

# Crawley Borough Council

## Minutes of the Overview and Scrutiny Commission



**Monday 8 June 2015 at 7.00p.m.**

**Present:**

Councillor K Sudan (Vice-Chair / Acting Chair)  
Councillors M L Ayling, K Brockwell, R G Burgess, C A Cheshire, I T Irvine,  
R A Lanzer, L Vitler and W A Ward

**Also in Attendance:**

Councillor A C Skudder

**Apologies for Absence**

Councillors Dr H S Bloom and B A Smith

**Officers Present:**

Peter Browning Deputy Chief Executive  
Carrie Burton Transformation Manager  
Heather Girling Democratic Services Officer  
Lee Harris Chief Executive  
Steve Lappage Democratic Services Manager

### 1. Members' Disclosure of Interests and Whipping Declarations

The following declarations were made:

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor C A Cheshire	2	Health and Adult Social Care Select Committee (HASC)	Personal interest – Patient Representative of Crawley Clinical Commissioning Group (CCG)
Councillor K Sudan	2	Health and Adult Social Care Select Committee (HASC)	Personal interest – husband is a 'lay Member' of the Crawley Clinical Commissioning Group (CCG).

No whipping declarations were made.

### 2. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [16 March 2015](#) were approved as a correct record and signed by the Chair. The Commission conveyed its thanks to Councillor Ward as previous Chair of the Commission. A discussion took place on Minute

83 in relation to the Northgate surgery and its proposed re-location. This had been discussed at the OSC on [16 March 2015](#) and included in the Comments to Cabinet (OSC/236). Concern was further expressed regarding the process, with particular reference to communications and accountability. The Commission felt that since the consultation process had been completed that the Cabinet be requested to undertake a strategic view, agree an overall policy direction and take measures to alert NHS England regarding any detrimental effects on residents.

A further discussion took place on Minute 86. It was commented by one Member that the scrutiny function needs to be robust and add value, whilst also seeking fairness and it was felt this should be embodied throughout all Council operations.

### **3. Public Question Time**

No questions from the public were asked.

### **4. Prevent Duty**

The Commission received a presentation from the Chief Executive which detailed the new Prevent Strategy and the Duty placed on local authorities. Crawley was recently assessed as a 'priority area', attracting 1 year funding for a Prevent Co-ordinator post and funding for Prevent projects/activities to reduce the risk of individuals being drawn into or supporting terrorism. Since September 2014, Crawley has been delivering Home Office funded projects such as the Web Guardians Project and Young Leaders.

During the discussion, the following points were expressed:-

- It is the 'Prevent' part of Contest (UK Government's Counter-Terrorism Strategy) that places a responsibility on statutory organisations such as local authorities.
- The Counter-Terrorism and Security Bill received Royal Assent in February 2015. The government intends the Duty to commence from 1 July 2015. Local authorities must comply with the Duty and work effectively with local partners.
- WSCC has primary responsibility for Prevent.
- Crawley has provided Prevent training since 2011 and it was noted that further training and Members' briefings will be conducted once the Prevent Co-ordinator is in post.
- Concern was expressed that the Co-ordinator's post was temporary for twelve months. Members would be informed accordingly once the position was filled.
- Crawley operates its own Channel Panel, providing multi-agency support and interventions for individuals at risk of radicalisation.
- There was recognition that working with communities in a constructive and positive way is paramount as 'Prevent' cannot be delivered in isolation.

### **RESOLVED**

That the Commission welcomed the presentation and noted the new Duty affecting local authorities.

## 5. Review of Working Groups, Advisory Groups, Policy Development Forums and Seminars

The Commission, with the Democratic Services Manager considered report [LDS/098](#) of the Head of Legal and Democratic Services as currently drafted. The report summarised the review that had recently been undertaken examining the various groups that the Council has. It proposed the administration and support relocates to the relevant service department. The report recognised that working groups, advisory groups and PDFs may be beneficial, however it was also felt that all Member seminars resulted in improved communication and engagement with Members and should be used where appropriate and/or whenever possible.

