

Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 22 November 2021 at 6.30 pm

Councillors Present:

T G Belben (Chair)

K Khan (Vice-Chair)

M L Ayling, R G Burgess, R A Lanzer, S Mullins, A Nawaz, A Pendlington and S Piggott

Also in Attendance:

Councillor R D Burrett, I T Irvine, G S Jhans, P K Lamb, C J Mullins and P C Smith

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Heather Girling	Democratic Services Officer
Karen Hayes	Head of Corporate Finance
Louise Skipton-Carter	Sustainability Manager
Clem Smith	Head of Economy and Planning
Kate Wilson	Head of Community Services
Paul Windust	Chief Accountant

Apologies for Absence:

Councillor B A Smith

1. Disclosures of Interest and Whipping Declarations

The following disclosures were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor R A Lanzer	Budget Strategy 2022/23-2026-27 (Minute 4)	Personal Interest – Member of WSCC
Councillor R A Lanzer	Climate Emergency Action Plan (Minute 9)	Personal Interest – Member of WSCC
Councillor R A Lanzer	One Town – Crawley Economic Plan – Consultation Findings and Final Version (Minute 10)	Personal Interest – Member of WSCC

Councillor P Smith	One Town – Crawley Economic Plan – Consultation Findings and Final Version (Minute 10)	Personal Interest – Local Authority Director of the Manor Royal Business Improvement District
Councillor P Smith	One Town – Crawley Economic Plan – Consultation Findings and Final Version (Minute 10)	Personal Interest – Board member of the Town Centre Business Improvement District
Councillor R A Lanzer	Crawley Innovation Centre – Draft Business Case (Minute 13)	Personal Interest – Member of WSCC

2. Minutes

The minutes of the meeting of the Commission held on 1 November 2021 were approved as a correct record and signed by the Chair.

3. Public Question Time

No questions from the public were asked.

4. Budget Strategy 2022/23 – 2026/27

The Commission considered report [FIN/537](#) with the Leader of the Council, Head of Corporate Finance and Chief Accountant. The report set out the projected financial position for 2022/23 to 2026/27 for the General Fund, Housing Revenue Account, capital programme and the underlying assumptions. The report also set the policy framework for the budget process, recognising that there were a range of options for capital investment, income generation, savings and Council Tax levels; none of which were to be considered in isolation. The overall objective was to work towards a balanced General Fund budget over a four year period, this however may be difficult due to the impact of the Coronavirus pandemic.

The Commission received clarification on a number of points within the report during the discussion with the Leader of the Council, Head of Corporate Finance and Chief Accountant.

Councillors made the following comments:

- Harsh decisions taken last year have resulted in an acceptable outcome, however it was acknowledged that the final settlement from central government was still outstanding.
- It was noted that any costs associated with the climate change action plan will have to be fed into future budget processes and may result in savings being sought.
- Query sought on the decline in retained business rates and estimated NNDR compared to the assumed projections. This was due to an assumption of a business rates reset in 2025/26 and the business rates equalisation reserve being utilised in the first few years of the strategy.
- Acknowledgement that the pension fund was fully funded as it had exceeded targets over the last three years, the saving in 2022/23 would be £145,000.
- It was noted that the waste collection changing to fortnightly household waste whilst not approved would save £250,000. It was commented that as COP26 had just ended it would be a beneficial time to lead by example and implement food collection and fortnightly waste collection.

- Recognition that resources had been impacted over the course of the pandemic, financial resources, funding and grants available and it was clear that the financial pressures were going to continue for several years.
- Acknowledged that it still uncertain as to when the position with regards to Natural England and planning applications would be resolved.
- Disappointment was expressed that if there was a slower than anticipated take up of floor letting for the new Town Hall as a result of the impact of the pandemic and the new ways of working, savings may have to be sought in future.
- It was commented it would be beneficial to include the income being made from each investment property within the appendices.
- Officers were thanked for providing detailed reasons for reserves within the report.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

5. Treasury Management Mid Year Review 2021-2022

The Commission considered report [FIN/538](#) of the Head of Corporate Finance. The report provided an update on the Council's Treasury Management Strategy for 2021/22.

During the discussion with the Leader of the Council, Head of Corporate Finance and Chief Accountant, Councillors made the following comments:

- Confirmation sought and obtained on the lease surrounding Kingsgate car park. It would now be run as a Council owned car park once essential works were carried out and it was hoped it would be opened shortly, being in a prime location to the shops and the new town hall.
- Praise was offered for the in-house investments.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

6. 2021/2022 Budget Monitoring - Quarter 2

The Commission considered report [FIN/535](#) of the Head of Corporate Finance. The report set out a summary of the Council's actual revenue and capital spending for the quarters to September 2021 together with the main variations from the approved spending levels and impact on future budgets.

