

Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 4 July 2022 at 7.00 pm

Councillors Present:

T G Belben (Chair)

K Khan (Vice-Chair)

M L Ayling, H Hellier, I T Irvine, R A Lanzer, A Pendlington, S Piggott, S Pritchard, T Rana and S Sivarajah

Also in Attendance:

Councillor J Bounds, S Buck, R D Burrett, K L Jaggard, M G Jones and C J Mullins

Officers Present:

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|-----------------|--|
| Russell Allison | Housing Enabling and Development Manager |
| Chris Corker | Operational Benefits and Corporate Fraud Manager |
| Ian Duke | Deputy Chief Executive |
| Trish Emmans | Community Safety Officer |
| Heather Girling | Democratic Services Officer |
| Karen Hayes | Head of Corporate Finance |
| Matt Lethbridge | Community Services Manager |
| Becky Pearce | Transformation Officer |
| Chris Pedlow | Democracy & Data Manager |
| 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 | Health and Adult Social Care Scrutiny Committee (HASC) (Minute 10) | Personal Interest – Member of WSCC |
| Councillor R A Lanzer | Health and Adult Social Care Scrutiny Committee (HASC) (Minute 10) | Personal Interest – WSCC Cabinet Member for Public Health & Wellbeing |

2. Minutes

The minutes of the meeting of the Commission held on 13 June 2022 were approved as a correct record and signed by the Chair.

3. Public Question Time

| Questioner's Name | Name of Councillor Responding |
|---|--|
| <p>Michelle Mineau, Furnace Green You have asked for public opinion on this subject of dog walking on leads and the majority has given a very firm 'no'. Do you intend to respect it?</p> <p>Supplementary – My worry is the way it will be implemented by asking people to spy on other people and report it on a special website. It doesn't build communities.</p> | <p>Councillor Chris Mullins (Cabinet Member for Wellbeing) - Following receipt of a petition the council sought views from the public who had great concerns and incidents at the park and also witnesses. As a result of a survey, a large majority were dog owners, but we need to look at incidents that take place within the park. We have amended our original proposals and taken on board the comments and are trying to find a compromise whilst listening to the safety concerns and taking into consideration the need to exercise dogs by putting in dog facilities. There is still a large area for dogs 'off lead' and I think it is a fair compromise.</p> <p>Councillor Ian Irvine – The Overview and Scrutiny Commission can only make a recommendation. Members tonight need to scrutinise the legislation and make sure views are taken into consideration and the final vote will be taken by Full Council as a whole. All opinions needed to be taken into account.</p> <p>Councillor Chris Mullins – We live in a society that has rules and legislation and all of us should obey those regulations. We want to run an education programme and inform dog walkers of why the changes have been introduced and help them train their dogs. I see it as an introduction, change and conditions of the park.</p> |
| <p>Peter Crosskey, Furnace Green Does the council recognise the risk of conflict of interest in its relations between Parkwood Leisure or its</p> | <p>Councillor Chris Mullins (Cabinet Member for Wellbeing) – I don't see a conflict of interest as we need to be in a situation where we're all</p> |

| | |
|--|--|
| <p>subsidiary running the golf club and Crawley voters and Crawley residents?</p> | <p>cooperating with each other. We want to enhance this with an education campaign and explain to dog owners whilst working together. It will be possible to walk the perimeters of the golf course into the woodland and we have 241 acres.</p> |
| <p>David Lightfoot, Furnace Green Two poorly publicised public consultations have apparently taken place. Both consultations found the public to be substantially opposed to the proposals. In which case on what grounds are these proposals being advanced? The curtailment of freedom for which evidence has been sighted must have very strong backing to merit the measures being proposed. The main issue is on what grounds are these proposals being put forward as I cannot think of any that are justified?</p> <p>Supplementary – I notice the proposal map, and I notice the area highlighted around the golf course. Is it not entirely orchestrated following pressure from the people that run the golf course to take dog owners off the golf course because they're a nuisance, even though we possibly make up a majority of users that make up those on that acreage?</p> | <p>Councillor Chris Mullins (Cabinet Member for Wellbeing) – I can provide witness sessions from individuals who have seen deer chased by dogs. We have chosen not to include the whole of the park, we have chosen areas of the park that include wildlife, the majority where the public go and where there are incidents. We are asking dog owners to be responsible.</p> <p>Councillor Chris Mullins – We are not banning dogs off the golf course. If a dog owner wishes to cross the golf course, the dog is kept on a lead. It is a safety concern for the dog as well as golfers. We are not keeping dog walkers off the golf course.</p> <p>Councillor Ian Irvine – Within the consultation responses the golf club has responded that they are not strongly in favour of a PSPO so I do not think we can say that they are strongly pushing this at all.</p> |

