

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, 31 JANUARY 2024

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 9 February 2024** 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=3578>

Other options considered and rejected:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3578>

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: 9 CROYDON TOWN CENTRE REGENERATION PROGRAMME AND GROWTH ZONE ANNUAL BUDGET & PROGRAMME - 2024/25

Key Decision No.: 8423EM

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 a £7,202,000 budget for the 'Delivery the Growth Zone' programme 2024/25; and
- 1.2. To 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, subject to the parameters previously approved in the March 2021 Cabinet report 'Delivering the Growth Zone'

to note:

- 1.3. The general update on the status of the current and upcoming Croydon Town Centre regeneration programme; and
- 1.4. The indicative funding profile and projects for Growth Zone Sub Groups and projects as detailed in Table 1 of this report; and
- 1.5. The recommendations previously agreed by Cabinet in July 2022 regarding the governance and implementation of a successful Levelling Up Fund bid.

Agenda Item: 10 LOCAL FLOOD RISK MANAGEMENT STRATEGY CONSULTATION RESULTS

Key Decision No.: 9223EM

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 responses to the public consultation about the draft LFRMS, at appendices 3 & 4 to this report.
- 1.2. To consider the amendments to the draft LFRMS and Action Plan as a result of those responses, as outlined at appendix 2 to this report.
- 1.3. To approve adoption of the revised LFRMS and Action Plan, at appendix 1 to this report, as the final version to be published on the Council website.

Agenda Item: 12 EDUCATION ESTATES STRATEGY

Key Decision No.: 0424EM

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

School Admissions:

- 1.1. Agree to the proposed community schools' Admission Arrangements for the 2025/26 academic year (Appendix 1).
- 1.2. Approve the continued adoption of the proposed Pan London scheme for co-ordination of admissions to Reception and Junior schools – Appendix 1a; and adoption of the proposed Pan London scheme for co-ordination of admissions to secondary schools (Appendix 1b).
- 1.3. Note that there are no changes proposed to the previously agreed admission arrangements for our community schools.

School Maintenance and Compliance

- 1.4. Approve the draft Capital Programme Budget summary (Appendix 2).
- 1.5. Approve the proposed Schools' Maintenance Plan (Appendix 3) for 2024/25 with an overall budget cost of £3,412m for 2024/25 and £3,777m for 2025/26.
- 1.6. Delegate authority to the Interim Corporate Director – Children, Young People and Education to vary the proposed Schools' Maintenance Plan to reflect actual prices and new urgent issues that may arise, including authorising spend against the allowance for emergency and reactive works. The Corporate Director, Children, Young People and Education shall report back to the Executive Mayor in Cabinet in respect of any exercise of such authority.

The Executive Mayor in Cabinet is asked to note the following:

School Place Planning

- 1.7. Comparison between the available school places vs 2023 School Capacity (SCAP) Pupil Projections – Appendix 4 (primary) and Appendix 4a secondary).
- 1.8. There is sufficiency of school places to meet demand at early years, primary and secondary education phases.

1.9. Managing Surplus School Places

The local authority is continuing to work in partnership with school leaders to manage the risk of falling school roll, especially in the primary educational phase. The main strategy used at this time is a reduction of the relevant school's Published Admission Number (PAN) and/or variation of their in-year admission number.

1.10. Early Years

Croydon Childcare Sufficiency Assessment 2023 (Appendix 5) which measures the demand for, and supply of childcare across the borough indicates that currently there is sufficient childcare available across the borough for all age groups. This is being reviewed to consider the childcare reforms will introduce significant changes to early years education and childcare through the extension of the free childcare on offer. Implementation will be extended in phases, starting from April 2024.

1.11. Maintained Nursery Schools

Following informal consultation on the future options for Croydon's five Maintained Nursery Schools, the Executive Mayor in cabinet have considered the outcomes of the consultation and recommendations and requested that officers explore and carry out more detailed modelling of other options suggested as part of the consultation process, to determine if any of these are feasible and will make MNS financially viable.

1.12. Special Educational Needs and Disability (SEND)

The demand for Special Education Needs and Disability (SEND) continues to increase. The data on prevalence and needs of our SEND community is reviewed monthly in order to inform resource and placement planning.

1.13. Alternative Provision / Pupil Referral Unit (PRU)

The proposed conversion of Saffron Valley Collegiate to an academy has been moved to 1st April 2024. Additional demand for Alternative Provision places is met by commissioning suitable places via our Approved Alternative Provision Provider List.

Agenda Item: 13 DEDICATED SCHOOLS GRANT (DSG) SCHOOL FUNDING 2024/25 FORMULA FACTORS

Key Decision No.: 8723EM

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 approve the statutory spend of £319.1m of DSG funding for the period 2024-25,
- 1.2. To approve the provisional funding formula for Croydon schools for the financial year 2024/25 for both maintained schools and academies in line with the recommendations voted by Schools Forum on 6 November 2023,
- 1.3. To support the local authority strategic decision to transfer £1.2m from the school's block to the High Needs through the disapplication process as part of DfE High Needs Safety Valve DSG Deficit Recovery Strategy,
- 1.4. To note the DfE optional factors values reported in appendix D and E. Appendix E provides additional insight into the how Schools Forum evaluated the three main DfE options for each factor shown appendix D before selecting the final factor which forms the bases underlying the draft budget for 2024/25,
- 1.5. To finally note the three key changes required in setting the 2024/25 school's budget.

Agenda Item: 14 2023-24 PERIOD 7 FINANCIAL PERFORMANCE REPORT

Key Decision No.: 8623EM

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 7, after the forecast utilisation of £63m capitalisation directions requested from DLUHC and £1.5m 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 the budget movements between directorates to match the movement of teams between directorates as set out in paragraph 4.13.
- 1.3. To approve within budget inter-directorate virements from Corporate to service directorates for pay inflation (£10.270m) (para 4.95).
- 1.4. To approve within budget inter-directorate virement of £0.698m from the Corporate economic demand pressures budget to the Children, Young People and Education directorate as set out in paragraph 4.97.

- 1.5. To approve within budget inter-directorate virements from Corporate to service directorates to correct General Fund recharge budgets relating to the HRA, Public Health, capitalisation of salaries and corporate support (overhead) recharges, and staffing and income budget corrections (£5.802m) (para 4.99).
- 1.6. To note the progress in MTFS savings achievement as set out in paragraph 4.107.
- 1.7. To note the work that has commenced on the Council's Transformation Programme as set out from paragraph 4.102.
- 1.8. To note the Housing Revenue Account (HRA) revenue budget outturn is forecast to overspend by £12.0m.
- 1.9. To note the General Fund capital programme 2023-24 forecast underspend of £18.0m against the revised capital budget of £144.7m.
- 1.10. To note the HRA capital programme 2023-24 forecast overspend of £5.7m against the revised capital budget of £33.2m.
- 1.11. To note the Council's historic 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.
- 1.12. To note that the Council continues to operate Spend Control Panels to ensure that tight financial control and assurance oversight are maintained.
- 1.13. To note that current forecasts are based on the best available information at the time and will be subject to review and change during the financial year.

Signed: Monitoring Officer

Notice date: 01 February 2024

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

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 9 February 2024** 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.
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: 01 February 2024

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