

Crawley Borough Council

Minutes of Cabinet

Wednesday, 24 July 2024 at 7.00 pm

Councillors Present:

M G Jones (Chair)	Leader of the Council
I T Irvine	Cabinet Member for Housing
Y Khan	Cabinet Member for Public Protection
C J Mullins	Cabinet Member for Leisure and Wellbeing
S Mullins	Cabinet Member for Community Engagement and Culture
A Nawaz	Deputy Leader of the Council & Cabinet Member for Planning and Economic Development
B Noyce	Cabinet Member for Environment, Sustainability and Climate Change
T Rana	Cabinet Member for Resources

Also in Attendance:

Councillors M L Ayling and D Crow

Officers Present:

Russell Allison	Housing Enabling and Development Manager
Vicki Basley	Chief Accountant
Carolyn Martlew	Head of Corporate Finance
Chris Page	Deputy Chief Executive
Chris Pedlow	Democracy & Data Manager
Becca Williams	Procurement Manager

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 13 March 2024 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

It was reported that no representations had been received in respect of agenda item 11 Temporary Accommodation Acquisitions Programme.

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. Financial Outturn 2023-2024 (Quarter 4)

The Leader of the Council presented report [FIN/658](#) of the Head of Corporate Finance on the Quarter 4 budget monitoring, which set out a summary of the Council's outturn for the year for both revenue and capital spending for the financial year 2023/24. It identified the main variations from the approved spending levels and any potential impact on future budgets.

Councillor Ayling presented the Overview and Scrutiny Commission's [comments on the report](#) to the Cabinet following consideration of the matter at its meeting on 23 July 2024, which included:

- The rising cost of repairs was explained. There was now an awareness of damp and mould. Repairs were urgent but it was important to do maintenance to avoid properties falling into disrepair.
- Information was provided on the funding available from the Better Care Fund.
- Clarity was sought and obtained with regards to the addition of the Senior Project Manager in the Built Environment Team, together with the demand for the delivery of capital projects.
- It was noted that the homelessness and temporary accommodation pressures continued to rise and there were many contributing factors to this.

Councillor Crow was invited to speak on the item. Matters raised included he commented that 33% of the overspend did not relate to the known temporary accommodation issues, rather that it related to other services including the New Town Hall and underestimating the pay award.

In response, the Leader commented that in respect of the New Town Hall overspend, it relates to our business model of sharing costs such as heating, and other utilities.

However now the occupancy was increasing that would be less of an issue in the future. In respect of the national pay award, it was and would be going forward, difficult for our officers to estimate what level the award would be as it agreed at. The level was set nationally and outside of our control.

Councillors S Mullins, Irvine and C Mullins spoke as part of the discussion on the report.

RESOLVED

That the Cabinet:

- a) notes the outturn for the financial year 2023/2024 as summarised in this report [FIN/658](#)
- b) approves the addition of a Senior Project Manager within the Built Environment Team to be funded from existing and future capital projects. (para 9.9 of report [FIN/658](#))
- c) approves the virement in the Capital Programme of £67k from Allotments to Goffs Park (para 9.8 of report [FIN/658](#))
- d) notes the carry forward requests detailed in Section 6 of report [FIN/658](#)

The Full Council be recommended to:

- a) agree to the transfers of reserves and level of balances as outlined in Section 10 of report [FIN/658](#).
- b) approve the addition to the Capital Programme of £1.1m funded from the Better Care Fund. (para 9.3 of report [FIN/658](#)).
- c) approve the addition to the Capital Programme of £60k for Three Bridges Station funded from S106 monies received. (para 9.6 of report [FIN/658](#)).

Reasons for the Recommendations

To report to Councillors on the outturn, subject to audit, for the year compared to the approved budget.

7. Treasury Management Outturn 2023 – 2024

The Leader of the Council presented report [FIN/659](#) of the Head of Corporate Finance. The CIPFA Code of Practice for Treasury Management recommends that Councillors be updated on treasury management activities regularly and the report ensured the Council was implementing best practice in accordance with the Code. The report provided details of the outturn position for treasury activities and highlighted compliance with the Council's policies previously approved by Councillors.

Councillor Ayling presented the Overview and Scrutiny Commission's [comments on the report](#) to the Cabinet following consideration of the matter at its meeting on 23 July 2024, which included:

- Noted that the authorised limit for external borrowing set by the Council was exceeded for a short period during Q4 of 2023/24 and was now back within the set limit.
- The Operational Boundary and Authorised Limit for 2024/25 had since been reviewed with the help of the Council's treasury advisors and been increased.
- Information was provided on the detailed funding available within the Strategy.
- It was noted that commercial properties (excluding town hall) had achieved a rate of return of 8.8%.

Councillor Crow was invited to speak on the item commenting it was good to see the Council was getting better returns compared to previously and that many were locked in until next year at higher rates. He raised that in Appendix 2 Detailed Holdings, 'the days to mature' do not seem to marry up with the date of 'maturity'.

In response, it was confirmed the days to mature was set against the 31 March rather than the actual date the investments mature.

Councillor S Mullins spoke as part of the discussion on the report.

RESOLVED

That the Cabinet:

- a) approves the actual 2023/24 Prudential and Treasury Indicators as set out in report [FIN/659](#)
- b) notes the Annual Treasury Management Report for 2023/24 as contained within report [FIN/659](#)
- c) notes that the authorised limit for external borrowing set by the Council was exceeded for a short period during Q4 of 2023/24 and is now back within the set limit set by the Council.

