

Crawley Borough Council

Minutes of Governance Committee

Monday, 6 July 2020 at 7.00 pm

Councillors Present:

T Lunnon (Chair)

R D Burrett (Vice-Chair)

M L Ayling, D Crow, C R Eade, M G Jones, P K Lamb, R A Lanzer, S Malik and
K McCarthy

Officers Present:

Natalie Brahma-Pearl Chief Executive

Ann-Maria Brown Head of Legal, Democracy and HR

Mez Matthews Democratic Services Officer

Chris Pedlow Democratic Services Manager

Apologies for Absence:

Councillor T McAleney

1. Disclosures of Interest

The following disclosure of interest was made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Malik	Decisions Taken Under Emergency Urgency Powers (Minute 4)	Personal Interest – Hackney Carriage and Private Hire Driver licensed by Crawley Borough Council.

2. Minutes

The minutes of the meeting of the Governance Committee held on 29 January 2020 were approved as a correct record and signed by the Chair.

Following a query from a Committee member regarding Resolutions 1 and 2 of Minute 4 (Adoption of the New Constitution), it was acknowledged that the one year trial period for Written Public Questions at the Full Council and Public Question Time at other relevant Committees was likely to have been affected by the Coronavirus pandemic, and therefore any review of the trial was unlikely to provide a true representation of public interest. In light of this it was noted that the Governance Committee would have the option to extend the trial period when it considered the evaluation report in 2021.

The Committee noted that the new Constitution had come into effect on 14 April 2020.

3. Public Question Time

No written questions from the public had been received.

4. Decisions Taken Under Emergency Urgency Powers

The Committee considered report [LDS/161](#) of the Head of Legal, Democracy and HR. The Committee noted that the Constitution provided general provision for the Chief Executive to take decisions under Urgent Action. Under that provision, on 1 April 2020 the Chief Executive, with the support of the Leader, Opposition Leader and the Mayor, approved additional Emergency Urgency Powers. Those additional powers enabled the Council to continue to work effectively and take appropriate decisions in light of the impact of the Coronavirus pandemic.

The Committee was informed that although Urgent Action was generally reported to the next meeting of the relevant Committee, the Emergency Urgency Powers were distinct from the general provisions for Urgent Action set out in the Constitution and as such it was felt it would be more appropriate (and transparent) for one report to be considered by the Governance Committee with a recommendation to the Full Council. A summary of the decisions taken under the Emergency Urgency Powers was set out in paragraph 6.1 of the report.

The report proposed that the Emergency Urgency Powers cease, now that formal meetings of the Council were being held virtually, and that delegated authority be provided to enable the powers to be reinstated should the situation regarding the pandemic change.

The Committee considered the report and, in response to comments made by the Committee, it was noted that:

- The formal report in front of the Committee, along with the recommendations to Full Council on the cessation of the Emergency Urgency Powers and the process for their reinstatement, were deemed necessary and appropriate to ensure there was an audit trail of the decision making process.
- The original decision to approve the additional Emergency Urgency Powers had been taken as a matter of urgency and so had followed the relevant procedures as outlined in the Constitution. It was considered appropriate that the Chair and Vice-Chair of the Governance Committee should be consulted on any future reinstatement of those Emergency Urgency Powers.
- Officers would consider revising the Virtual Committee Procedure Rules to allow non-Committee members to join the meeting feed and to address a Committee with the consent of the Chair (which would reflect the procedure for non-virtual meetings).

RESOLVED

1. That the decisions relating to the Governance Committee functions which have been taken by the Chief Executive under Emergency Urgency Powers (as set out in paragraph 6.1 of report LDS/161) be noted.
2. That the Full Council be requested to:
 - a) note all the decisions taken by the Chief Executive under Emergency Urgency Powers (as set out in paragraph 6.1 of report LDS/161).
 - b) agree that the Emergency Urgency Powers cease on 31 July 2020.

- c) delegate to the Chief Executive, with the agreement of the Leader, the Opposition Leader, and the Chair and Vice-Chair of the Governance Committee, the power to decide that Emergency Urgency Powers can be reinstated should the situation change with regards to the Coronavirus pandemic and it be deemed necessary to do so.

5. Annual Governance Statement 2019-2020

The Committee considered report [LDS/160](#) of the Head of Legal, Democracy and HR which requested that the Committee consider the Annual Governance Statement and provide any comments for incorporation into the final version which would be included in the Annual Statement of Accounts and considered by the next meeting of the Audit Committee.

The Committee was informed that, given the Coronavirus pandemic, it had not been possible to complete the audits due to be considered at the scheduled Audit Committee on 22 July 2020. The Audit Committee meeting in July had therefore been cancelled and it was expected that a replacement meeting would be arranged for September 2020. It was therefore suggested that the recommendation set out in the report be amended to reflect the change of Committee date.

Amendment

It was moved by Councillor Lunnon (seconded by Councillor Burrett) that recommendation 2.1 of the report be amended to read "That the Governance Committee considers the Annual Governance Statement 2019-2020 and provides any comments for incorporation into the final version to be included in the Annual Statement of Accounts, which is to be approved by the Audit Committee *at its next meeting.*"

No objection was expressed by the Committee and the amendment was therefore declared to be CARRIED.

The Committee then considered the Annual Governance Statement and the following comments were made:

- It was queried whether, within the Housing Strategy section of the Statement, an additional priority for addressing homelessness could be added which focussed on reviewing the current services and facilities.
- It was felt that the consultation on the Three Bridges Station Improvement Scheme was significant. It was therefore suggested that information relating to that consultation be included within the Public Consultation section of the Statement.
- A Committee member was of the opinion that more reference could have been made within the Statement with regard to Councillor engagement.

RESOLVED

That the comments identified above be taken into consideration, and that the final version of the Annual Governance Statement 2019-2020 be included in the Annual Statement of Accounts, which was to be approved by the Audit Committee at its next meeting.

Closure of Meeting

With the business of the Governance Committee concluded, the Chair declared the meeting closed at 7.35 pm.

T Lunnon (Chair)