an important decision and one that should be taken seriously. The golf course perimeter paths and woodland areas were far from the course greens and there was concern regarding access from the Tilgate and Maidenbower areas. The paths were designated public rights of way and whilst it was acknowledged there were issues in the central area of Tilgate Park it was believed that option 3 was a more considered and proportionate alternative. It was added that the additional enforcement requirements for the golf course area may preclude that required for the main core area around the lake and lawn area. The amendment was seconded by Councillor McCarthy.

The Mayor then opened the debate on the report and the amendments. The following points were raised by councillors during the debate.

Councillor Lunnon supported the introduction of the PSPO but acknowledged any PSPO would be difficult for officers to enforce.

Councillor T Belben emphasised that the item was before Full Council following a resident's petition. There had been many instances of dog-on-dog attacks, as well as on wildlife within Crawley's parks, and there should be a response to these as well as the need to protect the public. Concern was raised about the other parks in Crawley and whether there would be a marked increase in dog walkers and attack incidents and it was hoped any occurrences would be logged.

Councillor Burgess commented that the majority of dog owners were responsible but any dog can have an 'off day'. It is the owner's responsibility to ensure the safety of their pet as well as those within the vicinity.

Councillor S Mullins supported the PSPO but noted that it was important to represent all people within the town. There were lots of other green spaces within the borough to walk dogs off-lead and the PSPO can be reviewed within 3 years to ensure it is operating, managed and enforced effectively.

Councillor Lanzer commented that there remains a large number of acres for dogs to be walked off-lead and there are measures that needed to be established in order to protect wildlife. Other parks such as Richmond have a complete ban during deer birthing season, but the decision for a complete ban was not thought to be fair and reasonable. It was commented that extending the PSPO to the golf course was hard to justify as this had not been subject to full public consultation.

At this point Councillor Lanzer then moved a further amendment, that the Council goes out to further consultation on the option including the maps that Full Council approves for the PSPO, (subject to an option being selected). Councillor Ali seconded this amendment.

Councillor Buck commented that the PSPO was necessary and the extension to include the golf course provides further protection for all.

Councillor McCarthy acknowledged that the PSPO was necessary, but that the advantage of option 3 was that it was a smaller area that would be impacted. Option X, with the addition of the golf course, would prove difficult to enforce and would only add to the potential to disperse the Community Wardens' resources from the main lake and lawn area where the main instances would be occurring.

Councillor Irvine commented that a PSPO is a serious piece of legislation and a serious decision for the Council as it can potentially lead to an individual being fined or a criminal record given. It was important to ensure both the established area and decision were fit for purpose.

Councillor Ali noted there had been a good response to the consultation, and whilst it was felt there was a need for a PSPO, this needed to be fair and reasonable.

Councillor Jaggard recognised that this was an emotive subject. Upon entering Tilgate park a map shows the main areas of the park, which does not include the golf course, and it was felt these areas would be considered to be Tilgate Park by the public. Concerns were addressed with regards to access from Maidenbower and the perimeter paths to the golf course. There would be a requirement for signs to be placed after the decision to clearly indicate the areas affected (and not before). Option 3 had been proposed as a result of the evidence from the consultation. There was concern that individuals would move dog-walking to other parks within the town and thus increase the borough's carbon footprint.

9. Vote to Extend the Meeting (Guillotine)

As the business of the meeting had not been completed within the scheduled two hours and 30 minutes, a vote on continuation in line with Council Procedure Rule 8.3 was held. The Mayor required the Full Council to consider if it wished to continue with the meeting.

Having put it to the vote, the Council agreed that the meeting be continued for an additional period not exceeding 30 minutes.

10. Public Spaces Protection Order - Keep your dog on a lead in Tilgate Park – Recommendation 2 (Continued)

Following the agreement of the Full Council to continue the meeting, the Mayor restarted the discussion on the proposed PSPO.

