

# Crawley Borough Council

## Minutes of Overview and Scrutiny Commission

Monday, 28 June 2021 at 7.00 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, S Piggott and B A Smith

### Also in Attendance:

Councillor R D Burrett, I T Irvine, K L Jaggard, P K Lamb and C J Mullins

### Officers Present:

Russell Allison	Housing Enabling and Development Manager
Ian Duke	Deputy Chief Executive
Heather Girling	Democratic Services Officer
Karen Hayes	Head of Corporate Finance
Nigel Sheehan	Head of Projects and Commercial Services
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 S Piggott	Temporary Accommodation Modular Housing Solution (Minute 8)	Personal Interest – Trustee for local Housing Association but this Association has not been involved in the current item.
Councillor S Piggott	Telford Place Development Opportunity (Minute 10)	Personal Interest – Trustee for local Housing Association but this Association has not been involved in the current item.
Councillor R A Lanzer	HASC (Minute 11)	Personal Interest – WSCC Cabinet Member for Public Health and Wellbeing

## 2. Minutes

The minutes of the meeting of the Commission held on 7 June 2021 were approved as a correct record and signed by the Chair.

## 3. Public Question Time

No questions from the public were asked.

## 4. Treasury Management Outturn 2020 – 2021

The Commission considered report [FIN/527](#) with the Leader of the Council, 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 with the Leader of the Council, Head of Corporate Finance and Chief Accountant, the following points were expressed:

- Acknowledgement that due to the Covid19 pandemic, expenditure had been lower and capital projects had not progressed as anticipated over the last year.
- The high level of uncertainty had impacted the ability to make significant rate of return. Whilst the amount of income remained uncertain, in the longer term it was hoped cash flows would stabilise.
- Clarification offered on the maturity structure together with number of detailed holdings.
- Acknowledgement that the Treasury Strategy prioritises investments accordingly whilst providing an appropriate balance between security, liquidity, yield and ethical considerations. Even if the yield was negative, these considerations still needed to be adhered to.
- Recognition that the internally managed funds had earned an average rate of return of 0.58%. Whilst there was support for this good investment performance, the average balances were lower than budgeted for a variety of reasons (budget set pre-pandemic, business rates equalisation reserve and capital programme not progressing as anticipated).
- Acknowledgement that it was prudent to have sufficient funds in the business rates equalisation reserve.
- Concern that should another lockdown be forthcoming, there would be an increase in individuals requiring support. It was recognised that sensible decisions would be required in the future to protect long term investments.
- Explanations were sought and obtained on the details provided within appendices.
- It was felt that it would be beneficial to receive the detailed holdings table as part of a spreadsheet to allow further analysis to take place.

### **RESOLVED**

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet.

## 5. Financial Outturn 2020-2021: Budget Monitoring - Quarter 4

The Commission considered report [FIN/526](#) of the Head of Corporate Finance on the quarter 4 budget monitoring, which set out a summary of the Council's outturn for the year for both revenue and capital spending for the financial year 2020/21. It identifies the main variations from the approved spending levels and any potential 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:

- Acknowledgement that the report documented the financial viability of the council, particularly as a result of Covid19. It was recognised that revenue streams had been suppressed, and any reductions would affect the current position.
- Explanation was provided on the interest paid to HMRC due to late payment of VAT on disposal of land.
- Recognition that vacancies in some areas had produced an under-spend as recruitment in the public sector for certain posts was challenging.
- Acknowledgement that the delays in dealing with the repairs and maintenance within Crawley Homes had been caused by Covid-19 restrictions and impeding access to properties, along with the poor weather that had affected external works.
- Recognition that the in-year deficit on housing rents had been increased by the delay letting units, in some instances due to prolonged building work.
- It was noted that the council had been effective in dealing with the (business support) grants. However, the biggest concern was how to address the challenges in the future to re-build the community and deal proactively with Covid-19.
- Clarification sought on specific details within the report and those provided within appendices.
- The Commission expressed its thanks to the Finance Team for its continued hard work throughout the pandemic.

