

Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 31 January 2022 at 7.00 pm

Councillors Present:

T G Belben (Chair)

K Khan (Vice-Chair)

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

Also in Attendance:

Councillor M G Jones and P K Lamb

Officers Present:

Ian Duke	Deputy Chief Executive
Heather Girling	Democratic Services Officer
Karen Hayes	Head of Corporate Finance
Amanda Kendall	Head of Crawley Homes
Clare Prosser	Tenancy Services Manager
Clem Smith	Head of Economy and Planning
Paul Windust	Chief Accountant

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	HASC (Minute 10)	Personal Interest – Member of WSCC
Councillor R A Lanzer	HASC (Minute 10)	Personal Interest – WSCC Cabinet Member for Public Health and Wellbeing

2. Minutes

The minutes of the meeting of the Commission held on 10 January 2022 were approved as a correct record and signed by the Chair.

3. Public Question Time

No questions from the public were asked.

4. 2022/2023 Budget and Council Tax

The Commission considered report [FIN/549](#) with the Leader of the Council, Head of Corporate Finance and the Chief Accountant. The Council has a statutory responsibility to set a Council Tax and Budget in advance of the commencement of the new financial year. The Council Tax has to be set by March each year. During the past year the Council had continued to review its spending plans and considered options to amend spending to meet new priorities.

During the discussion, the following points were expressed:

- Due to the variation in the inflation estimate, the accuracy of this within the fees and charges was queried. The Council's financial advisors currently provide advice and model the inflation estimates. It was an assessment to increase fees whilst still providing services, without impacting on service users.
- Clarification as to whether an environmental review would take place on the essential and casual car user allowances, together with the employment benefit analysis. It was acknowledged it would be a substantial change for officers involved and there was a need to make savings at a time when the council was struggling to recruit. Whilst work had taken place there was not a demand to prolong the review.
- Given the current cost to the council for processing cheques it was queried if it was appropriate to charge an administration fee to discourage customers paying by cheque and incentivise other payment options. The pandemic had highlighted that other payment options were available but in other circumstances these had not been used. It was felt assistance should be offered to customers to transfer them to other methods.
- It was queried whether the revenue cost of borrowing as a percentage of revenue spend should be tabled within the report as the cost of borrowing for capital projects had increased. This could be included going forward given the council's current position.
- Confirmation provided regarding the increase capital budget for Tilgate Park lake erosion in that it had previously been agreed with the Park for a certain amount of capital in return for cost-neutrality. This increased fund was required for lake erosion works as a result of environmental improvements required.
- It was noted within the pay policy statement 2022/23 that the pay award had not been agreed within the current financial year. The exact date was currently unknown due to ongoing negotiations.
- Recognition that there were several aspects within the local government finance reforms that could affect the council; business rates, new homes bonus, the Levelling Up paper and any potential restructuring around local government could result in substantial change.
- Confirmation provided that some of the EU exit fund had been spent at Port Health but further funds needed to be allocated.
- Further discussion took place on the supplementary agenda. It was clarified that 121 units referred to households. There was always the need to ease the reliance on bed and breakfast accommodation and increase the provision of temporary accommodation as much as possible. Housing policy was strictly adhered to, and

it was also noted that the numbers on the housing register had not reduced over the years.

RESOLVED

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

5. Treasury Management Strategy 2022-2023

The Commission considered report [FIN/557](#) of the Head of Corporate Finance on the Treasury Management Strategy for 2022/2023 which the Council was required to approve before the start of the financial year in accordance with the CIPFA Code of Practice for Treasury Management and the Council's financial regulations.

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

- Clarity sought and obtained on the likelihood of a negative interest rate and the value of investments as a result of a potential move to a negative rate. It was acknowledged that it was now unlikely to achieve negative interest rates.
- It was commented that commercial investments were shown at the market value from March 2021. It is estimated the investments would stay at the same value. It would be beneficial to have historic cost, valuation and re-valuation. This could be considered as part of the Treasury Outturn report.
- Confirmation that investment net rate of return (net of all costs) included rent as *it was due* for commercial investments: property.

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 3

The Commission considered report [FIN/554](#) of the Head of Corporate Finance on the quarter 3 budget monitoring, which set out a summary of the Council's actual revenue and capital spending for the quarters to December 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, Councillors made the following comments:

- Income streams continued to be affected by the pandemic but it was acknowledged that grant funding had been available to assist. It was recognised that this was not a long term sustainable solution.
- Recognition that although the overcharge refunds were going into quarter 3 figures for 2021/22 this was awaiting auditors' agreement.
- It was queried how the pandemic had impacted on contractors' sickness given the high levels of repairs and the costs required.
- Recognition that Three Bridges station was still listed as a capital project and clarification was sought as to the risk if the project did not proceed. It was identified that the funding had been allocated and there was an opportunity to improve the rail and bus infrastructure from the station. It was anticipated a planning application would come forward in March however it would be looking at the same water neutrality implications and the constructions work would have an impact.

- Clarification was sought regarding the memorial gardens play improvements completion. (Note: unfortunately Covid had delayed the installation of a water fountain). Details were also sought as to the major works at Milton Mount flats.
- Confirmation that the 'contingencies' budget included all the major HRA projects.
- As this was potentially her last attendance at OSC, the Commission took the opportunity to record its thanks and gratitude to the Head of Corporate Finance, Karen Hayes for all her hard work, diligence, dedication and support she had provided not just the Commission but the Council as a whole, throughout her many years of service.