4. Public Spaces Protection Order - Keep your dog on a lead in Tilgate Park

The Commission considered report [HCS/41](#) and [HCS/41a](#) of the Head of Community Services which was presented by Cabinet Member for Wellbeing, the Community Services Manager and Community Safety Officer. The report reviewed the findings of the consultation and considered the options for implementing a Public Spaces Protection Order; Keep your dog on a lead in Tilgate Park.

Councillor Jaggard spoke on the item and matters raised included that consultation had not taken place on the proposed 'Option X', concern regarding the golf course perimeter and access, particularly from Maidenbower and how residents would be affected. It was also queried why the silt lakes had not been included in the proposal. Councillor Jones also spoke recognising it was an emotive subject, and the consultation responses had been acknowledged and it was important to consider all park users.

During the discussion with the Cabinet Member for Wellbeing, the Community Services Manager and Community Safety Officer, Commission members made the following comments:

- It was noted that the proposal and potential change was for a Public Space Protection Order (PSPO) to be considered to prohibit dog related anti-social behaviour within specific areas of Tilgate Park: the main lake, Peace Garden, lawn area and golf course. It was acknowledged that the topic was sensitive and divisive. Yet it was important to find a balanced, fair, and reasonable approach to this emotive subject.
- There was recognition that the many dog owners who visit Tilgate Park were responsible; keeping their dog under control and exercise it in a manner that does not cause distress to other park users. It was important not to alienate responsible dog owners but to manage anti-social behaviour.
- Support was offered for the Hound Ground, together with the training facility/circuit area to be provided which would offer areas for dogs 'off lead'. However queries were raised regarding costs and operation. It was also noted that dogs needed to remain healthy and be exercised.
- Queries were raised with regards to the perimeter footpaths and clarification was provided with reference to the PSPO areas. In addition, any preservation of woodland and paths would be undertaken as necessary. Comments were raised concerning the woodland area from both Furnace Green and Maidenbower immediately into the PSPO area.
- Acknowledgement that at the expiration of the 3 years, the process would be reviewed to determine whether the threshold to sustain if a PSPO was still being met and repeated if deemed necessary. It was confirmed that reviews could take place within the 3-year period if amendments to the PSPO were required.
- Views were expressed that the item should be unwhipped at Full Council, however this was not felt to be a discussion point to comment upon further at the Commission's meeting.
- Confirmation was provided on the consultees and responses received. There was an acknowledgement that there was likely to be under-reporting of incidents and the true scale of the issue was not necessarily reflected in formal complaints and reports and that whilst the majority of formally reported and anecdotal incidents were largely focused around the lake and lawn areas, there was evidence of the issue affecting other areas of the park, particularly where wildlife was concerned. It was however noted that whilst incidents did occur in other areas, some of these were reported less frequently. It was suggested an overlap of incidents with the PSPO map would be beneficial (particularly the golf course).
- It was remarked that only the main lake had been included in the proposed PSPO and the Silt lake had not been included in the revised area ('Option X'). It was commented that wildlife existed around all lakes within the park, where dogs were walked and it was therefore moved by Councillor Lanzer (seconded by Councillor T Belben) that the Cabinet be requested to consider the inclusion of the Silt Lake within the PSPO area. A vote was taken and upon being put to the Commission, the proposal was declared to be lost.
- Concerns were expressed that public consultation had not taken place on the proposed PSPO. Although some members also queried if subsequent responses would significantly add value and would delay the implementation. It was proposed by Councillor Lanzer and seconded by Councillor K Khan that the Cabinet be requested to consider a further consultation exercise on the proposed 'Option X'. Following a vote, the recommendation was declared as carried.