Councillor C Mullins then spoke on the proposals. Given the amount of green space within the borough it was welcomed that individuals and dog walkers took the opportunity to visit other parks within the town. There has had to be a recognition of all visitors to the park and where issues have occurred in certain areas. Safety has been considered for the wildlife, public as well as the dogs themselves. The Council wishes to work with dog owners and engage with them further going forward.

With no further speakers the Mayor invited Councillor Jones to use his right to reply. It was noted that there were few PSPOs within the town and each decision to implement had been taken seriously. Safety was the key factor to be considered and there had been incidents including those related to activities on the golf course. It was felt that a repeat consultation would not necessarily change the overall response and would create further delay. It was emphasised that dogs were not to be banned from the park but merely to be on-lead in certain areas as set out in the proposals and this could be reviewed within the three year period.

Following the conclusion of the debate on the proposed PSPO, the Mayor called for an adjournment to seek advice from the Monitoring Officer over the voting process to be used for this item.

On resumption of the meeting the Mayor confirmed the approach to be used for the various votes on the amendments/options before the Full Council. The first vote would be on the technical amendment contained within the Supplementary Agenda Order Paper, followed by a vote on the tabled amendment moved by Councillor Lanzer that a further consultation be held on the agreed PSPO. The final vote would be a straight vote between the two options for the proposed PSPO, namely Councillor Jones' moved option X or Councillor Crow's moved option 3 and this vote would be held as a recorded vote.

The Mayor called for a vote on the technical amendment of the replacement to paragraph 8 of the draft PSPO order contained on page 111 of the agenda, with the revision contained within the Supplementary Agenda Order Paper. The amendment was carried unanimously.

The Mayor then called for a vote on Councillor Lanzer's proposal that the Council goes out to further consultation on the option including the maps that Full Council approve for the PSPO. With 11 votes for, 19 against, and 1 abstention, the amendment fell and was not carried.

Finally the Mayor called for a recorded vote on options X and 3 and invited the Democracy and Data Manager to commence the recorded voting process.

For Option X – *(with the restricted area covering main lake, Peace Garden and lawn area and golf course within Tilgate Park)*

Councillors: Ayling, T Belben, Buck, Burgess, Hart, Irvine, Jhans, Jones, K Khan, Y Khan, Lamb, Lanzer, Lunnon, Malik, C Mullins, S Mullins, Nawaz, Noyce, Pritchard, Raja, Rana and Sivarajah. (22)

For Option 3 – *(with the restricted area covering main lake, Peace Garden and lawn area within Tilgate Park)*

Councillors: Ali, A Belben, Bounds, Burrett, Crow, Jaggard, McCarthy, Mwagale and Peck (9)

Abstentions – (0).

RESOLVED

The Full Council approves and makes the PSPO order as set out in Appendix C to these minutes (which includes the technical amendment) with the restricted area covering the main lake, Peace Garden, lawn area and golf course within Tilgate Park, as shown in the plan set out in Appendix D to these minutes.

11. Vote to Extend the Meeting (Guillotine)

As the business of the meeting had not been completed within the additional period of 30 minutes after the vote on continuation, a vote on a further 30 minute continuation in line with Council Procedure Rule 8.3 was held. The Mayor required the Full Council to consider if it wished to continue with the meeting.

Having put it to the vote, the Council agreed that the meeting be continued for an additional period not exceeding 30 minutes.

12. Financial Outturn 2021-2022 (Quarter 4) – Recommendation 3

Following the agreement of the Full Council to continue the meeting, the Full Council considered report [FIN/572](#) of the Head of Corporate Finance on the Quarter 4 Budget Monitoring, which set out a summary of the Council's outturn for both revenue and capital spending for the financial year 2021/22. It identified the main variations from the approved spending levels and any potential impact on future budgets.

Councillor Jones moved the report. Councillor Jhans seconded the report and in doing so spoke on the recommendation.

Councillor Crow also spoke on the recommendation.

RESOLVED

The Full Council approves the transfers of reserves as outlined in Section 10 of report [FIN/572](#).

