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LONDON BOROUGH OF CROYDON

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PUBLIC NOTICE OF KEY DECISIONS MADE AT THE CABINET MEETING ON MONDAY, 21 MARCH 2022

This statement is produced in accordance with Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In accordance with the Scrutiny and Overview Procedure Rules the following decisions may be implemented from **1300 hours on 30 March 2022** unless referred to the Scrutiny and Overview Committee (ie after 13.00 hours on the 6th working day following the day on which the decision was taken). The call-in procedure is appended to this notice.

The following apply to each decision listed below

Reasons for these decisions: As set out in the reports
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2515&Ver=4>

Other options considered and rejected: As set out in the reports
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2515&Ver=4>

Details of any consultation and representations received not included in the published reports: NONE

Details of conflicts of Interest declared by any Cabinet Member: NONE

The Leader of the Council has delegated to Cabinet the power to make the decisions set out below:

Agenda Item: 5 HOUSING IMPROVEMENT PLAN

Key Decision No.: 2022CAB

Details of decision:

Having carefully read and considered the Part A report and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Cabinet

RESOLVED to:

1. Note feedback from the Housing Improvement Board, which was established by Cabinet on 17 May 2021, contained in this report and the presentation from the Chair;
2. Note the final membership, constitution and Terms of Reference of the Housing Improvement Board agreed under exercise of the delegation given to the former Corporate Director of Place in consultation with the Cabinet Member for Homes as set out in Appendix 2;
3. Agree to update the delegation given on 17 May 2022 to the interim Executive Director of Place as follows: Delegate authority to the Corporate Director for Housing in consultation with the Cabinet Member for Housing or such other Member as has portfolio responsibility for Housing to revise as necessary the Membership, constitution and Terms of Reference of the Housing Improvement Board;
4. Agree the content of the Croydon Housing Improvement Plan;
5. Delegate authority to further amend the Croydon Housing Improvement Plan to the Corporate Director for Housing in consultation with the Cabinet Member for Housing or such other Member as has portfolio responsibility for Housing;
6. That an updated version of the Housing improvement Plan be presented for approval in June 2022 that responds to the feedback provided by the Housing Improvement Board; and
7. That Cabinet receives quarterly updates on implementation of the improvement plan and that those updates include feedback from the Housing Improvement Board.

Agenda Item: 6 HOUSING REVENUE ACCOUNT BUSINESS PLAN

Key Decision No.: 2422CAB

Details of decision:

Having carefully read and considered the Part A report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Cabinet

RESOLVED to:

- 1.1 Agree the HRA 30-year Business Plan 2021-2051 as set out at Appendix 1 and detailed in this report, which is based on the HRA revenue budget for 2022-23 agreed by Full Council on 8 March 2022;

1.2 Consider the HRA Capital Programme for 22/23 as set out in Appendix 6 and recommend to Full Council that it approve the HRA Capital Programme for 22/23.

1.3 Note the assumptions the Plan is based upon, and the risks associated with these assumptions;

1.4 Note the proposals for the ongoing development of the HRA Business Plan and agreed that the Plan will be updated annually with a full review every third year.

Agenda Item: 13A RESIDUAL WASTE TREATMENT CONTRACT

Key Decision No.: 2322CAB

Details of decision:

Having carefully read and considered the Part A report the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Cabinet

RESOLVED to:

1. In accordance with Regulation 30 of the Council's Contracts and Tenders Regulations, to approve a variation to implement the removal of the Villiers Road waste transfer station operations from the scope of the Residual Waste Treatment Contract with Viridor South London Ltd, resulting in an annual contract reduction of £989,000, and an annual reduction in residual waste treatment cost to Croydon Council of £448,000 per annum.