Having considered all the matters in detail, and as a result of the comprehensive discussion and subsequent voting, the Commission noted the report and felt that

the views expressed above along with the following recommendation was appropriate to be referred to the Cabinet:

RESOLVED

That the Commission:

Requests that the Cabinet consider a further consultation exercise on the proposed 'Option X'.

5. Treasury Management Outturn 2021 – 2022

The Commission considered report [FIN/575](#) 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:

- Clarification was offered on the maturity structure together with number of detailed holdings. It was confirmed most were on fixed rate of return, with only the Money Market Funds and Strategic Fund being variable rate.
- Confirmation that there was an error within the Non-Treasury Investment table concerning the valuations for Ashdown House and Atlantic House were reversed. This resulted that the rate of return was incorrect for these two properties and should have read 7.96% for Atlantic House and 7.52% for Ashdown House. The Treasury report show only those investment properties that we purchased for that purpose.
- Recognition that the current investment properties were valued on an annual basis and provided a good rate of return. It was felt that it would be beneficial to receive a detailed holdings table of commercial properties to allow further analysis to take place
- Explanations were sought and obtained on the details provided within appendices.

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. Financial Outturn 2021-2022 (Quarter 4)

The Commission considered report [FIN/572](#) 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 2021/22. It identified 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. It was recognised that revenue streams had increased due to car parking and community centres together with the Hawth Theatre management fee.

- Confirmation that the Hawth agreement was the repayment of the capital grant occurring over the four-year contract extension period.
- Recognition that that the cost of living and inflation were a concern and would have an overall impact on the Council's finances in areas such as suppliers' costs and energy prices would be just one of the significant challenges in the future
- Verification was provided on the delay to major works at Milton Mount flats due to a late design change coming from Sussex Building Control.
- Clarification was sought on specific details within the report and those provided within appendices.

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. 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.

8. Online Benefits

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 [FIN/573](#) of the Head of Corporate Finance. The report sought approval for the procurement of an online Software system to enable customers to self-serve Benefits and Council Tax Reduction online, through an online portal.

During the discussion with the Leader of the Council, Head of Corporate Finance and Transformation Officer, the following comments were made:

- Support for the creation of a self-service channel for customers to make claims, report changes, access information and respond to communication online, via a secure portal which would be available 24/7.
- Recognition that as part of the Transformation programme there was an expectation and commitment to deliver channel shift by moving services online. However it was acknowledged that there was also a need to assist those who were more vulnerable or less 'internet savvy' to be supported by Older Persons Services, Housing Officers, Contact Centre and voluntary groups.
- Acknowledgement that the procurement approach would look to provide best value, whilst automating services and improving customer experience.

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.

9. Telford Place Land Proposal

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/86](#) of the Head of Strategic Housing. The report requested the Cabinet to consider recommendations associated with the Telford Place site.

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

- Recognition that the site at Telford Place had significant potential to contribute towards meeting Crawley's housing needs. There was support for the mix of housing and it remained a site of strategic significance within the context of achieving residential development within the town centre.
- Acknowledgement that the development opportunity would be subject to a planning application, which would address development characteristics, water neutrality, scale of the building, car parking and any potential impacts.

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.

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. The key item of discussion included the scrutinising of Shaw Healthcare Contract. The committee was considering the performance against the current contract and whether the services will meet future demand.

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

The Commission confirmed the following reports:

5 September 2022

CBC Equality, Diversity & Inclusion Statement 2022-26
(The OSC would also consider the Review of the Transformation Plan)

3 October 2022

Budget Strategy 2023/24 – 2027/28
2022/2023 Budget Monitoring - Quarter 1

Proposed Changes to the Essential Car User Allowance Scheme

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 10.05 pm

T G Belben (Chair)