

Crawley Borough Council

Minutes of the Overview and Scrutiny Commission



Monday 6 July 2015 at 7.00p.m.

Present:

Councillor B A Smith (Chair)
Councillor K Sudan (Vice-Chair)
Councillors M L Ayling, Dr H S Bloom, K Brockwell, R G Burgess,
C A Cheshire, I T Irvine, R A Lanzer, L Vitler and W A Ward

Also in Attendance:

Councillors M G Jones, S Joyce, P K Lamb, C J Mullins and P Smith

Apologies for Absence

Lee Harris Chief Executive

Officers Present:

Russell Allison Housing Enabling & Development Manager
Peter Browning Deputy Chief Executive
Heather Girling Democratic Services Officer
Chris Harris Head of Community Services
Suzanne Holloway Principal Planning Officer
Anthony Masson Planning Officer
Nigel Sheehan Head of Partnership Services
Paul Windust Corporate Accounting & Treasury Services Manager
Vicky Wise Community Services Manager

14. Members' Disclosure of Interests and Whipping Declarations

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor Dr H S Bloom	Minute 19	Broadfield Barton Environmental Improvements	Personal interest as Wife is Chair of Relate in West Sussex. The organisation has a Charity Shop on Broadfield Barton shopping parade.

No disclosures of interests or whipping declarations were made.

15. Minutes and Matters Arising

The minutes of the meeting of the Commission held on [8 June 2015](#) were approved as a correct record and signed by the Vice Chair.

16 Public Question Time

No questions from the public were asked.

17. Treasury Management Outturn for 2014/15

The Commission considered report [FIN/361](#) with the Leader of the Council and the Corporate Accounting and Treasury Services Manager. The regulatory environment places responsibility on Members for the review and scrutiny of the treasury management policy and activities. The report provided details of the outturn position for treasury activities and highlighted compliance with the Council's policies previously approved by Members.

During the discussion, the following points were expressed:-

- 2014-2015 was the first year the Council had invested in corporate bonds.
- Support that the internally managed funds earned an average rate of return of 1.12% (a return 3x 7 day LIBID). Rate at end of March indicated that investment rates are falling.
- Clarification sought and obtained on the inclusion and classification of investment properties within treasury management reports. As part of the response, the Commission was advised that investment properties are currently excluded as they are not classified as treasury management under regulations (classed as capital expenditure).

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet.

18. Proposed Article 4 Directions at Manor Royal

The Commission considered report [SHAP/47](#) with the Cabinet Member for Planning and Economic Development, Principal Planning Officer and Planning Officer. The report proposed Two Article 4 Directions for Manor Royal. These would restrict the permitted development rights afforded by the Town and Country (General Permitted Development Order) 2015 that allow offices (B1)(a) and warehouse (B8) uses to convert to residential uses (C3) without the need for planning permission. The Article 4's would withdraw these rights within Manor Royal because of the adverse impact these changes are having on the supply of employment floor space and the commercial operation of the Business District.

It was noted that the report was subject to a clerical correction and the last sentence in section 3.1 would be removed. It was proposed that the potential to introduce an Article 4 Direction in the town centre was re-examined and that officers would bring forward a further report in the autumn. Members felt that the proposal for the town centre required additional consideration.

Members supported the report but felt the following views should be noted:

- The widening of permitted development rights has resulted in a weakness in the Government's approach to support the local economy.

- Commercial floor-space was being lost. There could be a detrimental effect on the wider area as trading businesses were being moved out of premises to facilitate a change of use.
- There was support for wide consultation as part of the process throughout the Manor Royal Business District and Tinsley Lane areas.
- Members supported lobbying the LGA with views concerning the request for exemptions from permitted development.
- Members wished to maintain dialogue with the DCLG, communicating the Council's concerns, and suggested combining with Business Groups – eg Coast to Capital LEP, Gatwick Diamond Initiative, Gatwick Diamond Business, Manor Royal Business Improvement District, as well as other adjacent Local Authorities including those that have similar experiences such as Croydon and Brighton Councils.

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet.