This report was requested in advance of the July Cabinet. During the discussion, the following points were expressed:

- Members were in agreement that responsibility for the meetings should reside in the relevant service department, supported (where required) by the Corporate Support Team as opposed to Democratic Services.
- There was support for the disbanding of the Town Centre Committee, although concerns were expressed that responsibility for decisions may be delegated to the Cabinet Member, and the Commission's preference was that decisions be undertaken by the Cabinet (rather than an individual).
- Acknowledgement that PDFs were only actioned when required and at the request of the Cabinet Member, and consequently due to their infrequency there would be little gain in disbanding them. It was felt that PDFs had previously been underutilised and could be used more effectively in terms of considering and developing policies.
- Recognition that all Members' seminars could be used where appropriate in order to improve communications to Members and openness. It was felt that seminars would educate and inform as part of an overall reporting process.

### RESOLVED

That the Commission agreed to support the recommendations to the Cabinet, with the concerns noted above.

## 6. Transformation Plan 2015-2018 and Review of 2014/2015 progress

The Commission received a presentation from the Transformation Manager on the various Systems Thinking Reviews and the outcomes of these reviews over the last year. A lively debate took place. It was important to acknowledge 'what matters to the customer'. The ever evolving Transformation Plan was available on the Intranet. It was envisaged that updates would be presented to the Commission and that Members would use the Transformation Plan 2015-2018 to scrutinise service reviews and to assist in determining its work programme at the Workshop on 23 June 2015.

Members' main comments included:

- There might be potential benefit to link the property acquisition strategy and treasury management strategy in order to acknowledge investment acquisitions.
- There was support for the Commission to use the Transformation Plan to scrutinise services as it provided an opportunity to be efficient, open and inclusive, whilst being constructively involved in the process.
- It was noted that the timing of scrutinising the Transformation Plan would be crucial.

- It was acknowledged that the System Thinking Reviews had provided efficiency and income savings. However it was emphasised that the Reviews had also caused uncertainty for staff. It was important to engage and consult with staff whilst ensuring the process was conducted quickly to provide assurance and/or security.

## **RESOLVED**

The Commission welcomed the presentation and noted the Transformation Plan 2015-2018.

### **7. Revised Operations for the Overview and Scrutiny Commission and the Future of Performance Monitoring Scrutiny Panel**

The Commission considered report [LDS/100](#) of the Head of Legal and Democratic Services with the Acting Chair of the Overview and Scrutiny Commission. The report proposed amendments to the operation of the scrutiny function and the disbanding of the Performance Monitoring Scrutiny Panel (PMSP), which would result in a more valuable role for Members and could provide more effective outcomes for both Council services and customers.

Members held a long and in-depth discussion during which the following points were made:

- The majority of Members supported the future direction of Scrutiny including the Transformation Plan and Cabinet Member, Chief Executive and other agency discussions. It was felt discussions with the Deputy Chief Executive would also be beneficial. The timing of scrutinising the Transformation Plan would be vital and there might need to be future work (with the Transformation Manager) to schedule reviews to undertake in-depth reviews and optimise value.
- It was noted that undertaking scrutiny reviews which were 'neighbourhood specific' might be difficult as it was thought that neighbourhoods might have differing needs. By analysing the Transformation Plan, Members would be able to scrutinise each service area. Depending on the service, these would be neighbourhood specific and consequently challenges and potential improvements may be made in certain wards as a result. Scrutiny at a neighbourhood level would be an integral part of analysing services and facilities within the Transformation Plan.
- It was noted that PMSP had provided little value, however reservations were addressed regarding the inclusion of Quarterly Budget Monitoring and Quarterly Complaints reports within the Members' Information Bulletin (MIB). In particular it would be important that all data and detail was provided. It was noted both these reports should be publicly available on the website.
- It was discussed that the Access to Information Procedure Rules in the Constitution currently did not cover the MIB. The Overview and Scrutiny Commission proposed that the Governance Committee investigate and review the Access to Information Procedure Rules (Part 4) of the Constitution.
- It was proposed that compliments should also be included in the Quarterly Complaints report.
- There was support for the decision that any future scrutiny panels could potentially be chaired by the scrutiny suggestion nominator (who might not necessarily be an OSC Member) as this would encourage additional involvement and creativity. Reporting to OSC would then reside with either the Panel Chair or OSC Member.
- The Overview and Scrutiny Commission proposed one additional change to the Overview and Scrutiny Commission Terms of Reference - Article 6 (although it was

acknowledged the Commission could not scrutinise specific cases). This addition is proposed in bold with the deletions shown as strikethrough text.

