

## 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, 27 SEPTEMBER 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 6 October 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?CIId=183&MIId=3574>

**Other options considered and rejected:**

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CIId=183&MIId=3574>

**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: 7      A PUBLIC SPACES PROTECTION ORDER (PSPO) IN CROYDON THORNTON HEATH**

**Key Decision No.: 6323EM**

**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 consider the outcome of the statutory consultation on the proposed Public Spaces Protection Order (PSPO) in and around the geographical area of Thornton Heath;
- 1.2 To note the strong support for the proposal with over 78% of respondents agreeing with the need for a PSPO in and around the geographical area of Thornton Heath; Agenda Item 7
- 1.3 Having due regard to the outcome of the statutory consultation and in the light of the consideration of the equalities matters and the public sector equality duty detailed in this report to approve the making of the PSPO covering the geographical area in and around Thornton Heath for a term of three years and in accordance with the draft Order set out in Appendix D;
- 1.4 To approve the process for the implementation of the PSPO in and around the geographical area of Thornton Heath.

**Agenda Item: 9            REPORT ON 10 EXPERIMENTAL HEALTHY SCHOOL  
STREETS SCHEMES (GROUP 2)**

**Key Decision No.: 1923EM**

**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 make the following 9 experimental traffic orders, which form the healthy school streets schemes (No. 1-3 and 5-10) detailed within this report, permanent:

School	Affected Road	Section	ETMO Cited As	Ref
Ecclesbourne Primary School	Atlee Close	Entire length of	The Croydon (Traffic Movement) (No.2) Experimental Order 2022	2022/19
Harris Primary Academy Croydon	Thompson Crescent and Chapman Rd	Chapman Road Between Kingsley Road and Fairmead Road, Thomson Crescent Between Kingsley Road and Euston Road	The Croydon (Traffic Movement) (No.3) Experimental Order 2022	2022/20
St Thomas Beckett Catholic Primary School	Dickenson's Lane	Entire length of road	The Croydon (Traffic Movement) (No.4) Experimental Order 2022	2022/21
Harris Primary Academy Haling Park	Haling Rd	Between the north to south arm of Haling Road and Selsdon Road	The Croydon (Traffic Movement) (No.5) Experimental Order 2022	2022/22
Downsview Primary School	Marston Way	Entire length of road	The Croydon (Traffic Movement) (No.7) Experimental Order 2022	2022/24
Christ Church CofE Primary School	Montpellier Rd	Between Brighton Road and the common boundary of Nos. 84 and 86 Montpellier Road	The Croydon (Traffic Movement) (No.8) Experimental Order 2022	2022/25
Oasis Academy Ryelands	Sandown and Oakley	Oakley Road entire length of, Sandown entire length of	The Croydon (Traffic Movement) (No.9) Experimental Order 2022	2022/26
Ridgeway Primary School	Southcote Rd	southcote Rd: between The Ridgeway and the westernmost junction with Ellenbridge Way	The Croydon (Traffic Movement) (No.10) Experimental Order 2022	2022/27
St Joseph 's Catholic Primary Junior School	Woodend	Entire length of road	The Croydon (Traffic Movement) (No.11) Experimental Order 2022	2022/28

1.2. To withdraw The Croydon (Traffic Movement) (No.6) Experimental Order 2022 effective as of 21 October 2023 in respect of the Keston Healthy School Street in Keston Avenue and not to proceed to make it permanent; and to authorise the Corporate Director of Sustainable Communities, Regeneration and Economic Recovery to take steps necessary to publicise this withdrawal and remove any associated signage and other measures in place as a result of the experimental order.

- 1.3. Subject to approval of recommendation 1.1 above, to delegate authority to the Corporate Director of Sustainable Communities, Regeneration and Economic Recovery to undertake all measures necessary to make the 9 experimental orders permanent Traffic Management Orders, including pursuant to the statutory requirements of the Road Traffic Management Act 1984 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and make arrangements for the enforcement thereof.

**Agenda Item: 13 PERIOD 3 2023-24 FINANCIAL PERFORMANCE REPORT**

**Key Decision No.: 6423EM**

**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 note the General Fund revenue budget outturn is forecast to breakeven at Period 3, after the forecast utilisation of £63m capitalisation directions requested from DLUHC and £4.5m of the corporate risk contingency budget. It is not planned to utilise the risk contingency budget and directorates will work to bring the service directorate positions within budget.
- 1.2. To approve within budget inter-directorate virements from Corporate to service directorates for non-pay inflation (£20.698m) (para 4.70), economic demand pressures (£1.716m) (para 4.72), Independent Living Fund (ILF) grant now included in the Social Care Grant (£0.960m) (para 4.68), and the transfer of equal grant income and expenditure budgets for the Adult Social Care Discharge Fund and the Market Sustainability & Improvement Fund (net nil budget change) (para 4.68).
- 1.3. To note the progress in MTFS savings achievement as set out in paragraph 4.82.
- 1.4. To note the work that has commenced on the Council's Transformation Programme as set out from paragraph 4.77.
- 1.5. To note the Housing Revenue Account (HRA) revenue budget outturn is forecast to overspend by £3.8m.
- 1.6. To note the General Fund capital programme 2023-24 forecast underspend of £2.8m against the revised capital budget of £144.3m.

- 1.7. To note the HRA capital programme 2023-24 forecast overspend of £4.1m against the revised capital budget of £33.2m.
- 1.8. To note the Council's historic legacy borrowing and debt burden continues to be critical to the sustainability of the Council's revenue budget. Dialogue with the Department for Levelling Up, Housing and Communities (DLUHC) continues, and the Council is seeking further financial support from Government in regards to its level of indebtedness and balancing the budget to ensure it can deliver sustainable local government services.
- 1.9. To note that the Council continues to operate Spend Control Panels to ensure that tight financial control and assurance oversight are maintained.

**Agenda Item: 16 FUTURE OF CROYDON AFFORDABLE HOMES**

**Key Decision No.: 6223EM**

**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 note the update on operations and performance of Croydon Affordable Homes LLP and Croydon Affordable Tenures LLP
- 1.2. To note the changes to working arrangements between the Council and the LLP companies.
- 1.3. To delegate to Corporate Director of Resources and S151 Officer, in consultation with Cabinet Member of Finance and Croydon Companies Supervision and Monitoring Panel (CCSMP) to vary agreements between the Council and the LLP Companies.

**Signed:** Monitoring Officer

**Notice date:** 28 September 2023

**Contact Officers:** [Michelle.Gerning@croydon.gov.uk](mailto:Michelle.Gerning@croydon.gov.uk)

## Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 6 October 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:** 28 September 2023

**Contact Officers:** [michelle.gerning@croydon.gov.uk](mailto: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](mailto: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:

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**The outcome desired:**

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

Signed:

Date:

Member of \_\_\_\_\_ Committee