

Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 24 June 2019 at 7.00 pm

Councillors Present:

T Rana (Chair)

T G Belben (Vice-Chair)

M L Ayling, D Crow, R S Fiveash, G S Jhans, R A Lanzer, T McAleney, A Pendlington and K Sudan

Also in Attendance:

Councillor J Hart, I T Irvine, K L Jaggard, P K Lamb, B A Smith, P C Smith and G Thomas

Mr Ken Penton

External Affairs Manager, Post Office Ltd

Officers Present:

Russell Allison

Housing Enabling and Development Manager

Tony Baldock

Environmental Health and Licensing Manager

Karen Dodds

Head of Crawley Homes

Ian Duke

Deputy Chief Executive

Heather Girling

Democratic Services Officer

Karen Hayes

Head of Corporate Finance

Nigel Sheehan

Head of Projects and Commercial Services

Clem Smith

Head of Economy and Planning

Paul Windust

Chief Accountant

Apologies for Absence:

Councillor R G Burgess

1. Disclosures of Interest and Whipping Declarations

The following disclosures were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor D Crow	Crawley Growth Programme – Next Phase of Projects, Update to S106 Allocations and Funding Governance (Minute 7)	Personal Interest – Member of WSCC
Councillor R A Lanzer	Crawley Growth Programme – Next Phase of Projects, Update to S106 Allocations and Funding Governance (Minute 7)	Personal Interest – Member of WSCC
Councillor K Sudan	Crawley Growth Programme – Next Phase of Projects, Update to S106 Allocations and Funding Governance (Minute 7)	Personal Interest – Member of WSCC
Councillor T McAleney	Occupational Sick Pay for Crawley Homes' Contractor Staff (Minute 11)	Personal Non-Prejudicial Interest – Member of Unite
Councillor P K Lamb	Occupational Sick Pay for Crawley Homes' Contractor Staff (Minute 11)	Personal Interest– Member of Unite
Councillor T Rana	Occupational Sick Pay for Crawley Homes' Contractor Staff (Minute 11)	Personal Interest– Former Member of Unite
Councillor P Smith	Occupational Sick Pay for Crawley Homes' Contractor Staff (Minute 11)	Personal Interest– Member of Unite

2. Minutes

The minutes of the meeting of the Commission held on 3 June 2019 were approved as a correct record and signed by the Chair.

3. Public Question Time

No questions from the public were asked.

4. Relocation of Crawley's Crown Post Office to WHSmith, County Mall, Crawley

The Chair welcomed Ken Penton, External Affairs Manager – Post Office Ltd to the meeting to provide a review of the impact of the changes, together with an appraisal of the move and allow the Commission Members the opportunity to scrutinise the decision in sufficient detail.

During the discussion, the following points were expressed:

- Confirmation of the relationship between WHSmith and Post Office Ltd, together with the advantages and disadvantages of the relationship. It was made clear that

the relocation of the Post Office into the High Street has been beneficial in increasing the footfall.

- Concern was raised regarding the staff training and how this had been administered. Confirmation was provided that training had been provided prior to the opening within WHSmith and after at the counter. Whilst “teething issues” had arisen upon opening, it was felt these had been addressed. Customer service levels were monitored and whilst there had been concerns regarding queue levels upon opening with regards to passport ‘check and send’, these were in the process of being mitigated. Feedback would be taken in relation any further concerns.
- Whilst it was not thought that any of the Crown Post Office staff transferred to WHSmith, options had been provided to all staff and there were former Post Office staff now working at WHSmith.
In terms to customers it was felt that the relocation would assist in making the Post Office more sustainable. It was noted that the service mix was different from years’ ago such as home shopping returns, international driving licences and E top-ups. In terms of the relocation, WHSmith decide what products the Post Office provide.
- It was noted that WHSmith were a member of Shopwatch, where certain individuals can be ‘excluded’ and banned from entering certain premises. It was queried how this would affect the vulnerable community within Crawley.
- With regards to accessibility, concerns had been raised throughout the consultation period over the access within County Mall compared to the Crown Post Office, particularly in relation to parking. Whilst there was no awareness of the complaints surrounding accessibility, the Post Office would be keen to work with Access Groups should issues be brought to light. Furthermore there is currently a strict access policy which compelled WHSmith to ensure DDA standards were met.
- Further information was provided with regards to the consultation that took place, although concerns were raised that the relocation could not outweigh the benefit that the direct access and location of the Crown Post Office served.
- In terms of the neighbourhood post offices, it was acknowledged that more local post offices are opening in developing towns. It was acknowledged that the majority of post officers are run by other franchises. The Post Office would work with local Post Masters to develop the services with post offices.