#### 6.1 **Terms of Reference**

- (10) To discuss any local government matter or local crime and disorder matter either referred to the Commission or otherwise, to review or scrutinise such a matter and, where appropriate, make reports or recommendations to the Council or the Cabinet except where an excluded matter (i.e. any matters relating to a planning decision, a licensing decision or where a person has right of recourse to a review or right of appeal; any matter which is vexatious, discriminatory or not reasonable; any matter referring to an individual complaint; or any local crime and disorder matter excluded under S.19 of the Police and Justice Act 2006. However, a matter is not excluded if it consists of an allegation that a function for which the authority is responsible has not been **properly** discharged ~~at all~~ or that its discharge has failed or is failing on a systemic basis).

#### **RESOLVED**

That the Commission agreed recommendations 2.1a and 2.1b and requested the Governance Committee on 22 June 2015 to recommend to Full Council the approval of the revised Terms of Reference and Scrutiny Procedure Rules for the Overview and Scrutiny Commission, with the amendment to the Terms of Reference noted above.

#### 8. **Establishment of and Appointments to the Scrutiny Panels for 2015-2016**

#### **RESOLVED**

That the Fairness Commission Scrutiny Panel, be re-constituted, with a membership of Councillors C A Cheshire, K Sudan, G Thomas with substitute Member: Councillor W A Ward and that Councillor K Sudan be appointed as Chair for 2015/2016.

#### 9. **Appointments**

It was moved by Councillor Lanzer, seconded by Councillor R G Burgess that Councillor Bloom be appointed as the representative for West Sussex Health and Adult Social Care Select Committee (HASC), whilst Councillor Ayling, seconded by Councillor Cheshire, proposed the appointment of Councillor Ward. A vote was taken. As a result of the vote, Councillor Ward was appointed as the representative for West Sussex Health and Adult Social Care Select Committee (HASC).

#### **RESOLVED**

That the Commission endorsed the following appointments:

#### **West Sussex Health and Adult Social Care Select Committee (HASC)**

Councillor W A Ward

#### **West Sussex Joint Scrutiny Steering Group (JSSG)**

Councillor B A Smith

#### **West Sussex Joint Scrutiny Flooding Task and Finish Group**

Councillor G Thomas

**10. Scrutiny Workshop**

The OSC Workshop evening was proposed for Tuesday 23 June in Committee Room B. It was agreed to commence this Workshop at 7.00pm. Members would use this Workshop to determine the OSC work programme for 2015-2016 (including services contained within the Transformation Plan and any potential scrutiny suggestions).

**11. Scrutiny Training**

'Making effective use of Overview & Scrutiny' for Members has been arranged for Wednesday 15 July 2015 at 6.00pm in the Civic Hall.

**12. Forward Plan – 1 July 2014 and Provisional List of Reports for the following meetings of the Commission**

The Commission considered the latest version of the Forward Plan and the provisional lists of reports for future meetings. The referrals included:

**July 2015**

- Treasury Management Outturn 2014-2015
- Five Year Business Plan for Crawley's Adventure Playgrounds.
- Proposed Article 4 Directions
- Broadfield Barton Environment Improvements
- 27-45 Ifield Road – West Green Crawley
- Telford Place

**September 2015**

- Budget Strategy 2016/17-2020/21
- Crawley Borough Local Plan: Crawley 2030
- Review of the Council's Website and Intranet Infrastructure and Associated Systems.

**13. Closure of Meeting**

The meeting ended at 9.57pm.

K SUDAN  
Acting Chair