19. Broadfield Barton Environmental Improvements

The Commission considered report [DC&PS/012](#) of the Head of Partnership Services which requested additional project funding to commence planned environmental improvement works on Broadfield Barton.

A discussion was held with the Cabinet Member for Public Protection and Community Engagement and the Head of Partnership Services.

Members' main comments included:

- Disappointment and frustration that a private company is contributing a fraction of the costs the Council is funding. It was commented that an agreement is in place for the maintenance with the Broadfield Barton Management Company and this would be monitored in the future.
- Concern that a precedent may be set in terms of funding, however there was also recognition that there is an obligation to fulfil to residents.
- There was a general reluctance to terminate the scheme together with an acknowledgement that the current circumstances are unfortunate. Yet in the interests of social value and community cohesion the parade should be developed.
- Support for promoting the parade improvements throughout the project via various communication channels.

RESOLVED

That the Commission's views expressed at the meeting be passed to the Cabinet.

20. Five Year Business Plan for Crawley's Adventure Playgrounds

The Commission considered report [DC&PS/013](#) with the Cabinet Member for Wellbeing, the Head of Community Services and the Community Services Manager. The report detailed proposals for the future development of the Council's adventure playgrounds.

During the discussion, the following points were expressed:

- Support for the ongoing marketing and promotion campaigns to increase awareness and usage through various channels.
- Encouragement that the proposals aimed to promote ownership of the ideas by staff.
- Support that the scheme incorporated 'back to basics' play together with flexible spaces. Members emphasised the need for the service to be re-opened at weekends.
- Concern that the focus should be maintained on the free open-access play offer, but also being able to sensitively work to improve income opportunities through other areas including secondary spend.

RESOLVED

That the Commission welcomed the update report and noted the proposals.

21. Exclusion of the Public

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 involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraphs specified against the item.

22. Acquisition of Affordable Housing at the Southern Counties site, 27-45 Ifield Road

(Exempt Paragraphs 3 and 5)

Exempt Paragraphs 3 (information relating to financial and business affairs of any particular person (including the Authority holding that information) and 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

The Commission considered report DCE/01 of the Deputy Chief Executive which set out a proposal to acquire up to 85 residential units by way of a partnership agreement in respect of the development of the site 27-45 Ifield Road.

A discussion was held with the Cabinet Member for Housing and the Deputy Chief Executive.

Members broadly supported the report but highlighted the following comments:

- Recognition that there is increasing pressure to commit the Right-to-Buy (RTB) funds within the anticipated timescales.
- Acknowledgement of the requirement to maximise the development opportunities available.
- The importance of the design and build of any development eg access/security.
- The significance of the relationship between housing and the surrounding community, particularly the link to other services such as education, health and any additional funding available.

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet.

23. Telford Place Residential Scheme

(Exempt Paragraph 3)

Exempt Paragraphs 3 (information relating to financial and business affairs of any particular person (including the Authority holding that information))

The Commission considered report SHAP/049 with the Cabinet Member for Housing and the Housing Enabling & Development Manager. The report set out options for the development of the Council owned site and made recommendations for an appropriate tenure mix based on housing need and market considerations.

Members' main comments included:

- Recognition that there is increasing pressure to commit the Right-to-Buy (RTB) funds within the anticipated timescales.
- Support that good design and build is paramount and should be sympathetic to the area.
- Members felt that the option element proposed in Recommendation 2.2a(i) of report SHAP/049 should not be expedient and should only be considered if it assists the entire scheme.

RESOLVED

That the Commission's views expressed at the meeting be passed to the Cabinet.

24. Re-Admission of the Public

The Chair declared the meeting reopen for consideration of business in public session.

Councillor B A Smith then left the meeting due to transport issues (following her accident) and the meeting was continued by the Vice Chair.

25. Overview and Scrutiny Commission Work Programme 2015-2016

The commission considered report [OSC/240](#) presented by the Chair of the Commission. The report contained the findings from the Commission's Workshop held on 23 June 2015.

The Commission examined each of the proposals. In relation to the suggestion to Review the Civic Arrangements, OSC Members held a discussion regarding the topic and agreed with the Workshop's recommendation that it would be beneficial to receive a report from the Democratic Services Manager regarding the mayoral programme of events, current arrangements, budget and general background information.

