

Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 25 June 2018 at 7.00 pm

Councillors Present:

C A Cheshire (Chair)

T G Belben (Vice-Chair)

M L Ayling, R G Burgess, D Crow, F Guidera, I T Irvine, R A Lanzer, A Pendlington,
M W Pickett, K Sudan and L Willcock

Also in Attendance:

Councillors B J Burgess, M G Jones, P K Lamb, B J Quinn, P C Smith and M A Stone

Officers Present:

Ian Duke	Deputy Chief Executive
Heather Girling	Democratic Services Officer
Nikki Hargrave	Housing Options Manager SHAP
Karen Hayes	Head of Finance, Revenues and Benefits
Carey Manger	Finance Business Manager
Chris Modder	Private Sector Housing Manager
Clem Smith	Head of Economic & Environmental Services
Paul Windust	Chief Accountant

Apologies for Absence:

Councillor S Malik

1. Disclosures of Interest and Whipping Declarations

The following disclosures were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor D Crow	Health and Social Care Select Committee (HASC) (Minute 8)	Personal Interest – Member of WSCC
Councillor R A Lanzer	Crawley Growth Programme - Update (Minute 6)	Personal Interest – Member of WSCC

2. Minutes

The Chair welcomed new Deputy Chief Executive Ian Duke who was attending his first Commission meeting at Crawley.

The minutes of the meeting of the Commission held on 4 June 2018 were approved as a correct record and signed by the Chair. The Commission also noted the Cabinet Member's response to the comment sheet.

3. Public Question Time

No questions from the public were asked.

4. Treasury Management Outturn for 2017/18

The Commission considered report [FIN/442](#) with the Leader of the Council, the Head of Finance, Revenues and Benefits 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, the following points were expressed:

- Investment decisions were based on the Treasury Management Strategy which used Treasury indicators for 2017/18. Councillors were subsequently updated on outcomes through the budget monitoring and mid-year review process, along with capital programme updates.
- Confirmation that investment funds were a mixture of fixed and variable rates.
- Recognition that the Council's financial regulations are in accordance with the CIPFA Code of Practice for Treasury Management and the Prudential Code for Capital Finance in Local Authorities.
- Explanation sought and obtained on the detailed holdings including ratings and maturity.
- Agreement that details of reserves could be included in future reports.
- It was noted that external advisors provided information and guidance.
- Recognition that the Council's policy was to invest accordingly whilst providing an appropriate balance between security, liquidity, yield and ethical considerations. Whilst the fourth criterion had been applied, it had not prevented any investment from being undertaken as a result of its consideration.
- It was noted that 68% of investments at year-end were with other local authorities. Whilst this was historically unusual, it is in line with other authorities and is due to the rates being similar or higher than rates offered by banks during 2017/18.

RESOLVED

That the Commission supported the recommendations to the Cabinet.

5. Licensing Houses in Multiple Occupation (HMOs)

The Commission considered report [SHAP/75](#) with the Cabinet Member for Housing, Private Sector Housing Manager and the Housing Options Manager. Legislation comes into force on 1 October 2018 that extends the mandatory licensing of houses in multiple occupation (HMOs) under the Housing Act 2004 to include all HMOs (regardless of the number of storeys) with five or more occupants forming two or more households. The report recommended the use of the new mandatory duties, requested approval of the proposed fee structure for issuing and renewing such licenses and noted the change in working practices required to meet the new demands.

Councillors made the following comments:

- Queries were raised over the options considered for staffing provision. Confirmation provided that detailed criteria and the selection process would ensure choice of the suitable candidate.
- It would be necessary to work in partnership with other council departments to assist in identifying HMOs, as well as enforcing and monitoring extended powers.
- Clarification was provided with regards to the proposed licence fees.
- Acknowledgement that landlords of HMOs with five or more occupants forming two or more households are required to apply for a licence prior to 1 October 2018. Landlords of licensable HMOs who have not applied for a licence by this date will be committing a criminal offence.
- Whilst parking concerns were raised, it was identified that these were not relevant under the legislation.
- Support for the change in working practices and in general favour of the extended powers.

RESOLVED

That the Commission agreed to support the recommendations to the Cabinet.

6. Crawley Growth Programme - Update

The Commission considered report [PES/298](#) with the Cabinet Member for Planning and Economic Development and the Head of Economic and Environmental Services. The report provided a progress update on the Crawley Growth Programme and sought approval to increase the capital programme allocation together with re-allocation of monies to various schemes.