That Full Council be recommended to:

Approve of the increase in the 2024/25 Operational boundary and Authorised Limits contained within section 5.4 of report [FIN/659](#)

Reasons for the Recommendations

The Council's financial regulations, in accordance with the CIPFA Code of Practice for Treasury Management, requires an annual review following the end of the year describing the activity compared to the Strategy. This report complies with these requirements

8. Implementation of Procurement Act 2023

The Leader presented report [FIN/660](#) of the Head of Corporate Finance. The report sought approval to changes to the Council's Contract Standing Orders (CSOs) and Procurement Code to reflect the Procurement Act 2023 which would come into force on 28 October 2024.

The Procurement Manager was then invited to provide Cabinet with further details to the reason behind the legislation changes following Brexit that had resulted in the need for the revised Procurement Code

RESOLVED

That the Cabinet delegates authority to the Head of Corporate Finance to review and make minor modifications to the Procurement Code as and when amendments are required following a review or any subsequent change to legislation and statutory guidance are introduced.

(Generic Delegation 7 will be used to enact this recommendation).

That Full Council be recommended to

Approve the revised Procurement Code attached as Appendix A to report [FIN/660](#).

Reasons for the Recommendations

The Council requires clear rules about how it conducts procurement. The Procurement Code has been updated to reflect changes in legislation. The Code needs approval so that it can be incorporated into the Council's Constitution

9. Forward Programme of Key Procurements July – December 2024

The Leader presented report [FIN/661](#) of the Head of Corporate Finance. The report sought approval for the current forward programme of key procurements (over £500,000) and sought delegated authority for contract award approvals following the appropriate procurement process. It also provided an update on the previously identified procurements from January – June 2024. The Leader also highlighted that a revised [Appendix A](#) had been included in the Supplementary Agenda, which included a further procurement in relation to Managing Operator for the Crawley Innovation Centre.

RESOLVED

That the Cabinet:

- a) endorses the updated procurement forward programme July – December 2024 ([Appendix A](#) of report FIN/661).
- b) delegates authority to the Leader of the Council in consultation with the relevant Cabinet Member, relevant Head of Service, and Head of Governance, People & Performance to approve the award of the contract following an appropriate procurement process. This is with the exception of following procurements which will be subject to separate Cabinet reports; Waste Collection; Hawth Theatre.
- c) delegates the negotiation, approval and completion of all relevant legal documentation, following the awarding of the contracts to the relevant Head of Service, Head of Governance, People & Performance, Head of Corporate Finance, in consultation with the appropriate Cabinet Member.
(Generic Delegations 2 & 3 will be used to enact this recommendation)

Reasons for the Recommendations

By approving the procurement forward programme there is greater transparency of future procurement processes allowing more scope for internal stakeholders to input into how future contracts are delivered.

The approval of the forward programme provides a key decision that will enable the individual procurement processes to be awarded under delegated authority once the tender process has concluded giving the Council the ability to reduce the time required to complete a procurement process.

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. Temporary Accommodation Acquisitions Programme

Exempt Paragraph 3

Information relating to financial and business affairs of any particular person (including the Authority holding that information)

The Cabinet Member for Housing presented report SHAP/090 of the Head of Strategic Housing. The report sought approval for the expansion of the temporary accommodation acquisitions programme and to accept the allocation of grant funding from the Local

Authority Housing Fund along with Full Council approval for the required budget to support the opportunity acquisitions necessary to achieve the objectives of the programme.

Councillor Ayling presented the Overview and Scrutiny Commission's [comments on the report](#) to the Cabinet following consideration of the matter at its meeting on 23 July 2024, which included:

- It would allow officers to expand the temporary accommodation stock through opportunities and viable options, which had potential to contribute towards addressing Crawley's housing needs and assist in reducing the use of expensive nightly-paid accommodation, including out of borough placements.
- Information was provided on the financial elements and the various detailed options documented within the report.
- General overall support for the proposal, as it was noted that the range of opportunities being explored would assist in future development of the areas and amenity.

Councillor Crow was invited to speak on the item and confirmed his support for the proposal.

Councillor S Mullins spoke in support during the discussion on the report.

The Cabinet asked that their thanks be recorded to the Housing Enabling and Development Manager for all his hard work in respect of temporary accommodation acquisitions.

RESOLVED

That the Cabinet:

- a) authorises the Head of Strategic Housing Services to enter into the necessary transactions and agreements to secure the LAHF funding allocation and to satisfy the requirements associated with this funding allocation.
- b) delegate the negotiation, approval and completion of all relevant documentation, including legal paperwork to the Head of Strategic Housing Services, Head of Governance, People and Performance, Head of Corporate Finance, in consultation with the Leader of the Council and the Cabinet Member for Housing.
(Generic Delegations 2 & 3 will be used to enact this recommendation)

That Full Council be recommended to approve:

the uplift to the Temporary Accommodation Acquisitions Budget as detailed in section 5.8 below, for the purposes of securing additional temporary accommodation aimed primarily at reducing the financial burden of using expensive nightly-paid accommodation and to enable the LAHF funding allocation to be utilised.

Reasons for the Recommendations

The Council currently has 542 households in temporary accommodation, with 313 of these presently in nightly paid accommodation, including 113 out of borough placements. This represents the highest level of need and demand for temporary accommodation across the County. 3.2. The Council is presented with an opportunity to receive grant funding from the Local Authority Housing Fund (LAHF) for the purposes of providing temporary and resettlement accommodation, which needs to be utilised by March 2026, with an element of match-funding required from the Council to satisfy the conditions of the LAHF funding allocation, and a budget is being requested to support this programme.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.00 pm.

M G JONES
Chair