

Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 30 January 2023 at 7.00 pm

Councillors Present:

T G Belben (Chair)

K Khan (Vice-Chair)

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

Also in Attendance:

Councillor R D Burrett and M G Jones

Officers Present:

Steve Blacktop	Accounts Receivable Manager
Elizabeth Brigden	Planning Policy Manager
Ian Duke	Deputy Chief Executive
Heather Girling	Democratic Services Officer
Sallie Lappage	Forward Planning Manager
Anthony Masson	Senior Planning Officer
Clem Smith	Head of Economy and Planning
Paul Windust	Chief Accountant

Apologies for Absence:

Councillor H Hellier and A Pendlington

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	2023-2024 Budget and Council Tax (Minute 5)	Personal Interest – Member of WSCC
Councillor R A Lanzer	Health and Adult Social Care Scrutiny Committee (Minute 10)	Personal Interest – Member of WSCC

Councillor
R A Lanzer

Health and Adult Social Care
Scrutiny Committee
(Minute 10)

Personal Interest –
WSCC Cabinet Member for Public
Health & Wellbeing

2. Minutes

The minutes of the meeting of the Commission held on 9 January 2023 were approved as a correct record and signed by the Chair.

3. Public Question Time

No questions from the public were asked.

4. Crawley Borough Local Plan Review - Publication and Submission

The Commission considered report [PES/427](#) of the Head of Economy and Planning. The report requested Full Council to approve the submission draft Local Plan for Publication consultation (a statutory six-week period of public consultation), commencing 9 May 2023. It also requested Full Council to agree the submission draft Local Plan for Submission to the Secretary of State for Examination by an independent Planning Inspector, subject to minor amendments deemed necessary following consultation for the purposes of clarity, together with the approval of the publication and submission of the supporting documents for the Local Plan.

Throughout the discussion with the Head of Economy and Planning, Strategic Planning Manager, Planning Policy Manager and Senior Planning Officer. During the discussion, Councillors made the following comments:

- Recognition that a full Local Plan Review was being undertaken to ensure the borough maintained up to date planning policies. Much of the Local Plan remained as it was previously considered by Full Council in December 2020 (following advice relating to the government's aviation policy) and published for formal consultation in January to June 2021. Unexpected critical legal matters relating to water supply had subsequently followed and its potential impact on internationally protected habitat sites had caused additional work and substantial delays to the progression of the Local Plan whilst being resolved. There was now sufficient information available to address these concerns through the Local Plan Review and approval was sought to undertake a further period of Regulation 19 consultation prior to submission of the final draft Plan to an Inspector for examination in public. The [Local Development Scheme](#) had recently been published confirming the timetable.
- Acknowledgement that the public consultation would commence on 9 May and extend over a 6 week period. It was a formal consultation, with all representation received being submitted alongside the Local Plan to the Inspector for their consideration as part of the Examination.
- It was confirmed that the adopted Local Plan was subject to a 5-year Policy Review by Full Council decision, which confirmed the policies remained up to date for the purposes of Development Management decisions and ensured the Council was not placed in a vulnerable position. The requirement to review the Local Plan every five years and ensure it is up to date triggered the need to assess the existing policies against the revised national planning policy requirements and provided the opportunity to strengthen key policy areas.
- Acknowledgement that delays to neighbouring local authorities' Local Plans and concerns with their housing supply could have implications across the housing market area. There was recognition of the clear position on the benefits of maintaining an up to date Local Plan and that the 'duty to co-operate', had to be

demonstrated when the Plan was submitted. Local Plans were judged on their own merit and whilst there were benefits in the timetables of neighbouring authorities' Plans aligning, this was not a requirement, noting that it was helpful previously to have Crawley's housing requirement figure set first, prior to the Examination of neighbouring Plans.

- Clarification sought and obtained on the timescale, consultation, and Examination process.
- Acknowledgement that permitted development conversions were included in housing delivery figures. It was noted that the Local Plan would secure a stronger position for the council to defend against inappropriate developments. Article 4 Directions were currently in place across Manor Royal Business District, Maidenbower Business Park, Lowfield Heath, Three Bridges Corridor and Tilgate Forest Business Centre. Additionally the High Street and Queens Square and the Broadway Conservation Areas helped to secure the preservation and enhancement of Crawley's historic environment in accordance with legislation, national planning policy and best practice.
- Acknowledgement that the Local Plan had policies in place for a mix of housing for instance HMOs and upward extensions. It was important to maintain a balance between providing a need for the type of accommodation and any impact upon the amenity and privacy of neighbouring properties and the general character of the area. It would be key with any development to maximise the appropriate development potential of the town whilst not losing the amenity value or streetscene and protecting valuable areas.
- Acknowledgement of the Tree Protection and Tree Replacement policies, and recognition in the Plan that other forms of planting may be appropriate and potentially preferable for biodiversity.

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.