During the discussion, the following points were expressed:

- Recognition that the Crawley Growth Programme combined various schemes under one budget header. Given the multiple stakeholders, concern was expressed regarding accountability and the complexity of the project. It was requested that an organisation chart be compiled documenting governance, reporting lines and key partners.
- Recognition that large scale projects brought an element of risk. However work was undertaken to ensure this was mitigated through robust programme management.
- Acknowledgement that the Section 106 funds would follow the agreed allocation process.
- Further work would continue in regenerating the town, including focusing on transport enhancements and infrastructure such as cycling improvement and bus

shelter real time passenger information installations. It would be important to ensure information was available in real time in an accessible format.

- Recognition that the Programme provided a co-ordinated approach with each partner having its own approval process. The combined approach should result in maximising opportunities for the town.

RESOLVED

That the Commission supported the recommendations to the Cabinet.

7. Review of Outside Bodies and Organisations Scrutiny Panel Final Report

The Commission considered report [OSC/268](#) of Councillor C A Cheshire as Chair of the Review of Outside Bodies and Organisations Scrutiny Panel. The Panel was established to evaluate the current system and to consider how and if, it added value to the council. It was key to ensure that the Council activities in terms of outside bodies were more focused, that the information the Council holds was accurate and that Councillors have clear guidance on their role and responsibilities when appointed to an outside body. Furthermore the Panel ascertained that it was valuable to assist Councillors and Officers to continue to work in an efficient way. It was evident that the level of appointments to Outside Bodies had an impact on already busy Councillors' workloads. Whilst retaining links with Outside Bodies was an important aspect of community leadership it was also important that the activities of the Council and Councillors were focused around corporate priorities and where it can add most value to the Council or consider whether Councillor involvement could be undertaken differently.

Councillors were in favour of Recommendations 2.2 a, b, c, d, e and g and made the following comments:

- Acknowledgement that the provision of the Community Grants process was specifically administrated and applied stringent terms and conditions. The Grants Process was audited through the Council's Internal Audit Plan, submitted to the Audit Committee.
 - Recognition that the nominated councillor role was to ensure due process. Clarification sought on the organisation survey and on the grants process.
 - However, there were areas of uncertainty covering recommendation 'f' as out of 28 outside organisations only 11 had responded. Despite continued communication from the Council the response remained low and therefore the demand for nominations from these organisations could be deemed questionable. Other local authorities had been strict in their approach and where responses had not been received it was proposed that an appointment was no longer made. However some councillors expressed concern regarding this stringent approach and felt the council should have the option. As a result of the discussion, recommendation 2.2(f) of report OSC/268 was amended as follows (amended wording in bold):
- f) That where a response was not received to the evaluation, an appointment **would not usually be made by the council** ~~is no longer made by the Council~~ (this is in line with other authorities undertaking a similar review).

RESOLVED

That the Commission agreed to endorse recommendations a, b, c, d, e and g.

That the Commission supported the amended recommendation 'f' as above.

That a report would be prepared for the Governance Committee in September 2018.

8. Health and Social Care Select Committee (HASC)

An update was provided from the most recent HASC meeting. The key item of discussion included:

- Adults In-House Social Care Services 'Choices for the Future' (Closure of Maidenbower Day Care Centre). Proposals for the Maidenbower day services were challenged due to the potential disruption and uncertainty about the alternatives offered. The response to a recent survey had been low and furthermore it was noted that the proposed facilities at Deerswood and Burleys Wood may not be suitable for all individuals. Following discussions Mrs Jupp (Cabinet Member for Adults and Health) stated that a decision would not be made at present.
- It was recommended that all Members consult agendas in preparation for forthcoming meetings.

9. Forward Plan - and Provisional List of Reports for the Commission's following Meetings

The Commission confirmed the following reports:

3 September 2018

- Corporate Priorities
- District Heat Network
- Quarterly Monitoring 2018/2019 (Quarter 1) – provisional referral

24 September 2018

- Budget Strategy 2019/20 – 2023/24
- Public Space Protection Order – Car Cruising

19 November 2018

- Treasury Management Mid-Year Review 2018-2019
- Three Bridges Improvement Scheme Final Design

4 February 2019

- Budget and Council Tax 2019-2020
- Treasury Management Strategy 2019/2020

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.28 pm

C A Cheshire
(Chair)