

Crawley Borough Council

Minutes of Cabinet

Wednesday, 2 October 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
A Nawaz	Deputy Leader of the Council & Cabinet Member for Planning and Economic Development
B Noyce	Cabinet Member for Environment, Sustainability and Climate Change

Also in Attendance:

Councillors M L Ayling and D Crow

Officers Present:

Siraj Choudhury	Head of Governance, People & Performance
Chris Pedlow	Democracy & Data Manager
Amanda Kendall	Head of Crawley Homes
Clem Smith	Head of Economy and Planning
Russell Allison	Housing Enabling and Development Manager
Elizabeth Brigden	Planning Policy Manager
Sallie Lappage	Strategic Planning Manager

Apologies for Absence:

Councillors C J Mullins, S Mullins and T Rana

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 4 September 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 items 10 and 11, Tilgate Youth Centre Redevelopment - Approval of Scheme Budget and Authority to Appoint a Contractor, and Housing Acquisitions and Future Delivery, respectively.

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. Crawley Borough Local Plan 2023-2040

The Cabinet Member for Planning and Economic Development presented report [PES/459](#) of the Head of Economy and Planning.

The report sought to recommend to Full Council to approve the Crawley Borough Local Plan 2023-2040 for its adoption, in accordance with the recommendations, and subject to the Main Modifications necessary for soundness, set out in the Inspectors' Final Report.

The Cabinet were informed that the draft Local Plan before them had been found to be sound and legally compliant by the Independent Planning Inspectors in their report issued on 6 September, subject to some minor technical modifications. The process started in 2018 and has had 5 separate consultation periods and endorsement by Full Council on 3 different occasions and the Plan has navigated a unique set of circumstance including water neutrality.

The Cabinet Member highlighted the Inspectors' confirmation of the new employment area within Gatwick Green and their compliments on the Council's approach to water neutrality and the quality of our duty to cooperate with other local authorities. The only two options available to Full Council would be to adopt the Plan before them or reject it and thus completely start the Local Plan process from the beginning. It was noted that having an approved, sound and legally compliant Plan, would mean the Council had the ability to control the types of development within the Borough, safeguard the Council's ability to process planning applications and access Section 106 and CIL funding.

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 30 September 2024, which included:

- Noted the positive comments from the Planning Inspectors' report, including their questioning of long term safeguarding for the possible Gatwick southern runway. Also that there was a need for neighbouring local authorities to exercise the 'duty to co-operate' to assist with the town's housing need.

- Clarification sought and obtained on the Gatwick Green allocation. It was confirmed that the area of land allocated to Gatwick Green was no longer safeguarded but allocated for employment use.

Councillors Irvine, Noyce and Jones spoke as part of the discussion on the report.

Cabinet asked that their thanks be recorded to the officers involved in the Local Plan for all their hard work.

RESOLVED

That Full Council be recommended to adopt and publish the submitted Crawley Borough Local Plan 2023-2040 (May 2023) and Local Plan Map, amended to include all the Main Modifications recommended by the Planning Inspectors to make the Plan 'sound', together with other consequential and minor amendments as additional modifications, in accordance with Regulation 26 of the *Town and Country Planning (Local Planning) (England) Regulation 2012* and Section 23(2) and (3) of the *Planning and Compulsory Purchase Act 2004 (as amended by s112(3) of the Localism Act 2011)*, as set out in report [PES/459](#).

Reasons for the Recommendations

- a) National Government guidance expects local planning authorities to produce up-to-date Local Plans for their areas over a 15-year timescale, setting out the strategic priorities for the area and showing how development needs will be met.
- b) The new Crawley Local Plan will ensure the town's future development and infrastructure needs can be delivered to support the sustainable economic growth of the borough, within its accepted physical constraints, and whilst continuing to protect its important built and natural environmental assets.
- c) Substantial 'early engagement', a detailed technical evidence base undertaken throughout the Local Plan's preparation, three periods of formal statutory consultation, and scrutiny through an independent Examination, has shaped a justifiable, robust and practical framework against which future development decisions can be made.
- d) Planning legislation requires local planning authorities to submit every development plan document, including Local Plans, to the Secretary of State for independent examination. Section 23 of the 2004 Act establishes the legislation pertinent to the adoption of local development documents. This confirms that where the person appointed to carry out the examination recommends modifications to make the Plan sound, the authority may adopt the document with main modifications and any additional modifications the authority considers necessary which would not materially affect the document; s23(4) confirms that the authority must not adopt a development plan document unless it is done in accordance with this clause. In order to become the council's statutory Local Plan, it must be adopted by way of a Full Council Decision.

- e) The Inspectors' Final Report was received by the council on 6 September 2024. This has been published on the council's website and has been attached as an Appendix to this Cabinet Report (Appendix B). The Inspectors have found the Crawley Borough Local Plan 2024-2040 to be legally compliant and sound subject to a number of Main Modifications which are set out in the Final Inspectors' Report. These Main Modifications have been made to the final version of the Crawley Borough Local Plan 2023-2040 (October 2024) which is to be considered alongside this Cabinet Report (Appendix A). Minor additional modifications have also been incorporated to ensure the Local Plan is up to date, factually correct and internally consistent. These are set out in a schedule (Appendix C). These are in addition to those which were published by the council alongside the Main Modifications consultation.