13. Water Neutrality Off-Setting Programme – (PART B report) – Recommendation 4

The Mayor informed the Full Council that it was the intention to hold the discussion on recommendation 4 - Water Neutrality Off-Setting Programme (report [CH/197](#) of the Head of Crawley Homes) from the Cabinet held on 6 July 2022 in open public session (Part A), noting that the report was an exempt (Part B) report.

The Full Council considered report [CH/197](#) of the Head of Crawley Homes that sought the transfer of £170,000 from existing capital budgets, using existing capital funding, to create a new budget for water neutrality works for Crawley Homes properties. This followed the Cabinet decision to implement a retrofitting programme of Council-owned housing stock aimed at reducing water consumption to provide sufficient water offset to support selected new-build affordable housing developments.

Councillor Jones moved the report. Councillor Buck seconded the report and in doing so spoke on the recommendation.

Councillor Crow also spoke on the recommendation.

RESOLVED

The Full Council approves the transfer of £170,000 from existing capital budgets, using existing capital funding, to create a new budget for water neutrality works on Crawley Homes properties as outlined in paragraph 5.2 c) in report CH/197.

14. Appointment of Independent Person – (Urgent Item of Business) – Recommendation 5

The Full Council considered report [LDS/188](#) of the Head of Governance, People & Performance (as the Council's Monitoring Officer), which sought the re-appointment for a further two year term of Mr Peter Nicolson as one of the Council's Independent Persons. Councillor Jones moved the report which was seconded by Councillor C Mullins.

Councillor Crow also spoke on the item and endorsed the nomination of Mr Nicolson.

RESOLVED

That Mr Peter Nicolson be appointed for a further two years until July 2024.

15. Notice of Motion 1 - Motion To Restore Decency In Public Life

The Full Council considered the [Notice of Motion](#) – Motion to Restore Decency In Public Life – as set out on page 21 of the agenda.

The Motion was moved and presented by Councillor Jones and in doing so gave further explanation of the reasoning behind the Motion.

Councillor Lamb seconded the Motion and also moved a Procedural Motion 11.1 m), *That the item/issue now be voted upon – (specifically immediately ending the debate on the Notice of Motion and hold the vote on the Motion)*, which was seconded by Councillor Lunnon.

The Mayor ruled that the moved Procedural Motion m) was valid and thus called for the vote on the Procedural Motion. A recorded vote was requested and the Mayor invited the Democracy and Data Manager to commence the recorded voting process.

For:

Ayling, Buck, Hart, Irvine, Jhans, Jones, K Khan, Y Khan, Lamb, Lunnon, Malik, C Mullins, S Mullins, Nawaz, Noyce, Pritchard, Raja, Rana and Sivarajah (19)

Against:

Ali, A Belben, Bounds, Burrett, Crow, Jaggard, and Lanzer. (7)

Abstentions: (0)

RESOLVED

That the item/issue now be voted upon – (specifically immediately ending the debate on the Notice of Motion and then hold the vote on the Motion).

The Mayor called for the vote on the Notice of Motion – Motion to Restore Decency In Public Life. A recorded vote was requested and the Mayor invited the Democracy and Data Manager to commence the recorded voting process.

For:

Ayling, Buck, Hart, Irvine, Jhans, Jones, K Khan, Y Khan, Lamb, Lunnon, Malik, C Mullins, S Mullins, Nawaz, Noyce, Pritchard, Raja, Rana and Sivarajah (19)

Against: (0)

Abstentions: (0)

RESOLVED

This Council notes:

That within the United Kingdom, every elected representative, from the Prime Minister to a parish councillor, is expected to honour the Seven Principles of Public Life: principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

That Boris Johnson at numerous points during his term as Prime Minister has failed to meet all seven of these fundamental principles.

That he was shown to have misled the Queen in seeking the unlawful prorogation of Parliament.

That he has enabled ministers to remain in office despite breaches of the ministerial code, leading to the resignation of his first Ethics Advisor.

