

Crawley Borough Council

Minutes of Overview and Scrutiny Commission

Monday, 19 November 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, S Malik,
A Pendlington, M W Pickett, K Sudan and L Willcock

Also in Attendance:

Councillor B J Burgess, P K Lamb, T Rana, B A Smith and P C Smith

Officers Present:

Tony Baldock	Environmental Health Manager
Natalie Brahma-Pearl	Chief Executive
Karen Dodds	Head of Crawley Homes
Heather Girling	Democratic Services Officer
Patricia Salami	Station Programme Manager
Maryurin Santander Pena	NGDP Graduate
Clem Smith	Head of Economy and Planning
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 D Crow	Abandoned Shopping Trolleys (Minute 5)	Personal Interest – Member of Crawley Town Centre Partnership
Councillor R A Lanzer	Station Gateway Programme Update (Minute 6)	Personal Interest – Member of WSCC
Councillor S Malik	Scrutiny Suggestions – Impact and Implementation of the Deregulation Act (Minute 9)	Personal Interest – Hackney Carriage and Private Hire Driver

2. Minutes

The minutes of the meeting of the Commission held on 29 October 2018 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 Mid-Year Review 2018/2019

The Commission considered report FIN/457 of the Head of Corporate Finance which provided an update on the Council's Treasury Management Strategy for the first two quarters of 2018/2019. The Council prioritises its investments as being security of capital, liquidity and yield.

During the discussion with the Leader and the Chief Accountant the following topics were discussed:

- Clarification sought and obtained on the investment portfolio, in particular property and land acquisition. It was queried whether assets could be individually listed. It was stated that the ongoing revenue stream was an important factor.
- Acknowledgement provided on the investments with various authorities, together with the detailed holdings and nature of the Council's borrowings.

RESOLVED

That the report and recommendations to the Cabinet be supported.

5. Abandoned Shopping Trolleys

The Commission considered report HCS/10 with the Environmental Health Manager. The report sought approval to apply the provisions of Section 99 and Schedule 4 of the Environmental Protection Act 1990 (as amended) to the whole of the Borough. The provisions allow for the lawful seizure, detention, disposal and recovery of costs in relation to abandoned trolleys.

Councillors made the following comments:

- It was noted that some trolleys had a locking mechanism which prevented them travelling beyond a certain point. However the issue was still a concern due to the timings of collection.
- Acknowledgement that some retailers subscribe to the Trolleywise scheme but it was hoped that the new initiative would result in a significant improvement.
- Recognition that the charges could be reviewed subsequent to the scheme being introduced.
- General support for the scheme, to improve the appearance of the town. However it was hoped there would not be a disproportionate effect on the Neighbourhood Patch Teams due to the fact that the issue was more prevalent in certain areas of the town.

RESOLVED

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

6. Station Gateway Programme Update

The Commission considered report PES/307 of the Head of Economy and Planning. The report provided a progress update on the Station Gateway Programme.

During the discussion with the Cabinet Member for Planning and Economic Development, Head of Economy and Planning and the Station Programme Manager the following comments were made:

- Acknowledgement that the delivery of the detailed designs of the scheme would be delivered as part of the Crawley Growth programme. The Council had signed a partnership agreement with West Sussex County Council, which confirmed the Crawley Growth programme governance, budget and delivery arrangements and the responsibilities of each authority for management of the programme. The overall co-ordination and strategic management of the Crawley Growth Programme was undertaken by the Crawley Growth Board.
- Confirmation that the procurement tendering exercise would be undertaken in accordance with the Council's Procurement Code.
- Clarification was obtained regarding the station bridges including confirmation that the accessibility bridge would likely be completed during 2019.
- Recognition that the Council would be working closely with partners, stakeholders and the Arora Group to ensure a consistent and efficient approach to the design and works delivery of public realm improvements along Station Way and on Friday Way/Haslett Avenue West to achieve synergies and an attractive, high quality public station gateway site.
- Support for the scheme, together with recognition of the partnership working and funding involved, with an acknowledgement that the timescales were critical.

RESOLVED

That the Commission supported the recommendations to the Cabinet.

7. Public Space Protection Order

The Commission considered report CH/181 with the Cabinet Member for Public Protection and Community Engagement and the Head of Crawley Homes. The report sought a decision on introducing a Public Space Protection Order to prohibit car cruise activity and associated vehicle related nuisance in the borough of Crawley.

