

LONDON BOROUGH OF CROYDON

To: All Members of Council
Croydon Council website
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PUBLIC NOTICE OF KEY DECISIONS MADE AT THE CABINET MEETING ON WEDNESDAY, 22 FEBRUARY 2023

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 2 March 2023** unless referred to the Scrutiny and Overview Committee (after 13.00 hours on the 6th working day following the day on which the decision was taken [or decision notice published, if the decision notice is published later than the day of the decision]). The call-in procedure is appended to this notice.

The following apply to each decision listed below

Reasons for these decisions:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2990>

Other options considered and rejected:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2990>

Details of any consultation and representations received not included in the published report: None

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

The Executive Mayor has made the executive decisions noted out below:

Agenda Item: 11 CAPITAL PROGRAMME AND CAPITAL STRATEGY 2022/23 TO 2026/27

Key Decision No.: 6922EM

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 Executive Mayor in Cabinet

RESOLVED: To

Recommend the following to Full Council:

- 1.1. Agree the Council's 2023/24 to 2026/27 General Fund Capital Programme which includes planned expenditure of £305.67m (including capitalisation directions) across the four years.
- 1.2. Note that the Council will incur borrowing of £169.53m (including £162m of Capitalisation Direction) in 2022/23, with further borrowing projected of £45.82m in 2023/24 and £28.36m over the three years after 2023/24. The cost of this borrowing is factored into the Council's Medium Term Financial plan resulting in 2023-24 total interest charge and Minimum Revenue Provision of £61.3m
- 1.3. Approve the Council 2023/24 Housing Revenue Account Capital Programme with a total investment planned of £32.62m with borrowing of nil.
- 1.4. Approve the Council's Capital Strategy, drafted with the support of PwC, as detailed within Appendix A of this report.

Agenda Item: 14 INFORMATION, ADVICE AND GUIDANCE CONTRACT

Key Decision No.: 0323EM

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 Executive Mayor in Cabinet

RESOLVED: To

- 1.1. Approve an extension and variation to the existing information, advice & guidance contract awarded to Citizens Advice Croydon, as set out within this report in order to maintain continued provision whilst a full and compliant procurement exercise is completed. The proposed extension is for a maximum period of up to 12 months at a cost of £325,000.

Agenda Item: 15 STREET LIGHTING POLICY

Key Decision No.: 6422EM

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 Executive Mayor in Cabinet

RESOLVED: To

- 1.1. Note the outcome of the pilot studies as set out in section 4.15 of this report.
- 1.2. Agree to the introduction of the draft 'Street Lighting Policy' as summarised in Section 3 and Appendix A of this report.
- 1.3. To formalise the trial running since 06 January 2022 and adopt the pilot regime of 50% reduction in light levels in residential streets between 7pm – 5am and 50% reduction along main traffic routes from Midnight – 5am.
- 1.4. To delegate to officers to undertake further pilot studies within the framework of the draft Street Lighting Policy, to reduce energy consumption and CO2 emissions from the street lighting infrastructure across the borough and report back to a future cabinet.

Agenda Item: 17 ANNUAL DELIVERING THE CROYDON GROWTH ZONE REPORT 2023-24

Key Decision No.: 7422EM

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 Executive Mayor in Cabinet

RESOLVED: To

- 1.1. To agree £12,261,000 budget for the 'Delivering the Growth Zone' programme 2023/24;
- 1.2. To note the indicative funding profile for Growth Zone Sub Groups and projects as detailed in Table 1 of this report; and,
- 1.3. To agree subject to the requirement to comply with the provisions of Part 4G of the Constitution in taking delegated decisions, and the parameters previously approved in the March 2021 Cabinet report 'Delivering the Growth Zone' delegate to the Corporate Director of Sustainable Communities, Regeneration & Economic Recovery in consultation with the Chief Finance Officer (Section 151) and the Cabinet Member for Planning and Regeneration authority to make necessary changes to the funding assigned to Sub Groups as outlined in Table 1.

Signed: Monitoring Officer

Notice date: 22 February 2023

Contact Officers: Colin.Sweeney@croydon.gov.uk and
Michelle.Gerning@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 2 March 2023** the 6th working day following the day on which the decision was taken [or decision notice published, if the decision notice is published later than the day of the decision]) 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 Democratic Services 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: Monitoring Officer

Notice Date: 22 February 2023

Contact Officers: colin.sweeney@croydon.gov.uk and michelle.gerning@croydon.gov.uk

PROFORMA

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

For the attention of: Colin Sweeney and Michelle Ossei-Gerning, Democratic Services
& Scrutiny e-mail to

Colin.Sweeney@croydon.gov.uk and Michelle.Gerning@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