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. Extension to Public Space Protection Order (PSPO) - Car Cruising

The Commission considered report [CH/195](#) of the Head of Crawley Homes. The report sought approval to the extension of the Public Space Protection Order (PSPO) to prohibit car cruise activity by a further 3 years when the existing PSPO expires.

During the discussion with the Cabinet Member for Public Protection and Community Engagement, Deputy Chief Executive, Head of Crawley Homes and Tenancy Services Manager, Councillors made the following comments:

- Acknowledgement that additional measures were being investigated to prevent car cruise activity including enforcement, the issuing of warning letters and fixed penalty notices (FPN).
- It was paramount to liaise with local businesses and this had resulted in some successes in key locations associated with car cruises (for example Sainsbury West Green) where additional measures had been installed such as traffic calming and mobile CCTV units.
- Joint working and consultation with the police, WSCC, Manor Royal Business District and Gatwick Diamond Business Watch had proven positive.
- Recognition that whilst liaison had taken place between the police and the car cruise organisers it was not the council's position to propose alternative locations, merely to send a clear message through joint working and the extension of the PSPO that certain behaviours would not be tolerated and help reassure residents and businesses that unreasonable conduct relating to car cruise activity was being addressed.
- Acknowledgement that the FPN was currently set at a £100 which applied to all individuals taking part in car cruise activity. Following this, on non-payment of the FPN reminder letters can follow and subsequent court action if the fine remained unpaid. Warning letters had been a deterrent for the activity to cease in the past. The amount of fines collected currently resided within the NASB budget.
- Recognition that whilst during March 2019-October 2021 there were 146 incidents reported to the police and 131 incidents reported to the council during the same period, some of these could have been duplicated.
- Confirmation provided that since the PSPO was made, the council had issued 83 breach of PSPO letters. 4 of these related to repeat offenders. Until recently, no fixed penalty notices were issued, 32 have now been issued.
- Acknowledgement that the car cruise gatherings posed both a nuisance and danger to the wider public road users and it was felt the seriousness had not altered, however the frequency of the larger events had increased.
- Recognition that the current car cruise activity was a health and safety concern in addition to an anti-social behaviour issue and the Commission offered its general support for the extension to the Public Space Protection Order – Car Cruising to continue to enhance public safety through a targeted approach.

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. 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.

PART B BUSINESS - CLOSED TO THE PUBLIC

9. Crawley Innovation Centre - Draft Towns Fund 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/395 of the Head of Economy and Planning. The report presented the draft business case seeking Towns Fund monies for the Crawley Innovation Centre project, following endorsement and support for the project from the Crawley Town Deal Board and sought Cabinet approval for the Towns Fund business case for the Crawley Innovation Centre and for a summary version to be submitted to the government.

The Commission was advised of 3 amendments to the recommendations set out in section 2.2 of the report:

The Cabinet is recommended to

- 1) amend the following wording of recommendation 2.2 and in recommendation 2.2(d) as follows:

Amend '£8.6 million' to read '£8.4 million'

- 2) add the following recommendation to Crawley Innovation Centre – Draft Towns Fund Business Case FIN/395 before consideration of the report:

2.2(g) *“Authorise the Council's S151 Officer to request the Local Enterprise Partnership's powers of flexibility in order to ensure the Getting Building Fund (GBF) monies are defrayed in 2021-22 in accordance with the LEP's requirements by spending any residual GBF monies on the new Town Hall capital scheme and then rolling forward the equivalent sum from the Town Hall scheme into 2022-23 to ensure delivery of Crawley Innovation Centre project”.*

The Reason for Recommendation was further amended and a [supplementary agenda](#) would be published to document the changes.

During the discussion with the Head of Economy and Planning, the following comments were made:

- 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.
- Acknowledgement that the option proposed enabled the Council to deliver on opportunities, whilst protecting, consolidating and enhancing economic diversity.
- There was overall support for the proposal which was poised to play a key and interesting role in delivering on aspirations, investment and future needs within the town.

RESOLVED

That the Commission noted the report, amendments, additional recommendation 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.

10. Health and Adult Social Care Scrutiny Committee (HASC)

An update was provided from the most recent HASC meeting. Key items of discussion included:

1. The impact of temporary measures introduced as a result of Covid

Addressing the current backlog in dentistry care. NHS England is responsible for funding to support dentistry services and majority of budget is allocated on operations. Since the pandemic 7 practices had closed and during March-June 2020 dentists could only offer pain relief due to the restrictions in place, but urgent treatment centres were in place. This has subsequently increased but with limited patients, with approximately 85% now operating however there was a backlog and a struggle with recruitment. Additionally many people were finding it difficult to register and this lack of access to NHS dentistry sometimes impacted on other NHS services in West Sussex.

2. Financial Assessment Improvement Programmes

It was questioned how effective has the Financial Assessment had been and whether the previously identified priorities were appropriate, particularly as not all customers had been assessed since 2019.

Prepayment cards were currently being investigated and the procedure was going to be reviewed to provide an improved more personalised service with more communication. However unfortunately there are still some cases unresolved but all have ongoing dialogue to ensure that they would soon be determined.

The debt recovery programme was going to be reviewed and further training was scheduled for assessors including disability awareness training.

Assessments were now going to be carried out on time and the improvement programme was welcomed.

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

The Commission confirmed the following reports:

14 March

1. Changes of the Essential Car User Scheme
2. Town Centre Regeneration Programme v3
3. Towns Fund - To seek approval of business cases (PART B)

4 July

1. Treasury Management Outturn 2021 – 2022
2. Financial Outturn 2021-2022 (Quarter 4)

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.15 pm

T G Belben (Chair)