### **RESOLVED**

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet.

## 6. Leisure Contract - Extension of Variation Order

The Commission considered report [HPS/27](#) of the Head of Major Projects and Commercial Services. The report set out the arrangements the Council had entered into with Everyone Active (EA) following the initial lockdown in March 2020 and recommended the Council extend the variation order to facilitate the continued opening of the leisure centres over the period 1 July 2021 – 30 September 2021.

During the discussion with the Cabinet Member for Wellbeing and the Head of Major Projects and Commercial Services, the following comments were made:

- Recognition that due to the pandemic income had decreased. With social distancing and public health requirements remaining in place, it was noted that K2 Crawley would operate a phased opening.

- Confirmation provided that the proposed extension was for a 3 month period and it was hoped that should the contract variation be extended for this time period it would assist in this phased approach.
- Acknowledgement that marketing opportunities were currently being investigated in order to promote the centre. However it was remarked that the concern was not around publicity and awareness but the restrictions applied to capacity.
- Recognition that Everyone Active would be keen to build on capacity moving forward and events were scheduled increasing the income stream.
- Confirmation that risk assessments were undertaken for individual sports and activities and it was anticipated these would continue throughout the phased opening to normal operation.
- Clarification was provided on the current operating performance. There was support for the detailed officer engagement with Everyone Active.

### **RESOLVED**

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet.

## **7. Extension to Coronavirus Act Protections from Evictions in Crawley Homes**

The Commission considered report [DCE/08](#) of the Deputy Chief Executive. The report sought approval to replicate the protections provided by the Coronavirus Act 2020 for Crawley Homes stock for a further 12 months, following the economic impact of Covid-19 upon Crawley, and the potential of further economic and social impact upon the town.

During the discussion with the Cabinet Member for Housing and the Deputy Chief Executive, the following comments were made:

- Recognition that the Coronavirus Act 2020 had provided protection to social and private tenants by delaying when landlords could evict tenants. These initial protections came to an end after 31 May 2021 and nationally these extended notice periods were being tapered off over time. Maintaining the protections for evictions as stated in the Act until 31 May 2022 would provide added protection.
- Acknowledgement that provisions remained in place to administer evictions in more severe cases (anti-social behaviour, criminal acts). It was noted there were other council services in place to effectively assist and deal with the serious cases. This was in addition to providing and signposting support to those in most need, and this included council tenants and the private sector.
- It was noted that the rent arrears were currently at a similar level to those at the commencement of the pandemic.

### **RESOLVED**

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet.

## **8. Temporary Accommodation Modular Housing Solution**

The Commission considered report [SHAP/81](#) of the Head of Strategic Housing Services. The report requested Cabinet to approve the delegated authority for officers to progress with the procurement of a modular housing solution for the provision of urgently needed temporary accommodation. To negotiate and complete all relevant legal documentation, and for the appropriate delegation required for the Leader to enter into the necessary contracts.

During the discussion with the Cabinet Member for Housing and the Housing Enabling and Development Manager, the following comments were made:

- Further explanation provided on the structure, standard and assembly of the modular units.
- Confirmation provided that the scheme and sites would require planning permission and need to abide by the usual planning considerations. There was support for the consultation with relevant ward members.
- Recognition that the modular housing solution would provide savings in terms of construction, footprint and time. It offered versatility of use such as using 'air-space' above car-parks or garages. The formation of a scheme would result in faster occupation and rental income.
- Acknowledgement that the council had a programme for providing affordable housing and whilst these units were designed for a minimum of 60 years it was felt that the maximum stay would be approximately 3 years as they offered a pathway to independent living, and assisted in addressing the need for temporary accommodation. It was felt that the modular housing solution could potentially alter the perception of temporary housing, and may in the future offer a rapid solution to affordable housing.
- Confirmation that the units were of a high standard, similar to Passivhaus and therefore the running costs were lower.
- It was verified that the units would be protected from RTB (whilst used as temporary accommodation).
- Recognition that sites had not been yet been identified but consultation with Ward Members would take place at an appropriate stage of the site identification process. It was noted that the sites and locations should aim to create a space to improve physical and mental wellbeing.
- Explanation was obtained on the financial details provided within the report.