RESOLVED

That the Chair thanked the External Affairs Manager from Post Office Ltd for attending and for the informative discussion that had ensued.

Councillor Fiveash left the meeting after this item.

5. Treasury Management Outturn for 2018-2019

The Commission considered report [FIN/473](#) with the Leader of the Council, the Head of Corporate Finance and the Chief Accountant. The CIPFA Code of Practice for Treasury Management recommends that Councillors be updated on treasury management activities regularly and the report ensured the Council was implementing best practice in accordance with the Code. The report provided details of the outturn position for treasury activities and highlighted compliance with the Council’s policies previously approved by Councillors.

During the discussion, the following points were expressed:

- Acknowledgement that the Council’s policy was to invest accordingly whilst providing an appropriate balance between security, liquidity, yield and ethical considerations.
- Recognition of the higher than expected return of the internally managed funds.
- Explanation sought and obtained on the details provided within appendices.
- It was noted that with within page 4 of the report, “The maturity structure of the debt portfolio”, should have read £23,000 and not £13,000. The amended table was as follows:

	31 March 2018 Actual £'000	2018/19 Original Limits	31 March 2019 Actual £'000
<i>Under 12 months</i>	0	10%	0
<i>12 months and within 24 months</i>	0	10%	0
<i>24 months and within 5 years</i>	11,000 (4%)	20%	23,000 (9%)
<i>5 years and within 10 years</i>	69,000 (27%)	40%	74,000 (28%)
<i>10 years and within 20 years</i>	180,325 (69%)	65%	163,325 (63%)
<i>20 years and within 30 years</i>	0	15%	0
<i>30 years and within 40 years</i>	0	10%	0
<i>40 years and within 50 years</i>	0	10%	0

RESOLVED

That the Commission noted the recommendations to the Cabinet.

6. Review of the Statement of Licensing Policy Gambling Act 2005 (2020 - 2022)

The Commission considered report [HCS/14](#) of the Head of Community Services. The report requested authorisation to conduct statutory consultation before seeking formal approval for adoption of the revised policy later in the year.

During the discussion with the Cabinet Member for Environmental Services and Sustainability and the Environmental Health Manager, the following points were expressed:

- Recognition that the local authority was responsible for the issuing of licences for premises that are covered under the Gambling Act 2005. Licences for operators and game types, together with controls concerning gambling machines were the responsibility of the Gambling Commission.
- The proposed revised Statement of Licensing Policy Gambling Act 2005 did not take into account on-line gambling as this was the responsibility of the Gambling Commission. However there had been consultation and lobbying within this area.
- Acknowledgement that there were minor changes to the policy.
- Explanation sought and obtained as to representations that may be considered frivolous, vexatious or irrelevant.
- It was noted that changes had been made in terms of gambling and “player protection”, for instance fixed odds betting terminals maximum stake being reduced to £2. There was support for further work, particularly surrounding sports advertising and assisting young people.
- Officers were commended for their work in responding to consultations.

RESOLVED

That Commission agreed the recommendations to the Cabinet.

7. Crawley Growth Programme - Next Phase of Projects, Update to S106 Allocations and Funding Governance

The Commission considered report [PES/316](#) of the Head of Economy and Planning. The report sought Cabinet approval to move to the detailed designs stage for the next phase of projects in the Crawley Growth Programme including 3 new walking and cycling schemes and bus shelter “superhubs” in the Town Centre and Manor Royal. It also sought approval to allocate more received S106 developer contributions to Crawley Growth programme projects and to present the revised funding and governance arrangements for the Programme.

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

- Recognition that the report sought approval for consultation, the allocation of S106 monies and those within the Crawley Growth Programme budget and together with the transfer of lead authority for the Town Centre Commercial Space development project to CBC, together with capital funding.
- Support for the report and the further development of the Crawley Growth Programme.

