

LONDON BOROUGH OF CROYDON

To: All Members of Council
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PUBLIC NOTICE OF KEY DECISIONS MADE AT THE CABINET MEETING ON WEDNESDAY, 24 MAY 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 1 June 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=3571&Ver=4>

Other options considered and rejected:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3571&Ver=4>

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: 8 WASTE AND STREET CLEANSING SERVICE
COMMISSIONING APPROACH FOR SERVICE DELIVERY
(RE-PROCUREMENT WASTE AND STREET CLEANSING
SERVICE)**

Key Decision No.: 0523EM

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 Executive Mayor in Cabinet

RESOLVED:

- 1.1. To approve the procurement strategy set out in this report for the procurement (via a Competitive Dialogue process) of waste and recycling collections, footway winter maintenance, vehicle maintenance and street cleaning, for a term of 8 years, with an option to extend for a further two periods of 8 years each by mutual consent for a maximum contract value of £432m over the maximum contract term of 24 years
- 1.2. To agree that better and more economic options for the provision of a Clinical Waste Service will be explored as a separate procurement
- 1.3. To agree that the procurement of new recycle off-take contracts for the Council's domestic recycling material will be explored through the South London Waste Partnership and that any proposed commissioning of such services will be subject to the Council's governance process.
- 1.4. To note the findings from the recent resident engagement survey and focus groups to help shape the design and specification of the new service.
- 1.5. To note that the final specification to be issued with the Invitation to Submit Final Tenders (following the discussions with bidders under the Competitive Dialogue process) will be subject to the approval of the Corporate Director of Sustainable Communities, Regeneration and Economic Recovery in consultation with the Executive Mayor and Lead Cabinet Member for Street and Environment
- 1.6. To note that a report will be presented to Cabinet in June 2024 highlighting the outcome of the proposed procurement along with recommendation of Preferred Bidder and their proposed fully costed solution. This will include details of the proposed governance arrangements to manage the contract supported by the resourcing levels for the monitoring of the services performance

Agenda Item: 9 A PUBLIC SPACE PROTECTION ORDER (PSPO) IN CROYDON THORNTON HEATH

Key Decision No.: 3523EM

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 authorise consultation with members of the public and partners on implementing a PSPO in the Thornton Heath and surrounding area.

Agenda Item: 10 HOUSEHOLD SUPPORT FUND APRIL 2023 – MARCH 2024 ALLOCATION PROPOSAL

Key Decision No.: 1023EM

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:

- 1.1. To agree to accept the UK Government allocation of £6,027,379 Household Support Fund (HSF) extension for Croydon for the period 1 April 2023 – March 2024, and make the necessary budget provisions.
- 1.2. To consider and agree the proposed allocation and administration of the HSF as defined in the HSF Allocation Proposal (Appendix 1 to this report)
- 1.3. To note the requirement for and to delegate authority to Cllr Lynne Hale Deputy Mayor and Cabinet Member for Homes and Jane West Corporate Director of Resources to sign off the delivery plan for submission to the DWP by 2 June 2023, and for Jane West Corporate Director of Resources and S.151 Officer to sign off the periodic Management Information (MI) reports for DWP thereafter.
- 1.4. To delegate authority to allow for the flexibility of repurposing funds to Jane West Corporate Director of Resources and S.151 Officer in consultation with DWP.
- 1.5. To agree the proposal for officers to update the Executive Mayor and Cllr Lynne Hale Deputy Mayor and Cabinet Member for Homes on progress on the delivery of the fund in November 2023.

Agenda Item: 12 ANNUAL ASSET DISPOSAL PLAN 2023/24 AND LEASE RENEWALS AND RENT REVIEW SETTLEMENTS FOR VARIOUS COMMERCIAL PROPERTIES

Key Decision No.: 3723EM

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 Executive Mayor in Cabinet

RESOLVED:

- 1.1. To approve the Annual Assets Disposal Plan (AADP) for the financial year 2023/24, which includes lettings and re-lettings, as set out in Appendix 1 of this report together with indicative values in Appendix 2 (exempt appendix).
- 1.2. To delegate authority to the Corporate Director of Resources and s151 Officer to agree the terms and final price for each disposal included within the AADP.
- 1.3. To delegate authority to the Corporate Director of Resources and S151 Officer, in consultation with the Cabinet Member for Finance and Executive Mayor, to agree any variance to the list of proposed disposals.
- 1.4. To delegate authority to the Corporate Director of Resources and s151 Officer to agree terms for all lettings, leases and rent review settlements for all Council assets.
- 1.5. The delegations in this report shall only be exercised following:
 - i. sign off of a business case by the Corporate Management Team (CMT) including full financial assessment;
 - ii. formal Red Book valuation, if required on a property to be sold; and
 - iii. formal marketing unless there is a clear special purchaser or offer made considerably in excess of the market value.
- 1.6. To note that the target value for disposals for 2023 /2024 is a minimum of £50m.
- 1.7. To note that progress against the AADP and any variations, shall be reported to Cabinet annually.
- 1.8. To approve a re-drafting of the Financial Regulations to reflect the proposed decision-making changes relating to Assets, set out in this report (and any clarifications thereto), to be reported to the Constitution Working Group with a view to seeking recommendations from the General Purposes Committee and/ or the Cabinet Member for Finance and the Executive Mayor in Cabinet for onward recommendations to Full Council.

Signed: Monitoring Officer

Notice date: 24 May 2023

Contact Officers: Michelle.Gerning@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 1 June 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: 24 May 2023

Contact Officers: michelle.gerning@croydon.gov.uk

PROFORMA

REFERRAL OF A KEY DECISION TO THE SCRUTINY AND OVERVIEW COMMITTEE

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