On the proposal to review the Council's Democratic Structure, the Commission held a lengthy discussion around the proposal submitted by Councillor Irvine.

Members had mixed views regarding whether to propose a scrutiny review with some Members considering that the topic did not pass the public interest test. A vote was taken. As a result of the vote, it was decided to proceed to establish a Scrutiny Panel, and the Panel size be made up of 7 members (4 Labour and 3 Conservative Group Members in accordance with political proportionality).

Whilst a nomination for a Member to Chair the Panel was received, that nomination was subsequently declined and there were no further nominations from the OSC. The revised operations for the OSC and changes to the Constitution (being submitted to Full Council on 22 July 2015) proposed that the Commission would agree the Chair of a Panel (who might potentially be the Member who nominated the topic and not necessarily an OSC Member). Panel members will then be agreed in consultation with Group Leaders and the party group secretaries. However at least one member of the Panel must be an OSC Member.

In this instance, it was agreed Group Leaders and Secretaries would be contacted to obtain nominations for Panel Members and a Chair following Full Council.

Members also discussed the review of the Council's website. Members thought it would be beneficial to undertake further work with regards to the Council's website and social media. It was felt that the website is currently under used and out-dated. There is currently work being planned to update the website and social media.

Review Workshop's recommendation was that OSC Members receive a report from the Head of People and Technology and/or Web Development Manager on the current arrangements and future plans for the website.

Information has since been provided by the Head of People and Technology that the report that is going to Cabinet in September will be about replacing the infrastructure on which the website runs. This will provide the Council with more flexibility to develop the website. The development of the self-service portal for customers to access services through the website is due to commence shortly and it was suggested that Members receive regularly progress updates.

RESOLVED

1. That the Commission agreed the following for each of the proposed scrutiny topics:

Review of the Civic Arrangements –

- That OSC Members receive a report from the Democratic Services Manager on the Mayoralty.

Review of the Council's Democratic Structures –

- That a scrutiny review be established to review the democratic structure of the Council, comprising of 7 Members (i.e. 4 Labour and 3 Conservative Group Members in accord with political proportionality).
- That nominations be sought for members and a Chair from Group Leaders and secretaries following Full Council.

Review of the Council's Website –

- That Members receive regular updates from the Web Development Manager on the current arrangements and future plans for the website.

2. That the Commission agreed the Overview and Scrutiny Commission Work Programme for 2015-2016 with the agreed amendments and an acknowledgement that it would remain flexible to consider other items throughout the year.

26. Health and Adult Social Care Select Committee (HASC)

An update was provided by Councillor Ward. Concern was acknowledged for the recruitment and retention support for GPs, general practice nurses and therapists, particularly at Langley Green Hospital. However, more recently both Councillors Ward and B A Smith had received reassurance of the transformation of services on site. Councillor Ward also reported that there had been grave concerns across Crawley surrounding the closure of Northgate Surgery and move to Cross Keys House.

27. Scrutiny Panels

Fairness Commission Scrutiny Panel

The last meeting was held on 2 July 2015 and an update was provided by Councillor Sudan. The Panel has received various mixed responses in reply to the models that had to be taken into consideration. There had been a full in-depth discussion undertaken regarding the models and the responses received. There is a vast amount of work currently being undertaken throughout the town. In some cases this places Crawley in a more advanced position than other authorities looking to establish a Fairness Commission. It was therefore felt that the full Fairness Commission model resides more with '1st tier' authorities - particularly when looking at those authorities (resources, Commission members, budget, remit and structure). It was discussed that perhaps an enhanced approach could be a way forward, using a hybrid element to model 3. A meeting has been scheduled with CCVS to discuss further and seek to share information.

28. Forward Plan – August 2015 and Provisional List of Reports for the Commission's following Meetings

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

September 2015

- Budget Strategy 2016/17-2020/21
- Review of the Council's Website and Intranet Infrastructure and Associated Systems.
- Crawley Community Infrastructure Levy Draft Charging Schedule Consultation.

29. Closure of Meeting

The meeting ended at 10.35pm.

B A SMITH
Chair