That during his administration, the Government has faced repeated accusations of cronyism, from the awarding of contracts and peerages to Conservative donors and close associates, including widely reported abuses of the fast-track procurement process through the pandemic costing taxpayers billions of public money.

That the Electoral Commission found him to have broken electoral law around the refurbishments of his Downing Street flat.

That he enabled ministerial colleagues and advisors to remain in office despite breaking rules designed to stop the spread of a deadly pandemic. Rules which were followed by the people and businesses in Crawley, not only resulting in huge personal sacrifices but greater damage to the town's economy than that of any other in the country.

That after widespread flouting of these same rules at Downing Street, he has become the first Prime Minister in history to be issued with a penalty by the Police whilst in office.

That following a Conservative MP being found guilty of breaching rules on paid lobbying by PMs, he sought to change the parliamentary standards regime to avoid that MP being suspended.

That he lost the confidence of his second Ethics Advisor after making it clear that his Government would seek to break international law.

That he has now been shown to have promoted Chris Pincher MP to ministerial office while being aware of allegations of sexual assault against him.

That in three years, the current Conservative benches have managed to accrue more numerous and serious scandals than in decades of previous UK administrations.

That the result of the 1922 Committee vote in early June shows that even at that time Boris Johnson had overwhelmingly lost the confidence of Conservative backbenchers, and that the ongoing resignations of senior ministers and advisors evidence that he has now lost the confidence of his closest confidants.

That polls have repeatedly and consistently shown that the British public believe that Boris Johnson needs to resign, with a majority of those who voted for the Conservative Party in 2019 now indicating that they too believe he should go.

That the UK Government now exists in a state of weakness and instability, during a period of international crisis and huge economic and domestic challenges at home. Chaos which continues to grows each day Boris Johnson remains in office.

This Council believes:

That as the only elected body solely representing Crawley, this council has a duty to speak on behalf of the people of the town.

That as a local authority, our ability to carry out our duties is dependent upon the effective operation of UK Government, something which is no longer possible under the leadership of Boris Johnson.

This Council resolves:

To call upon Boris Johnson to resign as Prime Minister of the United Kingdom of Great Britain and Northern Ireland.

16. Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Committees

Moved by Councillor Rana (as the Deputy Mayor): -

RESOLVED

That the following reports be received:

- Planning Committee – 4 April 2022
- Planning Committee – 25 April 2022
- Planning Committee – 6 June 2022
- Overview and Scrutiny Commission – 13 June 2022
- Licensing Committee – 20 June 2022
- Governance Committee – 21 June 2022
- Overview and Scrutiny Commission – 4 July 2022
- Cabinet – 6 July 2022

17. Results of Southgate Borough By-Election - June 2022

The Council received the Returning Officer's report on the results of the Southgate Borough By-Election, held on 9 June 2022.

18. Councillors' Question Time

The Council noted the responses provided to the submitted written councillors' questions as contained within the Order Paper.

Name of Councillor Asking Question	Name of Cabinet Member Responding
Councillor Noyce to the Cabinet Member for Wellbeing <i>With regards to Goffs Park and the changes that have taken place there recently, in particular the kiosk and pitch and putt, please can you kindly update us as to what is happening there?</i>	Councillor Mullins (Cabinet Member for Wellbeing). <i>Thank you for your question. The kiosk is open again and the pitch and putt is working. What we are now looking at is the future of Goffs Park as it's a growing interest for many people in Crawley and has a lot more potential for the town as the activities there are fabulous and it's an alternative place to go. Funding is an issue but the potential for Goffs Park is enormous.</i>

19. Guillotine and End of the Meeting

The Mayor informed the Full Council that as the business of the meeting had not been completed by 11.00pm, and in line with Council Procedure Rule 8.4, the guillotine must fall and the meeting was to end.