7. 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 items of business on the grounds that they 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 items.

8. Tilgate Youth Centre Redevelopment - Approval of Scheme Budget and Authority to Appoint a Contractor

Exempt Paragraph 3

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

The Cabinet Member for Housing presented report CH/209 of the Head of Crawley Homes. The report sought Cabinet approval of a scheme budget for the site's redevelopment, and authority to enter into a contract for the construction of 6no. dwellings. He also highlighted a proposed technical revision to recommendation 2.2c as detailed in report CH/209a of the Head of Crawley Homes.

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 30 September 2024, which included:

- Noted that Full Council approval would also be sought for the transfer of land from the General Fund to the Housing Revenue Account and approval for the proposed scheme budget.
- Recognition that the proposal for new affordable housing would assist in increasing the housing stock in the Borough, and could contribute towards addressing Crawley's housing needs.
- Acknowledgement that parking considerations were a challenge, but consultation had previously taken place and the scheme was still subject to Planning permission.

- Noted that the scheme was to be built to “passive house” standards for energy efficiency.

Councillor Crow was invited to speak on the item, commenting that he felt that the Commission’s comments did not fully reflect the discussion, especially in terms of the consultation and over the mix of potential tenants.

Councillors Nawaz, Noyce and Jones spoke in support during the discussion on the report. Clarification on a number of questions raised during the debate was also provided by the Head of Crawley Homes and the Chief Executive.

RESOLVED

That the Cabinet:

- a) delegates authority to the Head of Crawley Homes and the Chief Executive, in consultation with the Leader, for the appointment of a building contractor at the Tilgate Youth Centre site, using a suitable building contract following an appropriate procurement process, subject to planning permission being granted. (Generic Delegation 3 will be used to enact this recommendation).
- b) delegates the negotiation, approval and completion of all relevant documentation, including legal paperwork, to the Head of Crawley Homes, in consultation with the Head of Governance, People and Performance and the Head of Corporate Finance (Generic Delegations 2 & 3 will be used to enact this recommendation).

That Full Council be recommended to approve the proposed scheme’s budget - stated under sections 6.7 and 6.12 within the report, which includes approving the appropriation of land from the General Fund to the Housing Revenue Account at a value of £175,000 (as identified in 7.5) - for the delivery of six affordable residential units (flats) at the Tilgate Youth Centre site, Shackleton Road

Reasons for Recommendations

- a) With its obligation to satisfy housing demand in the borough, and its statutory duty towards its residents that are in housing need - who cannot afford to buy or rent on the private market, the Council is required to pursue the development of new affordable housing in order to meet this demand.
- b) Despite the constraints which accompany the site, it is considered to be highly suitable for low-density residential development within a well-established neighbourhood setting.
- c) If developed, the site would also become home to the Council’s third ‘own build’, fully certified Passivhaus scheme – joining the likes of previously delivered schemes at Gales Place, Three Bridges, and Dobbins Place, Ifield West, whilst maintaining the Council’s drive to reach (carbon emissions) net zero by 2040.

- d) In addition to the above, the introduction of further homes designed and built to Passivhaus standards will help drive up energy efficiency, while significantly lowering energy bills for occupants – many of whom may have experienced fuel poverty during previous tenancies.

9. Housing Acquisitions and Future Delivery

Exempt Paragraph 3

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

The Cabinet Member for Housing presented report CH/210 of the Head of Crawley Homes. The report sought approval for the acquisitions of properties available in the market aimed at addressing specific housing needs, and to request Full Council to authorise an uplift in the Crawley Homes Acquisitions Budget in order to support this objective. It was noted that one of the objectives for pursuing these market acquisitions was to maximise the funding allocation awarded to Crawley Borough Council by the Local Authority Housing Fund (LAHF), and to satisfy the requirements of this LAHF allocation in the most effective way.

Councillor Jones spoke as part of the discussion on the report.

RESOLVED

That the Cabinet:

- a) delegates the negotiation, approval and completion of all relevant documentation, including legal paperwork necessary to secure the required market acquisitions to the Head of Crawley Homes, 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)*
- b) authorises the Head of Strategic Housing Services in consultation with the Head of Corporate Finance to complete the necessary allocations for the LAHF funding received.

That Full Council to recommended to approve the uplift to the Crawley Homes Acquisitions Budget from available funding sources as detailed in sections 5.9 (use of S106 monies) and 5.10 (10% contingency) and 5.11 (summary of budget requirement) of report CH/210, for the purposes of securing additional affordable housing in order to satisfy the housing requirements that meets the objectives of the LAHF funding allocation.

Reasons for the Recommendations

- a) The LAHF funding allocation is aimed at addressing specific housing needs in the borough, most of which relates to expanding the Council's temporary

accommodation housing stock, along with the need to provide a quota with more secure tenancies, and it is this specific quota that can be better addressed through the expansion of Crawley Homes housing stock, with this report seeking the necessary budget to satisfy this particular LAHF requirement.

- b) The LAHF fund is aimed at achieving additional affordable housing, beyond that which is already being delivered through the affordable housing development programme, whereby this is to be achieved through sourcing the appropriate properties from the market, which is largely subsidised by the LAHF funding allocation, but requires a supporting budget to enable this funding allocation to be utilised.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 7.47 pm.

M G JONES
Chair