During the discussion with the Leader of the Council, Head of Corporate Finance and Chief Accountant, the following comments were made:

- Acknowledgement that the council currently had a favourable variance against the original budget largely due to government grants, although it was noted this was likely to be short term.
- Confirmation provided regarding the improved offer for the surrender of the lease on Kingsgate car park.
- Recognition of the additional income from interest on deferred receipts from shared equity properties.
- The Commission expressed its thanks to the Finance Team for its continued hard work throughout the pandemic and beyond.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

7. **Crawley Homes Rent Overcharge**

The Commission considered report [DCE/11](#) of the Deputy Chief Executive. The report considered the reasons behind the rental overcharge, the actions being taken to rectify this and the associated financial impact; and requested that Full Council approved the necessary financial changes.

During the discussion with the Cabinet Member for Housing, Chief Executive and Head of Corporate Finance, Councillors made the following comments:

- Acknowledgement that the report documented a historical error with regards to tenants' rents, reasons and rectification.
- Important that the council was seen to be doing the 'right thing' in repaying tenants and to ensure consistency with natural justice and transparency.
- Recognition that the analysis process was significant and complex along with the process for rectification for the teams involved, not just for the council but external organisations.
- By rightly applying the principles of natural justice there was a return of the money that has been overcharged, placing the financial impact at 'status quo', but it was noted that there was a financial impact in terms of resource analysis of the data and that required to rectify the issue which should be made open and transparent. It was subsequently confirmed that costs were borne out of existing hours.
- Acknowledgement that the implementation of the policy seemed simple (48 to 52 weeks) compared to the cost of the resolution which appeared overly complicated. It was important to learn how to avoid similar situations in the future as it was noted the Regulator for Social Housing contacted the council following its first mandatory data return.
- Acknowledgement that the change was made by dividing the existing rent by 52 and then multiplying by 48. Actual rents were changed but the target rents on the system were not. Confirmation that the information was now fed into the housing system.
- It was queried whether the rent charging may not have been consistent with the decision taken in October 2013. However that decision reflected the 52 week charge for actual rent and it was noted the targeted rent was set by central government.
- Recognition that the Council actively monitored actual rents received versus the level forecast and regularly checked and sought reasons for variances. The year that the decision was made the council had 101 RTB properties. The Council budgeted for a similar level the following year (the first year of the new 52 week rent), however sold 66. When completing the budget monitoring the rental income was higher than anticipated but at the time this was put that down to having more properties paying rent than anticipated.
- Confirmation that the costs would come from the HRA once the process was complete. The budget would be adjusted next year and be reflected in the quarter 3 budget monitoring report.
- It was noted that existing tenancies would not be affected by this change, and neither were new tenancies within properties built since April 2014. Reconciliation had taken place for the current rent to ensure they were correct.
- Confirmation that rent credit would be transferred into rent accounts and also that the Corporate Debt Team would be liaising with tenants for any outstanding debt.
- It was noted that communications for tenants would continue over the next few weeks and Housing Advisors would be available to assist with any queries and support. Correspondence will be issued for former tenants but the priority was to the current tenants.

- It was felt it would be important for the Cabinet to acknowledge openly, ways to build some degree of public confidence in the council's ability to minimise this similar error in the future.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

8. Unsupervised Play Investment Programme

The Commission consider report [HCS/33](#) of the Head of Community Services. The report documented the investment priorities and necessary capital programme to be agreed for Unsupervised Play in Crawley for the period 2021/22 – 2022/23; together with the provisional capital spend requirement for 2023/24-2024/25.

During the discussions with the Cabinet Member for Wellbeing and the Head of Community Services, Councillors made the following comments:

- Recognition that the proposed investment programme had been devised based on the safety grounds and need of the sites throughout the town. The works were re-scheduled and prioritised due to condition.
- Acknowledgement that the sites had featured cross-party agreement through the working group.
- Confirmation that the current budget identified in table 6.7 was the remaining budget.

RESOLVED

That the Overview and Scrutiny Commission noted the report and the views expressed during the debate were fed back to the Cabinet through the Commission's Comment Sheet.

9. Climate Emergency Action Plan

The Commission considered report [PES/390](#) of the Head of Economy and Planning. The report sought approval for the Climate Emergency Action Plan to enable the council to reduce the carbon emissions generated by its activities in line with the commitments made in the Climate Emergency Declaration of July 2019; that is to reduce carbon emissions by at least 45% by 2030 and to zero by 2050 as recommended by the Inter-governmental Panel on Climate Change (IPCC).

During the discussion with the Cabinet Member for Environmental Services and Sustainability, the Head of Economy and Planning and the Sustainability Manager, Councillors made the following comments:

- Acknowledgement that the carbon dioxide emissions reduction target was at least 45% by 2030 and zero by 2050. It was highlighted that this was a target and it was hoped to reach this prior to this date.
- It was noted that a funding plan would need to be brought forward to ensure the action plan would be fully budgeted and costed. This would build on future investigations and audits to inform the full costs of driving down emissions.
- Recognition that procurement plays a key role in carbon dioxide emissions equating to the supply chain, construction, manufacturing, goods and services.
- It was commented upon that it was a useful intention to review the essential car user policy but it was commented that it may be difficult to revise staff terms and conditions.
- Other options should be considered for improving the waste fleet, together with waste services in general. It was felt that the reduction in emissions for waste

collection could be instigated by implementing food waste collection ahead of the timescales indicated in the plan and fortnightly rubbish collection.