It was noted that Councillors' Question Time was unable to be fully completed and the only other item on the agenda that was unable to be dealt with following the falling of the guillotine was Agenda Item 11 – *Receiving the Minutes of the Cabinet, Overviews and Scrutiny Commission and Other Committees*, specifically *Items For Debate – Telford Place Land Proposal (Part B Item), Property Acquisition to Increase the Council's Portfolio of Temporary Accommodation (Part B Item), Proposed Tender for works contractor (Part B Item)*. All of these items were from the meeting of the Cabinet held on 6 July 2022

The Mayor closed the meeting.

Closure of Meeting

With the business of the Full Council concluded, the Chair declared the meeting closed at 11.03 pm

J Hart (Mayor)

Disclosures of Interest**Appendix A**

Councillor	Item and Minute	Meeting	Type and Nature of Disclosure
Councillor Irvine	Planning Application CR/2021/0693/FUL – Hedley House, 225 Three Bridges Road, Three Bridges, Crawley (Minute 4)	Planning Committee 4 April 2022	Personal Interest – Cabinet Member for Housing
Councillor A Belben	CR/2021/0844/FUL – 9 Mill Road, Three Bridges (Minute 4)	Planning Committee 6 June 2022	Personal interest – a neighbour of the site, who had raised an objection to the application, was known to him.
Councillor A Belben	CR/2022/0034/TPO – 8 Haversham Close, Three Bridges (Minute 5)	Planning Committee 6 June 2022	Personal interest – the applicant was known to him.
Councillor Burrett	CR/2022/0034/TPO – 8 Haversham Close, Three Bridges (Minute 5)	Planning Committee 6 June 2022	Personal interest – the applicant was known to him.
Councillor Jaggard	CR/2022/0034/TPO – 8 Haversham Close, Three Bridges (Minute 5)	Planning Committee 6 June 2022	Personal interest – the applicant was known to her.
Councillor Lanzer	Appointments and Membership of Scrutiny Panels (HASC) (Minute 5)	Overview and Scrutiny Commission 13 June 2022	Personal Interest – Member of WSCC
Councillor Lanzer	Appointments and Membership Of Scrutiny Panels (HASC) (Minute 5)	Overview and Scrutiny Commission 13 June 2022	Personal Interest – WSCC Cabinet Member for Public Health & Wellbeing
Councillor Burrett	Health and Adult Social Care Scrutiny Committee (HASC) (Minute 10)	Overview and Scrutiny Commission 4 July 2022	Personal Interest – Member of WSCC
Councillor Lanzer	Health and Adult Social Care Scrutiny Committee (HASC) (Minute 10)	Overview and Scrutiny Commission 4 July 2022	Personal Interest – Member of WSCC

Councillor Lanzer	Health and Adult Social Care Scrutiny Committee (HASC) (Minute 10)	Overview and Scrutiny Commission 4 July 2022	Personal Interest – WSCC Cabinet Member for Public Health & Wellbeing
Councillor Jones	Property Acquisition to Increase the Council's Portfolio of Temporary Accommodation (Minute 17)	Cabinet 6 July 2022	Personal Interest – Councillor Jones was aware of one of the owners of the properties the Council was proposed to buy, who was his former landlord 5 years previously.

Appendix B – Summary of the Principal Petitioner’s Speech

Most councillors will have children, grandchildren so this petition is your family’s problem and a concern for all families in Crawley. We do have a housing crisis. You have tonight a unique chance to positively affect the following: the fact we have increasing numbers of homelessness in the town centre, the fact that there’s 3000 people on the housing list, the fact that there’s people particularly in my area of Bewbush charged £1500 a month to private landlords. Not only are people being superexploited but there no secure tenancies – 21 days and you could be out as the private landlord wants to charge you more rent. One Councillor has already told me that they are already very concerned about the situation.