5. 2023-2024 Budget and Council Tax

The Commission considered reports [FIN/606](#) and [FIN606A](#) of the Chief Executive and Chief Accountant (s151 officer). The Council has a statutory responsibility to set a Council Tax and Budget in advance of the commencement of the new financial year. The Council Tax has to be set by March each year.

During the discussion, the following points were expressed:

- Acknowledgement that there have been several movements since the Budget Strategy report and the budget assumed a use of reserves of £261,970. There were sufficient General Fund reserves for this and during the year £413k of savings has been identified for the current and future financial years. Fees and charges would also increase by an average of 5% as per the approved Budget Strategy.
- The budget projection for the financial year 2024/25 provided a projected gap of over a million as a result of inflation and pay provisions, the additional costs of waste management and reduced Government funding. Over the four years the average gap was £701k and work would be required to find savings and efficiencies to meet this gap. Any growth item going forward would have to have a compensating saving identified to fund it.
- Recognition that the Government increased the Council Tax capping guidance to 3% or £5 on a Band D, whichever was the highest. The proposed 2.99% increase in Council Tax for the year for a Band D property equated to an increase of £6.55 for the year. Recognition that with regards to Council Tax the most common band

within the town was Band C. It was commented that the proposed increase for the Borough Council was low when compared to those projected across the three authorities (CBC £6.55, WSCC £77.67, PCC £15.00). It was important to be mindful and proportionate in the increases to the 'public purse'.

- Acknowledgement that the capital programme requested an additional £900k for Crawley Homes retrofit initiatives, to unblock developments due to water neutrality. These costs would be reimbursed by developers back to the HRA and tenants would benefit from lower water bills.
- Recognition of the supplementary report additional recommendation for £10m budget for Acquisition of Land and Dwellings in the HRA, and £1.15m for Temporary Accommodation which would provide the flexibility to acquire properties on the market for either general needs or temporary accommodation purposes.
- Confirmation sought and provided on the apprenticeship schemes and salaries.
- Detailed discussion ensued in relation to the potential reduction in homelessness numbers. Recognition that regular liaison took place with Strategic Housing and whilst it was a challenge to estimate the impact on future budgets of homelessness demands it was hoped that additional factors (such as grants and increases to capital budgets as documented in the supplementary agenda) would assist in reducing the demand for the service in future years. Acquisitions could play a significant role in addressing the increasing pressures on the Council's Housing Register.
- Acknowledgement that forecasting trends, variables and future housing needs was complex and on a local level. The reasons for homelessness were multifaceted and the identification of the causes was beneficial, however there were multiple factors, including affordability and supply. There was a range of multiple reasons why individuals were within the housing register and temporary accommodation along with policy and economic issues. It was recommended that it would be beneficial to receive a report back to the OSC on these factors and data impacting homelessness, temporary accommodation, and the identification of potential causes. It was further agreed that feedback be sought from Strategic Housing and included in the report as to how the service anticipated a reduction in homelessness numbers over the coming years, both generally as well as a reduction in homeless individuals where the council owes a duty (or is obliged) to prevent homelessness.

RESOLVED

That the Commission noted the report, the additional recommendations documented above and those in the supplementary agenda, and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

6. 2022/2023 Budget Monitoring - Quarter 3

The Commission considered report [FIN/607](#) of the Chief Executive and Chief Accountant (s151 officer). The report set out a summary of the Council's actual revenue and capital spending for the quarters to December 2022 together with the main variations from the approved spending levels and impact on future budgets. It was added that the council had made significant in year savings.

During the discussion with the Leader of the Council and Chief Accountant, the following points were expressed:

Acknowledgement that for quarter 3 variance had increased from £900,000 to £1.198m which would lead to a transfer from reserves of £1.65m. Similarly, recognition that the deficit on the HRA had increased from £218,000 to £1.019m, mostly all due to the forecast overspend on responsive repairs of £800,000.

£350,000 of this was due to weather-related repairs, but the rest was due to increased material costs and the poor condition of properties being returned.

- Confirmation was provided as to the main variances between the quarters, although offset by investment and operational properties, NASB vacancies, tree contractors and software licensing. It was acknowledged that whilst creative and thorough recruitment was undertaken, some posts were difficult to fill and maintain.
- Recognition that within the capital programme spend at end of Q3 was £20.654m against a budget of £37.461m. There was a projected slippage of £1m into future years across a number of schemes.
- Clarity sought and obtained on the K2 Crawley income projection reduction. It was acknowledged that recovery had been challenging and there was still progress to be made in order to have numbers return to pre-pandemic levels. Income projection was down £150,000 from Q2. The deed of variation puts the financial risk on the council, and despite membership sales improving, the market for gym membership was more competitive and Everyone Active had reduced their membership fees to attract and retain members. Utility costs were also higher and had significantly impacted. It was noted that the OSC was shortly due to receive an update on the K2 Crawley contract.

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. Treasury Management Strategy 2023-2024

The Commission considered reports [FIN/608](#) and [FIN/608A](#) of the Chief Executive and Chief Accountant (s151 officer) on the Treasury Management Strategy for 2023/2024 which the Council was required to approve before the start of the financial year in accordance with the CIPFA Code of Practice for Treasury Management and the Council's financial regulations.