- Acknowledgement that under provision on car parking, particularly in the town centre, was a deterrent for take up of electric vehicles as only a small percentage have off-street parking. It was noted the infrastructure was important and the EV charging network contract was in place in partnership with WSCC to install a network of charging points across the town. In addition, some petrol stations had installed EV charging points. Compressed natural gas was not an alternative as it still produced carbon dioxide and consequently its use had not fully materialised.
- It was noted that through government policy and Local Plan policy there could be significant influence on planning applications in the future to assist in achieving sustainability. Recognition that there was a balance between residents' perception, feasibility and achieving net zero.
- Recognition that there was a need to encourage modal shift and behaviour change and the council should be leading on this and had a moral obligation. The Core Principles for Action (appendix A) stated the Carbon Emergency communications and engagement plan would engage and influence staff, councillors and externally with residents and stakeholders. However the Commission felt that further publicity would be beneficial in order to encourage the wider community and following a unanimous vote it was agreed that the Cabinet be requested to consider this additional recommendation:

Request the Cabinet complement the Climate Change Emergency Action Plan with a public educational programme.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet with the additional recommendation above.

10. One Town - Crawley Economic Recovery Plan - Consultation Findings and Final Version

The Commission considered report [PES/391](#) of the Head of Economy and Planning. In March 2021, Cabinet gave approval for the draft Economic Recovery Plan to go out to consultation. The draft Plan outlined a vision for Crawley's future prosperity and recovery from the pandemic and proposed a number of schemes for delivery, setting out strategic priorities. The report presents the findings of that consultation together with a final version of the Crawley 'One Town' Economic Recovery Plan, for approval and publication.

During the discussion with the Cabinet Member for Planning and Economic Development and the Head of Economy and Planning, Councillors made the following comments:

- Acknowledgement that the 'One Town' Crawley Economic Recovery Plan was an overarching strategic framework for Crawley's economic recovery and for the following existing economic regeneration programmes and policies: Crawley Growth Programme, Crawley Town Investment Programme, Crawley Town Centre Regeneration Programme and Crawley Employment & Skills Programme.
- Following the conclusion of the consultation a glossary of terms had been created together with a timeline for the delivery of the interventions and the funding allocations.
- Key partners were recognised and highlighted throughout the individual projects within the specific documents.

- It was commented it would be beneficial to see quantifiable contributions from the different partners as a reminder of the amount from each contributor.
- Recognition that the recovery plan would tie in the needs and actions of the climate emergency action plan.
- Acknowledgement that there was firm commitment to invest in modernisation of the Crawley College campus and education programmes including degree syllabus, STEM centre along with new apprenticeships and identifying future employment opportunities.
- It was felt the 'joined up approach to recovery' lacked some other stakeholders and partners representation. The Crawley Growth Programme was one of four initiatives referenced. WSCC and Metrobus were key deliverables in this and yet they did not feature to the same extent. As a result, it was moved by Councillor Lanzer (seconded by Councillor Pendlington) that:

"the partnership contributions of Metrobus and WSCC to the Crawley Growth Programme should be more explicitly referenced in this document (the One Town Crawley Economic Recovery Plan – Consultation Findings & Final Version)".

Following a vote being put to the Commission, the proposal was declared as carried.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet with the additional recommendation above.

11. Exempt Information – 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 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 Innovation Centre - Draft Business Case

Exempt Paragraph 3

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

The Commission considered report PES/392 of the Head of Economy and Planning. The report requested Cabinet to consider the business case for the design, build and delivery of the Crawley Fusion Innovation Centre, proposed to be located in Manor Royal, fully financed by the government's Getting Britain Building Fund through the Coast to Capital Local Enterprise Partnership. The Cabinet report will include an evaluation of a full business case for the scheme, the development of which is being fully funded by the Coast to Capital LEP.

During the discussion with the Cabinet Member for Planning and Economic Development and Head of Economy and Planning, Councillors made the following comments:

- Recognition that the option proposed enabled the Council to acquire a suitable property should one become available to enable delivery of the Crawley Innovation Centre project.

- There was overall support for the proposal which potentially could result in exciting opportunity for the town.

RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

Re-Admission of the Public

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

13. Forthcoming Decision List - and Provisional List of Reports for the Commission's following Meetings

The Commission confirmed the following reports:

10 January

1. Information on Option 3 in relation to Petition – 'Keep your dog on a lead in Tilgate park'.

31 January

1. 2022/2023 Budget and Council Tax
2. Treasury Management Strategy 2022-2023
3. 2021/2022 Budget Monitoring - Quarter 3

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.40 pm

T G Belben (Chair)