

# Crawley Borough Council

## Minutes of Cabinet

Wednesday, 27 June 2018 at 7.30 pm

### Councillors Present:

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

### Also in Attendance:

Councillor I T Irvine, K Sudan, R S Fiveash and K McCarthy

### Officers Present:

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal and Democratic Services
Ian Duke	Deputy Chief Executive
Chris Pedlow	Democratic Services Manager
Diana Maughan	Head of Housing Strategic and Planning Services
Nigel Sheehan	Head of Partnership Services
Clem Smith	Head of Economic & Environmental Services

### Apologies for Absence:

Councillor G Thomas

### Welcome to the new Deputy Chief Executive and new Cabinet Member

The Leader in opening the meeting welcomed Ian Duke the new Deputy Chief Executive to the Council. The Leader then welcomed Councillor Brenda Smith back to the Cabinet, in her new role as Cabinet Member for Public Protection and Community Engagement. The Leader wished them both luck in their new roles and looked forward to working with them going forward.

### 1. Disclosures of Interest

No disclosures of interests were made.

**2. Minutes**

The minutes of the meeting of the Cabinet held on 21 March 2018 were approved as a correct record and signed by the Leader.

**3. Public Question Time**

There were no questions from the public.

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

The Head of Legal and Democratic Services reported that no representations had been received in respect of agenda item 14: *Crawley Leisure Management Contract*.

**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. Treasury Management Outturn for 2017/18**

The Leader of the Council presented report [FIN/442](#) on the Treasury Management Outturn for 2017/18. The Cabinet was informed that Councillors were required under regulations to regularly review and scrutinise the Council's treasury management policy and performance. The report provided details of the outturn position for treasury activities and highlighted compliance with the Council's policies previously approved by Councillors. The report also meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Local Authorities (the Prudential Code).

Councillor Cheshire presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 25 June 2018. The Cabinet noted the Commission's comments.

**RESOLVED**

That the Cabinet approves the actual 2017/18 Prudential and Treasury Indicators as set out in the report [FIN/442](#) and notes the Annual Treasury Management Report for 2017/18.

**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.

## 7. Licensing Houses in Multiple Occupation (HMOs)

The Cabinet Member for Housing presented report [SHAP/75](#) of the Head of Strategic Housing and Planning Services which informed the Cabinet that from 1 October 2018 the legislation governing the mandatory licensing of houses in multiple occupation (HMOs) under the Housing Act 2004, would be extended to include all HMOs (regardless of the number of storeys) with five or more occupants forming two or more households.

It was noted that the report detailed the expected impact of proposals on the housing services and the change in working practices required to meet the new demands. The report also detailed the proposed fee structure for issuing and renewing the extended HMO's licenses, which was required to be cost neutral.

The Cabinet commented it was pleased with the approach proposed and that the service would be adapting to meet the new work loads and seemed a sensible and practical method. Members were also pleased that the new duties should allow the Council to regulate the growing HMO's market across the Borough to ensure that our residents were living in safe and proper properties. It was confirmed to Members that parking related matters associated to HMO's was not a licensing element under the new duties.

Councillor Cheshire presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 25 June 2018. The Cabinet noted the Commission's comments.

Councillor McCarthy also spoke on the item.

### RESOLVED

That the Cabinet

1. notes the use of the new mandatory duties to license all licensable HMOs, as summarised in sections 4.1 to 4.3 of report [SHAP/75](#).
2. approves the proposed fee structure, as summarised in section 5 of report [SHAP/75](#).
3. notes the proposed changes to working practices to meet the new demands placed on the service as a result of this new legislative burden as set out in Appendix One and agree the appointment of one additional full-time member of staff, to be funded from the additional fee income.

### Reasons for the Recommendations

- The legislation extends the mandatory licensing of HMOs, and the Council's Private Sector Housing Team are legally required to implement it.
- The current fee structure is fair, proportionate and continues to reflect the cost of providing the service.
- Additional resources will be required to meet the increased work generated by the legislation change.

## 8. **Crawley Growth Programme - Update**

The Cabinet Member for Planning and Economic Development presented report [PES/298](#) of the Head of Economic and Environmental Services, which provided an update on the Crawley Growth Programme. The report detailed that two significant projects which were part of the Growth Programme, namely the Three Bridges Station Improvement scheme and the Queensway – the Pavement scheme, had currently separate budget codes. It was proposed that to enable an improved budget and project management, along with associated auditing processes, that those two project budgets needed to be under the wider Growth Programme budget header. Members noted that the report also sought a number of funding allocations from the Growth Programme's capital budget to previously agreed schemes and a proposal to increase the current S106 funding to the Crawley Growth Programme, by approximately £580,000.