During the discussion with the Leader of the Council and Chief Accountant, the following points were expressed:

- Recognition that the information was compiled from Q3 and budget reports which identified how the Council would finance the capital programme. Any identified borrowing could either be externally or internal borrowing. External borrowing could be long term through the Public Works Loan Board or short term with other local authorities. Internal borrowing was against the Council's existing reserves or balances.
- Acknowledgement that external debt remained at £260,325,000 (all belonging to the HRA). The first repayment was due back in March of £11m, followed by each subsequent March. Confirmation that no re-borrowing was needed for the first two years, but the strategy indicated that there would be a requirement to take out new borrowing in the future to fund the capital programme.
- Confirmation that there were no proposed changes to the investment strategy from the previous year. Investments were £129m at the beginning of the year, expected to fall to £89m by 31 March.
- Confirmation that the income from leaseholders was initially documented as 'other income' within the HRA.
- Request for further acronyms to be documented within finance reports, together with an explanation where appropriate.
- Confirmation sought and explanation provided on the liability benchmark.
- Recognition of the supplementary report as the amendment to the Budget and Council Tax Report (FIN/606A) would impact on the capital programme and prudential indicators in the Treasury Management Strategy. The amended

recommendation (FIN/608A) enabled the financing of the revised capital programme.

RESOLVED

That the Commission noted the report together with the amended recommendation documented in the supplementary agenda and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

8. Corporate Debt Policy

The Commission considered report [FIN/610](#) along with [Appendix A](#) and [Appendix B](#) with the Leader of the Council, Chief Accountant (s151 officer) and Accounts Receivable Manager. A review was carried out in 2022 and a new Corporate Debt Policy had been drafted to meet the Council's requirements.

During the discussion, Councillors made the following comments:

- Acknowledgement that the Council took its responsibilities to protect the public purse seriously and was committed to the highest standards of accountability in order to ensure the proper use of its approach to income collection and debt recovery.
- Recognition that the recent review of Council's processes in 2022 had resulted in a Corporate Debt Policy being compiled to meet the Council's requirements. The Council had recently rolled out "Lateral" software to enable it to have a shared view of debt across the Council. The system identified people that were vulnerable and was able to point them to get debt advice to help avoid getting into further debt.
- There was support that staff had regular training on debt recovery and how to support people in debt such as referring them to Breathing Space or Access Crawley.
- Acknowledgement that where possible, the Council aimed to proactively prevent debt arising or escalating and would seek to keep citizens informed so that they were fully aware of their obligations to the council and were in a position to make good decisions that avoid additional costs and pressures. However, ultimately the council would, where appropriate, escalate recovery actions to recover hard to collect debt. When doing so, it would maintain its fairness principles while applying the correct legal options.
- It was noted that in collecting income and recovering debt, the council was committed to adhering to good practice. This included the recognition of fairness principles and that collection arrangements should be manageable and sustainable in the context of both the council's duty to collect and a household's individual circumstances.
- Recognition that there were multiple payment methods available for individuals which was reassuring that circumstances were assessed.
- Confirmation obtained as to the situations whereby a debt was irrecoverable. After 6 years the debt is statute-barred and cannot be collected.

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. Corporate Plan 2023-2027

The Commission considered report [CEX/60](#) with the Leader and Deputy Chief Executive. The report documented a refresh the Council's Corporate Plan so it reflected the Council's priorities for the period 2023-2027.

During the discussion, Councillors made the following comments:

- Acknowledgement that the report documented and update from the previous Corporate Plan with a significant focus on post-pandemic recovery concentrating on areas including the economy, communities, water neutrality, continuation of the Crawley Growth Programme and Crawley Towns Fund, together with delivering affordable housing.
- Support for the continued inclusion of the 'duty to co-operate' arrangements to work with neighbouring authorities in the spirit of partnership to deliver housing to meet Crawley's needs.
- Confirmation provided regarding the programme required for reducing the town's carbon footprint and the commitment delivery to net zero through the Council's housing stock. It was noted whilst both these programmes were of vital importance the work would be allocated from different funding streams.

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.

10. Health and Adult Social Care Scrutiny Committee (HASC)

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

- West Sussex Stroke Programme.
- Delivery of the Adult Social Care Strategy 2022-2025 - 'The life you want to lead'.
- Adults' Services Quality Assurance Update.
- Witness session to improve NHS Dentistry across the county.

The minutes of the meeting were available on the HASC [website](#).

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

The Commission confirmed the following reports:

Tenancy Policy (Crawley Homes)
Leisure Contract - PART B
Waste and Recycling Contract Extension - PART B
Allocating Monies Collected Through CIL – Provisional Referral

The OSC is also due to receive an update on the K2 Contract along with a Cabinet Member discussion from the Cabinet member for Wellbeing.

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.03 pm

T G Belben (Chair)