Agenda Item: 13B CHILDREN WITH DISABILITIES - CARE PROVIDER REGISTER

Key Decision No.: 2222CAB

Details of decision:

Having carefully read and considered the Part A report, the associated confidential part B report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Cabinet

RESOLVED to:

1. Recommended by the Contracts and Commissioning Board to approve, in accordance with Regulation 28c of the Council's Tenders and Contracts Regulations, the award of *the Care Provider Panel Agreement* to the providers listed in Part B of this report for a period of up to 4 years from 01/04/2022 to 31/03/2026 for a maximum contract value of **£5,846,813**

Agenda Item: 13D HOUSING ACQUISITIONS

Key Decision No.: 1622H

Details of decision:

Having carefully read and considered the Part A report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Cabinet

RESOLVED to:

1.1 Approve the borrowing facility of up to £5.1m (£3.6m net of Right to Buy Receipts) to enable the investment in the acquisition of 10 new 3 bed houses from Brick By Brick Croydon Ltd

1.2 Approve the use of up to £1.5m Right to Buy Receipts to reduce the level of borrowing required

1.3 Agree that the proposed rent levels for the properties to be at London Affordable Rent

Signed: Interim Monitoring Officer

Notice date: 22 March 2022

Contact Officers: Colin.Sweeney@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 29 March 2022** (the 6th working day following the day on which the decision was taken) unless referred to the Scrutiny and Overview Committee.
2. The Council Solicitor shall refer the matter to the Scrutiny and Overview Committee if so requested by:-
 - i) the Chair and Vice Chair of the Scrutiny and Overview Committee and 1 member of that Committee; or for education matters the Chair, Vice Chair and 1 member of that Committee; or
 - ii) 20% of Council Members (14)
3. The referral shall be made on the approved pro-forma (*attached*) which should be submitted electronically or on paper to Victoria Lower by the deadline stated in this notice. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
 - i) The grounds for the referral
 - ii) The outcome desired
 - iii) Information required to assist the Scrutiny and Overview Committee to consider the referral
 - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision. The Chair of the Scrutiny & Overview Committee shall also be notified.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Overview Committee unless, in view of the Council Solicitor, this would cause undue delay. In such cases the Council Solicitor will consult with the decision taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny & Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee will give to the call in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet shall then reconsider the decision, amending the decision or not, before making a final decision.
8. The Scrutiny and Overview Committee may refer the decision to the Council if it considers that the decision is outside of the budget and policy framework of the Council. In such circumstances, the provisions of Rule 7 of the Budget & Policy Framework Procedure Rules (Part 4C of the Constitution) apply. The Council

may decide to take no further action in which case the decision may be implemented. If the Council objects to Cabinet's decision it can nullify the decision if it is outside the Policy Framework and/or inconsistent with the Budget.

9. If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.
10. If the Council determines that the decision was within the policy framework and consistent with the budget, the Council will refer any decision to which it objects together with its views on the decision, to the Cabinet. The Cabinet shall choose whether to either amend, withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet of the referral from the Council.
11. The responses of the decision-taker and the Council shall be notified to all Members of the Scrutiny and Overview Committee once the Cabinet or Council has considered the matter and made a determination.
12. If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
13. **URGENCY:** The referral procedure shall not apply in respect of urgent decisions. A decision will be urgent if any delay likely to be caused by the referral process would seriously prejudice the Council's or the public's interests. The record of the decision and the notice by which it is made public shall state if the decision is urgent and therefore not subject to the referral process. The Chair of the Scrutiny and Overview Committee must agree that the decision proposed cannot be reasonably deferred and that it is urgent. In the absence of the Chair, the Deputy Chair's consent shall be required. In the absence of both the Chair and Deputy Chair, the Mayor's consent shall be required. Any such urgent decisions must be reported at least annually in a report to Council from the Leader including the reasons for urgency.

Signed: Interim Monitoring Officer

Notice Date: 22 March 2022

Contact Officers: colin.sweeney@croydon.gov.uk

PROFORMA

**REFERRAL OF A KEY DECISION TO THE
SCRUTINY AND OVERVIEW COMMITTEE**

For the attention of: Colin Sweeney, Democratic Services & Scrutiny e-mail to colin.sweeney@croydon.gov.uk

Meeting:
Meeting Date:
Agenda Item No:

Reasons for referral:

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:

The outcome desired:

Information required to assist the Scrutiny and Overview Committee to consider the referral:

Signed:

Date:

Member of _____ Committee

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