Councillor Cheshire presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 25 June 2018. The Cabinet noted the Commission's comments.

### **RESOLVED**

That the Cabinet approves

1. the addition of the existing Three Bridges Station Improvement scheme and the Queensway – the Pavement scheme to the 'Crawley Growth programme' budget header.
2. the allocation of £2,620,000 from the existing Crawley Growth programme capital programme monies to the individual schemes as outlined in section 7.7 of report [PES/298](#).
3. an increase to the overall Crawley Growth programme capital programme allocation of £587,595 of received S106 monies, as set out above and in section 7.5 of report [PES/298](#).
4. the addition of the Station Gateway scheme to the Crawley Growth Programme budget and an allocation of £100,000 to the scheme, as set out in section 7.3 report [PES/298](#).

### **Reasons for Recommendations**

To ensure that identified schemes were added to the Crawley Growth programme budget header within the CBC capital programme and to allocate the remaining £587,595 S106 funding the Crawley Growth programme.

## 9. **Financial Outturn 2017/2018 Budget Monitoring - Quarter 4**

The Leader of the Council presented report [FIN/443](#) of the Head of Finance, Revenues & Benefits which sets out a summary of the Council's outturn for the year for both revenue and capital spending for the financial year 2017/2018. It identifies the main variations from the approved spending levels and any potential impact on future budgets. It was noted that at Quarter 3 there was a projected transfer to reserves of

£796,000, the actual transfer to reserves was £923,482, which would be used to fund future investments in the capital programme.

Whilst at Quarter 3 there was a projected surplus on the Housing Revenue Account of £266,000, the actual additional transfer for investment in the maintenance and building of future housing was £810,000. On capital spending, £29.454m was spent during the year, including £13.3m on new housing development.

## **RESOLVED**

- 1) That the Cabinet notes
  - a) the outturn for the year 2017/2018 as detailed in report [FIN/443](#)
  - b) that the Memorial Gardens play improvement scheme will be funded from S106 schemes as outlined in paragraph 8.10 of report [FIN/443](#)
  - c) that the Capital Programme may be varied by the proposed changes to the Crawley Growth Programme, as considered elsewhere on this agenda.
- 2) That Full Council be recommended to

Approve a supplementary capital estimate of £250,000 to the College car park site for additional units and for a sprinkler system as outlined in paragraph 8.7 of the report [FIN/443](#), 30% of this to be funded from 1-4-1 receipts.

## **Reasons for the Recommendations**

To report to Councillors on the outturn for the year compared to the approved budget for 2017/2018.

## **10. Terms of Reference and Nominations for 2018/2019 - Advisory and Working Groups and Member Development Executive Support Group**

The Cabinet considered report [LDS/136](#) of the Head of Legal and Democratic Services which sought approval of the Terms of Reference for the advisory group, working groups and support group which related to Cabinet functions.

## **RESOLVED**

That the Cabinet agree the establishment, along with the Terms of Reference for the Advisory group, Working groups and support group, as detailed in the table below:

<b>Working Groups and Terms of Reference</b>	<b>Group Nominations 2018/19</b>
<p><b>Budget Advisory Group – (BAG)</b></p> <p>To advise the Cabinet on the allocation of resources within the General Fund and Capital Programme (including the community infrastructure levy – CIL), taking account of the Budget Strategy, Corporate Plan and other relevant information.</p> <p>Chair and Vice Chair of the Cabinet to attend Budget Advisory Group, to present a strategic perspective only.</p> <p><i>Lead Officer:- Head of Finance, Revenues and Benefits</i></p>	<p><i>9 Members = 5:4</i></p> <p>Councillors: C Cheshire T Lunnon B Quinn (Chair) R Sharma L Willcock</p> <p>R G Burgess R D Burrett D Peck A Pendlington</p>
<p><b>Economic Regeneration Working Group – (ERWG)</b></p> <p>1. To receive and consider updates on economic regeneration initiatives and actions across the Borough, including delivery of the Town Centre Regeneration programme, the delivery of individual economic regeneration schemes and partnership activities within the Manor Royal Business District.</p> <p>2. To receive and consider reports on economic regeneration activities in Crawley and to make recommendations, as necessary, to the Cabinet on the:-</p> <ul style="list-style-type: none"> <li>• proposals to regenerate sites identified in the Local Plan, the Town Centre Supplementary Planning Document and the Manor Royal Supplementary Planning Document &amp; Design Guide.</li> <li>• identification and promotion of other economic regeneration opportunities to enhance the physical appearance and social, economic and educational attributes</li> <li>• communications with all interested parties to maintain confidence in the wider economic regeneration of Crawley.</li> </ul> <p><i>Leader Officer:- Head of Economic and Environmental Services</i></p>	<p><i>11 Members = 6:5</i></p> <p>Councillors: M Ayling C Cheshire B Quinn P Smith (Chair) G Thomas L Willcock</p> <p>D Crow F Guidera R A Lanzer K McCarthy M A Stone</p>