#### **RESOLVED**

That the Commission notes the report and requests that the views expressed during the debate, are fed back to the Cabinet through the Commission's Comment sheet.

### **9. 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.

### **10. Telford Place Development Opportunity**

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 SHAP/82 of the Head of Strategic Housing Services. The report requests Cabinet to consider a development proposal for the delivery of a policy-compliant mixed tenure affordable housing development, with the Council retaining the affordable rent quota of the scheme as intended in the previous procurement attempts.

During the discussion with the Cabinet Member for Housing and the Housing Enabling and Development Manager, the following comments were made:

- Recognition that the Council-owned site at Telford Place had significant potential to contribute towards meeting Crawley's housing needs, including the provision of affordable housing, and remained a site of strategic significance within the context of achieving residential development within the town centre.
- Acknowledgement that the development proposal now offered the potential delivery of a policy-compliant mixed tenure affordable housing development. This would result in the Council retaining the affordable rent quota of the scheme as intended in the previous procurement attempts.
- Clarification sought and obtained on the financial details and options provided within the report. The development proposal needed to be both affordable and maximise the market.
- Recognition that the development opportunity would be subject to a planning application, which would address development characteristics and any potential impacts. Following a detailed discussion, it was felt that further investigation was required on some issues. During the debate Councillor Lanzer, (seconded by Councillor S Mullins) moved a further recommendation. Following an unanimous vote, it was agreed that the Cabinet be requested to consider this addition:

Recommendation:

That the Cabinet re-consider the level of parking proposed for this development, for the reasons provided in the Commission's discussion.

### **RESOLVED**

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

### **Re-Admission of the Public**

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

## **11. Health and Adult Social Care Scrutiny Committee (HASC)**

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

- The meeting on 23 June 2021 was the first in the new municipal year. It was noted that all County Councillors had received training on the scrutiny process.
- The Committee received a presentation on the remit of Adult Services. The focus of the service had changed over time and there was now a more collaborative working with different agencies. There was a clear need to work more effectively in terms of time resources and people.
- The Committee was informed as to the remit and role of HASC; to improve outcomes, provide robust challenge and effective performance management.
- The terms of reference were agreed and appointments to the Committee's Business Planning Group were made.
- The Committee discussed its work programme. It was noted that any item for scrutiny would be in addition to those reports already held within the work programme, which included stroke services, self-harming and the provision of services for older people with mental health issues. The following topics were suggested as additions to the current Forward Plan and these would be considered by the Business Planning Group:
  - NHS Dentistry.
  - NHS restoration in relation to surgical waiting lists.

- Return of face to face GP consultations.
- Review of Care Point capacity.
- Interface between the Local Transport Plan, which was subject to public consultation and public health outcomes with a focus on eliminating carbon.
- There was a reminder that any member, whether a committee member or not, could put forward possible topics for scrutiny consideration.

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

The Commission confirmed the following reports:

### **7 July 2021**

Crawley Fusion Innovation Centre Scheme (Part B)

### **6 September 2021 (Cabinet 8 September 2021)**

Petition - 'Keep your dog on a lead in Tilgate Park'

### **27 September 2021 (Cabinet 29 September 2021)**

Budget Strategy 2022/23 – 2026/27

2021/2022 Budget Monitoring - Quarter 1

As part of good budget scrutiny, and following the guidance within the [CIPFA Financial Scrutiny Practice Guide](#), the Commission examined the Forthcoming Decision List and subsequently referred all quarterly monitoring reports.

It was requested whether financial training could be offered to the Commission. Furthermore it was remarked whether further detail could be provided on council complaints. However it was noted that complaint information was provided in the Councillors' Information Bulletin.

### **Closure of Meeting**

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 10.00 pm

**T G Belben (Chair)**