RESOLVED

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

8. District Heat Network - Operations, Maintenance and Billing Contract

The Commission considered report [HPS/20](#) of the Head of Major Projects and Commercial Services. It was proposed to award a contract for the provision for the operation, maintenance, metering and billing services, including the subsequent phases of the DHN (subject to value for money considerations and confirmation of the timings for such phases). The report sought confirmation, approval and delegated authority for various phases, including tender for the operation and maintenance of the DHN.

During the discussion with the Cabinet Member for Environmental Services and Sustainability and Head of Major Projects and Commercial Services, the following points were expressed:

- The report has been brought before the Commission at this stage so the project team could commence the procurement process in time to appoint a contractor in advance of the practical completion of the energy centre. The operations, maintenance and billing contractor could assist in the testing and commissioning of the plant and handover of the scheme once the practical completion stage had been met.
- Support for the tender exercise to appoint specialists within this field.
- Explanation sought and obtained as to the policy on excess capacity on supply production and how this sale of excess capacity would be handled.
- Clarification provided that once the tender evaluation was complete, a review of the business case would be undertaken. At that point, should either the capital cost or the projected revenue return not be acceptable, appropriate authority would need to be sought or the option to cancel the DHN project remained open.

- Recognition that the contract required specialist experience, skill and knowledge of delivering the service which was not currently available in-house, it required organisational capacity. The local authority needed to draw on the organisational expertise that those establishments would offer.

RESOLVED

That the Commission agreed the recommendations to the Cabinet.

9. Housing Infrastructure Fund (HIF) Agreements

The Commission considered report [SHAP/78](#) of the Head of Strategic Housing. The report sought delegated authority to permit Officers to finalise the terms of the grant funding and to enter into the Grant Determination Agreement (GDA) with Homes England, and other associated agreements as may be necessary to meet the grant funding conditions, if the terms are to Council's satisfaction leading to a Full Council decision to HIF funding.

Following a discussion with the Cabinet Member for Housing and Housing Enabling & Development Manager, Members made the following comments:

- Acknowledgement that negotiations can be complex.
- Support for the grant funding to be received across both schemes which would assist in providing an acoustic barrier in Forge Wood, together with access, site decontamination and public realm works at Telford Place.

RESOLVED

That the Commission agreed the recommendations to the Cabinet.

10. 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.

11. Occupational Sick Pay for Crawley Homes' Contractor Staff

Exempt Paragraphs 3 & 4

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

Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.

The Commission considered report CH/184 of the Leader of the Council. The report sought to consider the introduction of occupational paid sick leave for those engaged on working on Crawley Homes' contracts. The Leader of the Council and the Head of Crawley Homes, presented the report to the Commission.

During the in-depth discussion Members sought clarification and scrutinised the report in detail. The Commission debated the advantages and disadvantages of the proposals including whether there were any potential implications along with the benefits of the proposal.

Members' views were divided on this report and an amendment was moved requesting Cabinet to consider some further evaluation, which was not carried.

(A detailed Part B minute is contained within the Appendix)

RESOLVED

That the Commission agreed the recommendations to the Cabinet.

Re-Admission of the Public

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

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

There was no update was provided from the most recent HASC meeting. The minutes from the meeting held on the 12 June 2019 can be found [here](#)

13. Forward Plan - and Provisional List of Reports for the Commission's following Meetings

The Commission was reminded that each member receives an email when a Forward Plan form is published. In accordance with the Constitution regarding the Overview and Scrutiny Commission, Members are invited to notify Democratic Services which items, if any, should be scrutinised prior to consideration by the Cabinet, without necessarily waiting for a meeting of the Commission to scrutinise the list of Forthcoming Decisions.

The lists of reports expected at forthcoming meetings:

23 September

Budget Strategy 2020/21 – 2024/25
Homelessness Strategy 2019 - 2024
Tenancy Strategy 2019
Waste and Recycling Contract – provisional referral

25 November

Treasury Management Mid-Year Review 2019/2020
Review of Statement of Licensing Policy Gambling Act 2005 (2020 - 2023)
Crawley 2035: Crawley Borough Local Plan 2020 - 2035
Three Bridges Improvement Scheme Final Design

3 February

2020/2021 Budget and Council Tax
Treasury Management Strategy 2020-21
Capital Strategy 2020/2021

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.30pm

T Rana
Chair