The petition is in 3 parts;

Part One – end the so-called affordable housing. So-called affordable housing means the government allows councils to charge new builds or new tenants (if you’re going from one old property to another old property or a new tenant then that is still affordable housing as well as new builds being affordable housing) it allows councils to charge new builds or tenants rents between 50-80% of the market value. I’m an old billed tenant and I get charged 50% of the market value. Since 2012 the year affordable housing started the council has only built Forge Wood at council rents (see question put to Councillor Irvine at the March Council meeting). In 10 years 324 affordable housing have been built (see Crawley Observer article Karen Dunn). So in 10 years apart from Forge Wood only 32 homes have been built in Crawley each year and every one of these is at the 80% or market value which is not affordable. The council built flats by the college which is £170 a week I don’t call that affordable.

Not only is it unacceptable to be charged 30% more than me at a time when we have the greatest cost of living crisis in our lifetimes ie you eat or you heat your home but we have the scandal of this council charging dearer affordable rents than any other council in the country, please see the information left directly to government website

You don’t have to exploit our people, as the government allows you to charge 50% as I am charged. End so-called affordable housing and introduce council rents that are 50% of market value for all. Camden, Greenwich, Hackney, Haringey, Waltham Forest, Suffolk and Kensington are all charging 50% and so can you.

Part Two – borrow to built council houses with rents that are comparable to existing stock. You can now borrow to built council houses at council rents. In 2018 the housing revenue budget cap was lifted. Interest rates while they have gone up are still very low and this is the time to borrow but before you borrow you can use the £40m surplus in the housing revenue account and you can return the £300,000 year which has come from garages that was taken out of the housing revenue account and put into the general fund. And this was done in secret and tenants didn’t know about it and I suppose most councillors didn’t know about it. Building more council houses to clear the 3000 on the waiting list must be sustainable so we don’t just build anywhere and no one would agree with the 10,000 on the West of Ifield site. We appreciate that land is getting scarce but we’d argue that council homes at council rents should be built on land that is available.

Part Three – using housing qualities to achieve the cost. Housing craftsmen are always cheaper than always using big multinational building firms. Collection of workmen are not out to get super rich or rip people off so why not use them and stretch our money and obtain value for money.

Finally, there are two outcomes on the vote. The pessimist will say you won’t back the petition, you won’t do anything to cut homelessness, you won’t cut the waiting list, you won’t cut the private rents by offering an affordable alternative. But can I say that if you did this

there would be a consequence that people won't vote for you. Today trust and respect for politicians is at the lowest level in my lifetime and I'm a pensioner. If I was a Councillor I would want to do everything I could to protect the citizens of Crawley otherwise what's the point of having councillors. I am optimistic you will back this petition. I will say to you go home tonight to your families and say I did something fantastic tonight I voted to change lives for the better and put money in people's pockets. Make your families proud of you and make your community proud of you.

Dog Control (Tilgate Park) Public Spaces Protection Order No. 1 of 2022 (“Order”)

PUBLIC SPACES PROTECTION ORDER

This order is made by Crawley Borough Council (the “Council”) and shall be known as the Dog Control (Tilgate Park) Public Spaces Order No. 1 of 2022.

PRELIMINARY

1. The Council, in making this Order is satisfied on reasonable grounds that:
 - 1.1 The activities identified below have been carried out in public places within the Council’s area and have had a detrimental effect on the quality of life of those in the locality, and
 - 1.2 That the effect, or likely effect, of the activities:
 - (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.
2. The Council is satisfied that the prohibitions and requirements imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
3. The Council has had regard to the rights and freedoms set out in the European Convention on Human Rights. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

