

Crawley Borough Council

Minutes of Cabinet

Wednesday, 30 September 2020 at 7.00 pm

Councillors Present:

P K Lamb (Chair)	Leader of the Council
I T Irvine	Cabinet Member for Housing
G S Jhans	Cabinet Member for Environmental Services and Sustainability
C J Mullins	Cabinet Member for Wellbeing
P C Smith	Cabinet Member for Planning and Economic Development and Deputy Leader

Also in Attendance:

Councillor D Crow and T G Belben

Officers Present:

Natalie Brahma-Pearl	Chief Executive
Heather Girling	Democratic Services Officer
Karen Hayes	Head of Corporate Finance
Chris Pedlow	Democratic Services Manager
Kate Wilson	Head of Community Services

Apologies for Absence:

Councillor B A Smith

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Cabinet held on 24 June 2020 were approved as a correct record and signed by the Leader.

3. Public Question Time

No questions from the public had been received.

4. Matters referred to the Cabinet and Report from the Chair of the Overview and Scrutiny Commission

It was confirmed that no matters had been referred to the Cabinet for further consideration.

5. Public Spaces Protection Order - Alcohol Consumption

The Leader presented report [HCS/23](#) of the Head of Community Services which sought approval of a new Alcohol Consumption Public Spaces Protection Order (PSPO) when the current PSPO expires in October 2020. It was explained that an Order has been in place in Crawley since 2006 to address alcohol related anti-social behaviour firstly as a Designated Public Places Order (Intoxicating Liquor) and more recently as a transitioned PSPO.

It was explained that the purpose of the PSPO was to prohibit the consumption of alcohol where that consumption contributes to, is linked to or is associated with nuisance or annoyance to members of the public or a section of the public, or to disorder. It was noted that the Full Council has the authority of making the PSPO.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 28 September 2020, which included:

- Confirmation that the new PSPO would replace the current alcohol PSPO.
- Acknowledgement that the proposed PSPO would relate to the consumption of alcohol where it contributed to, was linked to or was associated with nuisance or annoyance to members of the public.
- It was noted that the proposed PSPO did not restrict the consumption of alcohol in a public place, but would be used to address anti-social behaviour associated with alcohol consumption which had a detrimental effect on the town and community.
- Acknowledgement that the area covered by the PSPO was borough wide, with the exclusion of Gatwick due to restrictions covering that vicinity.
- Explanations sought and obtained with reference to consultation and consumption of alcohol where the land and premises were council owned and/or operated.
- Confirmation that it was anticipated the issuing of fixed penalty notices would be limited in relation to the street community. Previously when asked to stop drinking and hand over a vessel believed to contain alcohol there had usually been compliance. Whilst fixed penalty notices can be escalated the PSPOs were within a suite of powers available.
- It was noted that following lockdown due to the Coronavirus pandemic there had been an increase in antisocial behaviour.
- With reference to the antisocial behaviour data, it was felt it may be beneficial to understand the correlation between the number of instances and the time at which they occurred (for example if these were attributed to pubs' closing time).

Councillor Crow was invited to speak on the item. Matters raised included:

- Acknowledgement that the consultation exercise had resulted in incredibly favourable results.
- Recognition that if the proposed PSPO was not granted the current signage would need to be amended to remove any reference to the alcohol PSPO, resulting in a cost to the council.

- A query was raised regarding the public perception of the enforcement use. It needed to be recognised that other methods were being deployed and PSPOs were within a suite of powers available. Fixed penalty notices could be used where necessary.
- General support offered for the renewal of the PSPO.

All Cabinet Members present spoke as part of the discussion on the report. There was support for the renewal of the PSPO, particularly as it was noted alcohol related crime had increased. It was recognised that action needed to be taken, whilst ensuring the PSPO was applied in a sympathetic manner. There was acknowledgement that the PSPO was borough-wide (excluding Gatwick) and the list of hot spots was not exhaustive, and other areas such as Broadfield Barton were not identified in the report.

A recorded vote was taken on the recommendations in accordance with the Council's Virtual Committee Procedure Rules. The names of the Councillors voting for and against the recommendations, along with any abstentions, are recorded as set out below:

For the recommendations:

Councillors Irvine, Jhans, Lamb, Mullins and P Smith (5)

Against the recommendations:

None.

Abstentions:

None.