<p><b>Local Plan Working Group – (LPWG)</b> To consider and provide guidance on the process for reviewing the Local Plan and support the Local Plan Review to examination, if/when this is progressed.</p> <p><i>Lead Officer:- Head of Strategic Housing and Planning Services</i></p>	<p>13 Members = 7:6 Councillors: Labour nominations to be provided when Working Group meeting as required (anticipated autumn 2018)</p> <p>N J Boxall D Crow K Jaggard R A Lanzer K McCarthy M A Stone</p>
<p><b>Member Development Executive Support Group – (MDESG)</b></p> <ol style="list-style-type: none"> <li>1. To provide all party support for a coordinated approach to Member development and training across the Council.</li> <li>2. To identify individual and Group training needs and to prioritise them accordingly.</li> <li>3. To develop, monitor and evaluate all member development activities.</li> <li>4. To promote learning and development opportunities amongst all members of the Council encouraging the highest level of participation by members to organised training and development events.</li> <li>5. To ensure that a comprehensive induction programme is made available to all newly elected Councillors.</li> </ol> <p><i>Lead Officer:- Head of Legal and Democratic Services</i></p>	<p>5 Members = 3:2 Councillors: I Irvine M Pickett A Skudder (Chair)</p> <p>D Crow K McCarthy</p>
<p><b>Town Hall Project Members Working Group – (THPMWG)</b></p> <p>Focus on the Town Hall element of the proposed development and within this primarily, although not exclusively, the requirements for members’ facilities and the civic areas of the new building.</p> <p><i>Lead Officer:- Head of Partnership Services</i></p>	<p>7 Members = 4:3 Councillors: C Mullins B Quinn A Skudder (Chair) B Smith</p> <p>T G Belben K McCarthy M Stone</p>

**11. 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.

## **12. Crawley Leisure Management Contract Award**

The Cabinet Member for Wellbeing and the Head of Partnership Services presented report HPS/13 of the Head of Partnership Services which detailed the evaluation of the leisure management contract final tender submissions and recommendations relating to the appointment of a leisure management contractor for a 10 year contract commencing on November 14<sup>th</sup> 2018.

It was noted that there would be a ten day standstill period once all the tenderers involved had been informed of the decision. It was noted this was to allow any challenge on the decision from any of the parties involved. Once this period elapsed the decision would be final and be published accordingly.

### **RESOLVED**

That the Cabinet:

1. note the tender evaluation scores, associated comments and financial implications as detailed in section 6 and 7 of report HPS/13.
2. approve the appointment as detailed in paragraph 6.2 for the preferred bidder for the Crawley Leisure Management Contract for the period 14th November 2018 to 13th November 2028 (*and noting the option to extend by mutual agreement for a further five years*).
3. agrees that with effect from 2020/21, reduce the Council's programme maintenance budget by £40,000 per annum, reflecting the transfer of maintenance responsibilities to the contractor as detailed in section 7 of report HPS/13.
4. approves the allocation of a budget from the projected leisure management contract savings in 2018/19, as detailed in section 6 of report HPS/13, as a reserve account to support costs associated with the contract award, contract start up and potential enhancements (*the latter subject to an acceptable return being achieved*).

### **Reasons for the Recommendations**

The recommendations will enable the appointment of a preferred bidder and contract mobilisation to commence in preparation for the contract start on November 14<sup>th</sup> 2018.

### **Closure of Meeting**

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.03 pm

P K Lamb  
**Chair**