DEFINITIONS

4. In this Order:

- 4.1 “authorised officer” means a police officer, a police community support officer (PSCO), a Council officer and any person authorised by the Council to enforce this Order.
- 4.2 “lead” means any rope, cord, leash, or similar item used to tether, control or restrain a dog but does not include any such item which is not actively used as a means of restraint or control of the dog.
- 4.3 “person in charge of a dog” means the person aged 18 years or older who has the dog in their possession, care or company or, if none, the owner or person who habitually has the dog in their possession.
- 4.4 “prescribed charity” shall mean any of the following charities:
 - (a) Dogs for the Disabled (registered charity number 700454);
 - (b) Support Dogs (registered charity number 1088281);
 - (c) Canine Partners for Independence (registered charity number 803680);
 - (d) Dog A.I.D. (registered charity number 1098619);
 - (e) Dogs for Good (registered charity number 1092960);
 - (f) Guide Dogs (registered charity number 209617); and
 - (g) Hearing Dogs for Deaf People (registered charity number 293358).
 - (h) any charity created after this Order which trains dogs to assist persons with any disability affecting their mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects.
- 4.5 “public place” means any place to which the public or any section of the public has access.
- 4.6 “restricted area” has the meaning given by section 59(4) of the Anti-Social Behaviour, Crime and Policing Act 2014 and for the purposes of

this Order includes all public places within the area shown delineated by the blue line on the plan Schedule 1 to this Order.

THE ACTIVITIES

5. The activities are the inadequate and/or poor exercise of control of a dog by a person such that the dog causes nuisance, alarm and/or distress to other persons and/or animals.

THE PROHIBITIONS

6. Subject to the exceptions stated below, a person in charge of a dog within the restricted area shall not at any time take the dog into, nor shall they allow the dog to enter or remain, in the area hatched in red on the plan in Schedule 1 to this Order, such area being the children's playground.

THE REQUIREMENTS

7. Subject to the exceptions stated below, a person in charge of a dog within the restricted area shall at all times keep the dog on a lead of not more than 2.0 metres in length.
8. Subject to the exceptions stated below, a person who is reasonably believed to have engaged in a breach of this Order within the restricted area shall provide, when asked by an authorised officer, their name and address to that authorised officer.
9. Subject to the exceptions stated below, a person in charge of a dog within the restricted area must at all times immediately comply with a direction given to them by an authorised officer to put and keep the dog on a lead.

THE EXCEPTIONS

10. The prohibition in paragraph 6 and the requirements in paragraphs 7, 8 and 9 do not apply to any person who:
 - 10.1 is registered as a blind person in a register compiled under section of the National Assistance Act 1949; or
 - 10.2 is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which that person relies for assistance; or

- 10.3 has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, and who is in control of a dog trained by a prescribed charity upon which that person relies for assistance.
11. The prohibition in paragraph 6 and the requirements in paragraphs 7, 8, and 9 do not apply to any person in control of a dog on official duty for a recognised law enforcement body (such as a police dog handler).
12. The requirements in paragraphs 7, 8, and 9 do not apply to any person in charge of a dog whilst both they and the dog are within any completely fenced off area which the Council may in future designate for the purpose of dog activity and which is clearly marked as such by signage erected by the Council thereon.

PERIOD FOR WHICH THIS ORDER HAS EFFECT

13. This Order will come into force at midnight on 1 August 2022 and will expire at midnight on 31 July 2025.
14. At any point before the expiry of this three year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse –

- (a) to do anything that the person is prohibited from doing by a public spaces protection order, or
- (b) to fail to comply with a requirement to which the person is subject under a public spaces protection order

A person guilty of an offence under section 67 is liable on conviction in the Magistrates' Court to a fine not exceeding level 3 on the standard scale.

FIXED PENALTY

A constable, police community support officer or authorised Council officer may issue a fixed penalty notice to anyone they believe has committed an offence under section 67 of the Anti- Social Behaviour, Crime and Policing Act. You will have 14 days to pay the fixed penalty of £100. If you pay the fixed penalty within the 14 days you will not be prosecuted.