During the discussion, the following points were expressed:

- Acknowledgement that the PSPO would relate to the anti-social behaviour associated with car cruise activity. In excess of two cars constituted a gathering.
- Concerns were expressed that the anti-social behaviour would simply transition from one area to another.
- Clarification was sought as to the consultation undertaken, particularly with registered car owners of vehicles involved in such activity. It was stressed not to vilify all those with "*a passion for cars*".
- Recognition that some instances of car cruising took place on private land and collaboration had been taking place with various partners and stakeholders.
- Confirmation provided regarding the evidence gathering and issuing of the fixed penalty notices, together with an analysis of the proposed signage locations.

- Whilst there was general support for the principles of the scheme, it was remarked that the Home Office guidance suggested the decision could be put to the Cabinet or Full Council. The majority of the Commission were of the opinion that given the town wide issue and to ensure all Members have the opportunity for direct involvement, it would aid democracy, openness and accountability for the Cabinet to refer the decision itself to Full Council, and following a vote this proposal was declared as Carried.
- Members also felt it would be beneficial for the Commission to receive a review report after 6 months of implementation in order to effectively evaluate the impact of the PSPO.

Having considered all the matters in detail, and as a result of the comprehensive discussion and subsequent voting, the Commission felt that the following recommendations were appropriate to be referred to the Cabinet:

RESOLVED

That the Commission:

1. Indicates its broad support for the report to Cabinet
2. Recommends that Cabinet refer the decision to Full Council for their consideration and approval. (In line with the flexibility provided within the Guidance)
3. Requests to receive a review report after 6 months of implementation in order to effectively evaluate the impact of the PSPO.

8. Cabinet Member Discussion with the Cabinet Member for Public Protection and Community Engagement

The Commission noted the update given by Councillor Brenda Smith and questioned her on a variety of issues relating to her portfolio.

The following topics were discussed:

- The nature of the portfolio, including the variety of the role. Whilst the position incorporates engagement and liaison with many interesting community groups, the function also brings with it challenges.
- The Prevent Strategy included amongst other areas being the Lead Cabinet Member for crime, policing, and fire and rescue services, however since being in post there has not been any issues in relation to the fire and rescue services.
- Members praised officers for the recent work relating to the recent traveller incursions.
- In discussing community engagement, the opportunities to increase the area of public consultation were discussed.

RESOLVED

That the Overview and Scrutiny Commission thanked Councillor Brenda Smith for attending and for the informative discussion that had ensued.

9. Scrutiny Suggestions

Scrutiny Suggestions had been received on two topics 'Impact and Implementation of the Deregulation Act' from Councillor Fiveash and 'Data Migration Project' from Councillor Sudan.

With regards to the submission by Councillor Fiveash, it was felt that a scrutiny panel would add little value and duplicate the work being undertaken at a national level and the legislation being progressed through Parliament. It was therefore recommended that a report be produced for OSC outlining the information available, as opposed to a full scrutiny review.

With reference to the submission by Councillor Sudan, Commission Members remarked upon the work currently being undertaken by the Audit Committee. Some Members felt it was important that the project should be addressed by the Commission to ensure an in-depth analysis of the issues by all Members.

There was mixed opinion as to whether a scrutiny panel offered the best approach. It was felt that a Panel would facilitate an in-depth, focused review allowing for witness sessions. In contrast a report to the Commission would enable all Members to address the concerns. It was concluded the fastest approach that avoided duplication should be undertaken. Lessons needed to be learned from the project. A report would set out the research, information and evidence carried out within the project allowing Members to scrutinise and focus on specific aspects. This would not preclude the setting up of a scrutiny panel in the future, however a specific scoping framework would need to be completed.

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

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

- Consultation was taking place regarding the relation of the special care dental service at Littlehampton health centre.
- The decision regarding the current housing related support contracts would be extended to the end of September 2019.
- The Committee considered the Adult Social Care Improvement Programme – beyond 100 days which set out the framework for the vision and strategy and accompanying three year programme for adult social care.
- Terms of reference for the Joint Health Overview Scrutiny Committee were established.
- Clarification provided regarding the borough's responsibility in relation to public health and wellbeing.

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

The Commission confirmed the following reports:

4 February 2019

- Treasury Management Strategy 2019/20
- Budget and Council Tax 2019-2020
- Statement of Licensing Policy

- Social Mobility Scrutiny Panel Final Report
- Allocating Monies Collected Through Community Infrastructure Levy – Infrastructure Business Plan 2019/20
- Capital Strategy 2019/2020
- Three Bridges Improvement Scheme Final Design

Closure of Meeting

With the business of the Overview and Scrutiny Commission concluded, the Chair declared the meeting closed at 9.52 pm

**C A Cheshire
Chair**