

**Cabinet**  
**Wednesday 31 January 2024**

**Comments from the Overview and Scrutiny Commission**  
**at its meeting on Monday 29 January 2024**  
**OSC/318**

**1. Cabinet Agenda Item 7 – 2023/2024 Budget Monitoring Quarter 3**

**Comments and Recommendations**

The Commission considered report [FIN/643](#) of the Head of Corporate Finance.

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

- Confirmation provided that the forecast General Fund balance remained above the recommended minimal balance of £3m. However, it was noted further reporting would feature in the Financial Outturn report.
- Recognition that the HRA account was a ring-fenced account for recording expenditure and income on the Council's own housing stock and closely related services or facilities, provided primarily for the benefit of the Council's own tenants.
- Clarity was provided on the town hall overspend in relation to the pressures identified with transitioning to the new building. It was noted that some costs would be addressed as tenants move into the building through service charges and as additional income was generated.
- Confirmation provided that whilst IT and vehicle replacement were not anticipated to impact on services short term there may be a requirement to investigate procurement and financing long term.
- Acknowledgement that the most significant pressure on the Council's budget was homelessness. The Q3 forecast was £7.6m on temporary accommodation for 2023-2024, resulting in a forecast overspend of £3.6m against budget.
- As a result of the costs being attributed to housing and in particular temporary accommodation, it was moved by Councillor Lunnon (seconded by Councillor Russell) that it would be beneficial for the Commission to receive a detailed report on the rising costs and data attributing to these factors. Upon being put to the Commission, the proposal was declared as carried.

**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, with the additional recommendation noted above.

**2. Cabinet Agenda Item 8 – 2024/2025 Budget and Council Tax**

The Commission considered report [FIN/642](#) of the Head of Corporate Finance.

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

- Clarity sought and obtained on the use and validity of applying for capital dispensation, by which the Government, exceptionally, permitted local authorities to treat revenue costs as capital costs. It was confirmed that this was not advisable given that in the absence of usable capital receipts this would result in borrowing from the PWLB at a punitive plus 1% interest rate, and it was prudent to conduct a review of current reserves rate.
- Concerns raised about the predictions for the projected future budget gaps. It was noted that the review of current reserves was part of the process identified in the Budget Strategy, but reserves could only be used once. A seminar was being arranged to provide further budgetary information.
- Query sought and provided on the business rates calculation, business rates equalisation reserve, together with confirmation provided on the town hall business rates, vacant floors, void costs and rental income.
- Clarification sought on the current overspend within the repairs and maintenance budget. It was acknowledged that there had been various national changes impacting the service including Decent

Homes Standard, new legislation, national campaigns and more recently, the new structure for the Repairs teams.

## **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.

### **3. Cabinet Agenda Item 9 – Treasury Management Strategy 2024-2025**

#### **Comments and Recommendations**

The Commission considered report [FIN/644](#) of the Head of Corporate Finance.

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

- Acknowledgement that currently local authorities still provided a good rate of return on investments.
- Confirmation provided that under legislation local authorities were not allowed to default on loans. It would not be advisable to lend to local authorities that had issued a section 114 notice.

## **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.

### **4. Cabinet Agenda Item 10 – Review of Crawley Borough Councils Statement Licensing Policy for 2024 - 2029**

#### **Comments and Recommendations**

The Commission considered report [HCS/073](#) of the Head of Community Services.

During the discussion with the Cabinet Member for Public Protection, the Head of Community Services and the Public Protection and Enforcement Manager, the following comments were made:

- Noted that it was a legal requirement that the Council published a Statement of Licensing Policy under the Licensing Act 2003.
- Recognition that the Policy acknowledged the changing nature of the town's licensed economy and sought to understand the primary nature of the venue, encouraging applicants to clearly, and transparently, set out how the business intended to operate throughout the day and night, alongside measures to ensure the promotion of the Licensing Objectives. The Policy aimed to provide clearer guidance to applicants, responsible authorities and decision makers in relation to how applications should be considered as well as the obligations of licence holders.
- Clarity sought and obtained regarding Ward Member involvement in the process. It was confirmed that Ward Councillors were informed of all new applications and any application to vary a licence across the Borough.

## **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. Cabinet Agenda Item 10 – PSPO - Council Owned Multi-Storey Car Parks**

#### **Comments and Recommendations**

The Commission considered report [HCS/072](#) of the Head of Community Services.

During the discussion with the Cabinet Member for Environment, Sustainability and Climate Change, the Head of Community Services and the Public Protection and Enforcement Manager, the following comments were made:

- Clarity provided on measuring the success of a PSPO. This would be based on a high rate of compliance, evidence from the reduction in reporting and observations by the Public Protection Team. The use and number of FPNs was not an indicator of overall PSPO success. Any income from the FPNs would be included in the general fund for a range of options.
- Detailed information provided on the criteria and two conditions to be applied as set out in section 5.1 of the report. It was confirmed PSPOs can only be made where the Council was satisfied on reasonable grounds and there was evidence demonstrating those two conditions.
- Recognition that the introduction would demonstrate a commitment from the Council to tackle issues robustly and any issues should be reported promptly.
- Confirmation provided that the PSPO would not be used to address rough sleeping, which in itself was not a criminal activity nor deemed as anti-social behaviour as a PSPO looked at unreasonable and persistent behaviour. Rough sleeping was a complex issue, but where an intervention would be delivered with a rough sleeper, for example, would involve substance misuse where sharps had been discarded. In this instance rough sleeping was not a defence, but the vulnerabilities and experiences endured by an individual were the root cause and the behaviour was systematic. The Council continued to work with Crawley Open House and other agencies to provide a supported intervention approach.
- Acknowledgement that following the consultation, the majority of respondents had been in support of the introduction of the PSPO. The Commission was pleased that Sussex Police had also endorsed the proposal.
- There was general support for empowering police officers, PCSOs and the Public Protection Team. Given the strong evidence of support and need for the proposal, it was moved by Councillor Lanzer (seconded by Councillor Russell), that the Commission expressed its '*explicit support for the introduction of the PSPO*', which was agreed.

## **RESOLVED**

That whilst noting and welcoming the report, the Commission also expressed its explicit support for the introduction of the PSPO. It was requested that the views expressed during the debate, were fed back to the Cabinet through the Commission's Comment sheet.

## **6. Cabinet Agenda Item 16 – Crawley Town Centre Heat Network - Phase 2 Expansion**

### *Exempt Paragraph 3*

*Information relating to financial and business affairs of any particular person (including the Authority holding that information)*

### **Comments and Recommendations**

The Commission considered report HPS/39 of the Head of Major Projects and Commercial Services.

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

- Support for an options appraisal to assess the appropriate role for the Council in progressing the DHN phase 2.
- It was felt that a further report regarding this matter was important to look at objectives, opportunities and seek reassurance.
- Recognition that any application for grant funding should be sought.

## **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.

**Councillor Ayling**  
**Chair, Overview and Scrutiny Commission**  
**29 January 2024**