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

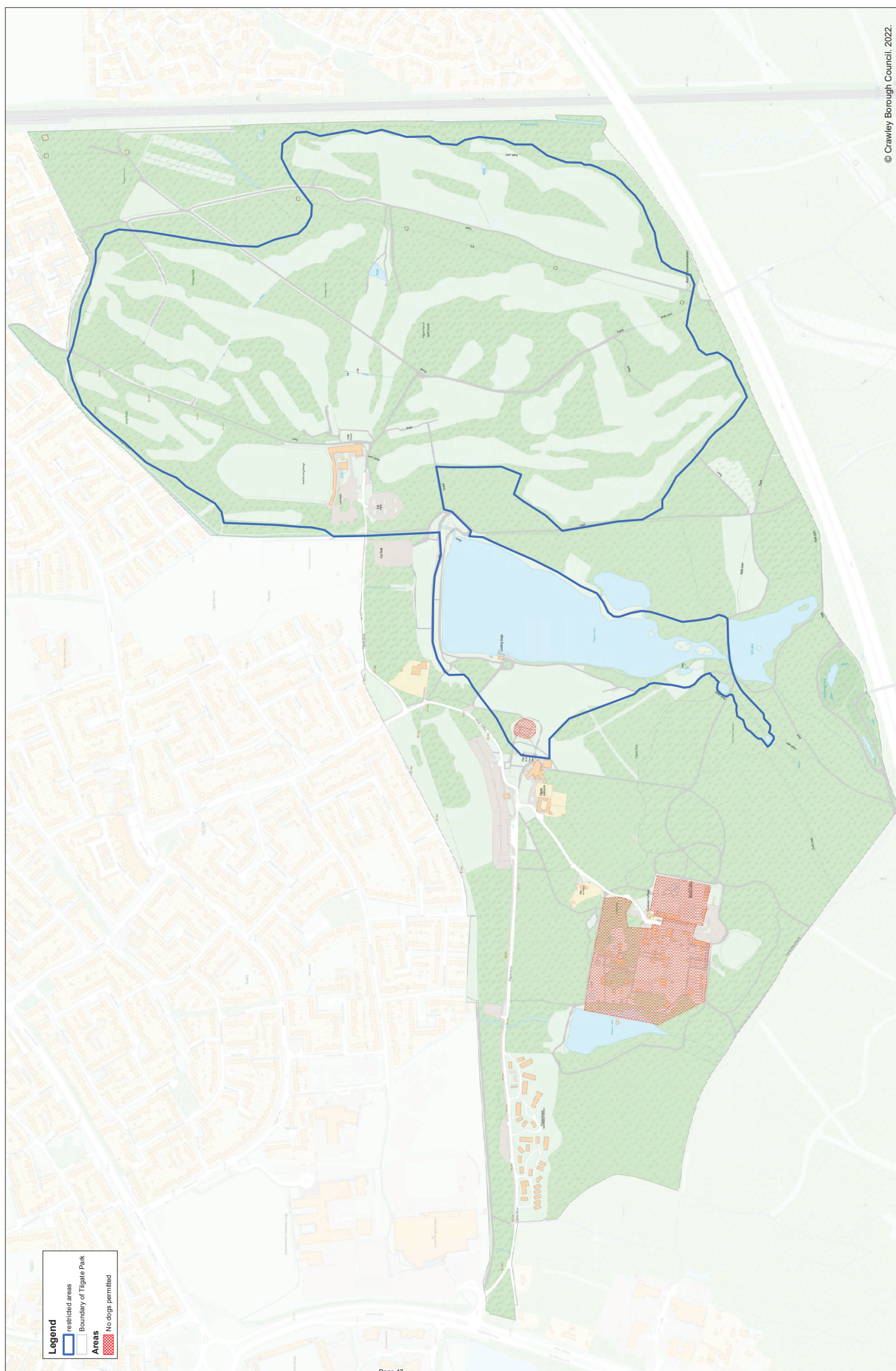
When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (1) It is an offence for a person without reasonable excuse-
 - (a) To do anything that the person is prohibited from doing by a public spaces protection order, or
 - (b) To fail to comply with a requirement to which a person is subject under a public spaces protection order.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.

The COMMON SEAL of CRAWLEY)
BOROUGH COUNCIL was hereunto)
affixed the day of)
in the presence of:)

Tilgate Park - PSPO restricted area



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