RESOLVED

RECOMMENDATION 1

Full Council is recommended to

To make a Public Spaces Protection Order (PSPO) in the form of the draft (at Appendix A to Report, [HCS/23](#)) having first considered the outcome of the consultation exercise and all other relevant matters, and provided that Full Council is satisfied on reasonable grounds that the 2 conditions in section 59(2) and (3) of the Anti-Social Behaviour, Crime and Policing Act 2014 are met (as set out in paragraph 4.3 of Report, [HCS/23](#));

That the Cabinet endorses the making of the PSPO and approves, subject to Full Council making the PSPO in the form of the draft at Appendix A of Report [HCS/23](#), that the level for Fixed Penalty Notices which may be issued for a breach of the PSPO be set at £100.

Reasons for the Recommendations

PSPOs can target a range of behaviours and can prohibit specified activities or require certain things to be done by people engaged in certain activities. PSPOs can send a clear message that these behaviours will not be tolerated and help reassure residents and businesses that unreasonable conduct is being addressed. The proposed PSPO will not restrict consumption of alcohol in a public place, but will be used to address anti-social and behaviour associated with alcohol consumption which has a detrimental effect on the town and community.

The proposed PSPO, if made by the Full Council, will provide the Police and Local Authority with an additional powers to complement existing enforcement strategies and legislation. The proposed PSPO seeks to regulate specific activities in public places that have a detrimental effect on the local community and would be used as part of suite of options available to the council and police to enable a combined approach in tackling the problems associated with alcohol related nuisance, annoyance and disorder.

6. 2020/2021 Budget Monitoring - Quarter 1

The Leader presented report [FIN/505](#) of the Head of Corporate Finance which set out a summary of the Council's actual revenue and capital spending for the quarters to June 2020 together with the main variations from the approved spending levels and impact on future budgets. The Leader explained that the impact of the Covid19 has had a dramatically impacted upon the Council budget and income streams, so that at the end of the Quarter 1, even with additional Government funding, there was a deficit of £1.2mil to the General Fund. It was also explained that unfortunately the current difficult financial position was unlikely to improve any time soon, due to the ongoing effects of Covid19.

Councillor T Belben presented the Overview and Scrutiny Commission's comments on the report to the Cabinet following consideration of the matter at its meeting on 28 September 2020, which included:

- Acknowledgement that the report documented the financial viability of the council, particularly as a result of Covid19.
- Recognition that work had continued during lockdown to support the homelessness and street community. Diverted giving was still the preferred option of support.
- Confirmation that the delays in the handover of new housing developments had impacted on the housing register. The register had also been subject to an increase of those who had seen a change in circumstances due to their employment status resulting from the pandemic.
- Recognition that the free parking provided at Orchard Street, together with Crawley Hospital choosing to suspend pay and display parking until the end of June had decreased car parking income.
- Acknowledgement that the pay award had been higher than budgeted.
- Explanations sought and obtained on the various schemes provided within the capital programme.
- Confirmation that the increase in cancelled garage accounts, together with the inability to return garage keys safely to the town hall had resulted in a shortfall of rental income.
- Officers confirmed that the favourable and unfavourable variation indications would be reinstated for future reports.

Councillor Crow was invited to speak on the item. Matters raised included:

- Highlighted that this financial quarter covered the difficult lockdown period.
- Recognition that whilst government support had been welcomed, budget-saving decisions were still required to reduce the deficit. The pay award should however be welcomed.
- A query was raised regarding future funding for homelessness, together with the income compensation scheme for lost sales, fees and charges and whether these figures were included in the Quarter 1 calculations.
- Recognition that there was determination to move forward to deliver solutions.

The following responses were offered:

- Whilst the level of support had been forthcoming from central government, it had not compensated for the level of expenditure.
- The projections from the income compensation scheme for lost sales, fees and charges were not included in Quarter 1, and would feature in 2020/2021 Budget Monitoring Quarter 2 report.
- Notification has not been received about forthcoming funding regarding homelessness. Should this be received it would also be reported in a future Quarterly Monitoring report.

Councillors P Smith, Lamb and Mullins spoke as part of the discussion on this item. Council officers from both the Finance and Housing teams, together with partner organisations were thanked for their hard work and support during the Coronavirus pandemic. The implications for specific portfolio areas were highlighted and the need to reduce further economic consequences.

RESOLVED

That the Cabinet notes the projected outturn for the year 2020/2021 as summarised in report [FIN/505](#).

Reasons for the Recommendations

To report to Members on the projected outturn for the year compared to the approved budget.

Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 7.32 pm

P K LAMB
Chair