

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, 14 FEBRUARY 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 22 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=3579>

Other options considered and rejected:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3579>

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: 6 BRICK BY BRICK CLOSURE REPORT

Key Decision No.: 0224EM

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 that Brick by Brick Croydon Ltd be closed down on a solvent basis as detailed under Option 1 of Section 8.
- 1.2. To delegate to Corporate Director of Resources (S151 Officer), in consultation with Director of Legal Services, Corporate Director Housing and Director of Commercial Investment & Capital to decide whether the Council under its Housing Revenue Page 82 Account (HRA) and/or General Fund (GF) acquire all or part of the remaining assets and liabilities of BBB if not disposed within a reasonable time frame.
- 1.3. To delegate to Corporate Director of Resources (S151 Officer), in consultation with Executive Mayor, Lead Member of Finance, Director of Legal Services, Director of Commercial Investment & Capital to negotiate the sale of Brick by Brick Croydon Ltd should an offer that improves the Council's financial position, against the winddown position, be received before the proposed winddown date of the company.
- 1.4. To delegate to Corporate Director of Resources (S151 Officer), in consultation with Executive Mayor, Lead Member of Finance, Director of Legal Services and Director of Finance to enter into any final legal agreements on behalf of the Council as Shareholder and/or Lender and make any necessary shareholder resolutions, where relevant to give effect to the recommendations and delegated decisions in this report as part of the winddown process.
- 1.5. To delegate to Corporate Director of Resources (S151 Officer), in consultation with the Executive Mayor, Lead Member of Finance, Director of Legal Service and Director of Finance to approve the final loan principle write off amount, up to £70m, at the point of winddown.
- 1.6. To delegate to the Corporate Director of Resources (S151 Officer), in consultation with the Executive Mayor, Lead Member of Finance, Director of Legal Service and Director of Commercial Investment & Capital to issue letters to current Directors requesting their resignations and to approve indemnification of liability in line with the Outside Bodies Protocol approved by Ethics Committee on 8th February 2023.
- 1.7. To delegate to Corporate Director of Resources (S151 Officer), in consultation with the Executive Mayor, Lead Member of Finance, Director of Legal Service and Director of Commercial Investment & Capital to appoint new Directors on the Board of the BBB.

Agenda Item: 7 BUDGET 2024-25 AND MEDIUM TERM FINANCIAL STRATEGY 2024-28

Key Decision No.: 9523EM

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. Consider the responses to the budget engagement with residents and statutory consultation with businesses (set out in Section 10 of this report and detailed more fully in Appendix J).
- 1.2. Consider and have due regard to the equalities impact assessment undertaken on the budget proposals as set out in Appendix N.
- 1.3. Approve the responses to the Scrutiny and Overview Committee recommendations (to follow after publication of this report – Appendix O) on the budget proposals as set out in Section 20.
- 1.4. Approve that (subject to Full Council approving the budget and any further decisions required of the Executive) that Corporate Directors be authorised to implement their respective growth and savings proposals for 2024-25 in accordance with the recommendations within this report, the Council's Constitution, Financial Regulations, relevant Schemes of Delegation and undertake any further consultation required, including regarding the Equalities Impacts of specific decisions within the Budget envelope as approved by Full Council.
- 1.5. Propose to Full Council for approval an increase in the Croydon element of the 2024-25 council tax charge by 2.99% (Band D £53.98).
- 1.6. Propose to Full Council for approval a 2% increase (Band D £36.11) in the 2024-25 Adult Social Care precept levy.
- 1.7. Note, based on the Mayor of London's draft consolidated budget, a proposed 8.58% (Band D £37.26) increase regarding the Greater London Authority precept.
- 1.8. Propose to Full Council for approval, the calculation of budget requirement and council tax as set out in Appendix I and note that the inclusion of the GLA precept will result in a total increase of 5.69% (Band D £127.35) in the overall Croydon council tax bill.
- 1.9. Propose to Full Council for approval the setting of the Council's own total net expenditure budget for 2024-25 at £361.267m.
- 1.10. Propose to Full Council for approval the detailed programme of revenue savings, income, demand pressures and legacy budget corrections, by directorate, as set out in Appendix C.
- 1.11. Propose to Full Council the proposed £5m budget in 2024-25 to support delivery of the transformation programme.

- 1.12. Propose to Full Council the Reserves Policy set out in Appendix M.
- 1.13. Propose to Full Council for approval that the Corporate Director of Resources be authorised to collect and recover National Non-Domestic Rate and council tax in accordance with the Local Government Finance Act 1988 (as amended) and the Local Government Finance Act 1992.
- 1.14. Note the revenue budget assumptions detailed in the report and budget projections to 2027- 28 made by the Corporate Director of Resources in agreement with the Chief Executive and with the Corporate Management Team.
- 1.15. Note the Council's request for a Capitalisation Direction from the Department of Levelling Up, Housing and Communities [DLUHC] of up to £38m for 2024-25, £9.439m relating to 2019-20 and current assumption that up to a further £38m per annum in exceptional financial support will be required for future years.
- 1.16. Note that all Directors will be required to report on their projected financial position compared to their revenue estimates in accordance with the 2024-25 monthly financial performance reporting timetable.
- 1.17. Note the statement (Appendix K of the Report) of the Corporate Director of Resources and S151 Officer, under Section 25 of the Local Government Act 2003, regarding the adequacy of reserves and robustness of estimates.
- 1.18. Note that the provisional Dedicated Schools Grant allocation for 2024-25 will increase by £28.583m to £466.825m (section 12 of the Report).
- 1.19. Propose to Full Council that the necessary determinations are made as billing authority under Section 11B of the Local Government Finance Act 1992 for financial year 2024- 2025 to the effect that where permitted, for dwellings that have been unoccupied and substantially unfurnished for a period of at least one year the amount of Council Tax will be increased by 100% where the period is less than 5 years, by 200% where the period is at least 5 years but less than 10 years, and by 300% where the period is at least 10 years, and that the discount under Section 11(2)(a) shall not apply.
- 1.20. Propose to Full Council that the necessary determinations are made under Section 11C of the Local government Finance Act 1992 as billing authority for financial year 2025-2026 to the effect that where permitted, for dwellings where there is no resident of the dwelling and the dwelling is substantially furnished, the amount of Council Tax will be increased by 100%, and the discount under Section 11(2)(a) shall not apply.
- 1.21. Propose to Full Council that the Council Tax Support scheme (statutory local council tax reduction scheme) under Section 13A(2) of the Local Government Finance Act 1992 is not changed from that agreed by Full Council resolution on 1st March 2023.

Agenda Item: 8 2023-24 PERIOD 8 FINANCIAL PERFORMANCE REPORT

Key Decision No.: 9423EM

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 underspend by £1.3m at Period 8, after the budgeted utilisation of £63m capitalisation directions requested from DLUHC.
- 1.2. To approve within budget the inter-directorate virement of £2.1m non-pay inflation budget from the Adult Social Care & Health directorate to the Housing directorate on a one-off basis in 2023-24, as set out in paragraph 4.12.
- 1.3. To note the progress in MTFs savings achievement as set out in paragraph 4.103.
- 1.4. To note the work that has commenced on the Council's Transformation Programme as set out from paragraph 4.98.
- 1.5. To note the Housing Revenue Account (HRA) revenue budget outturn is forecast to overspend by £12.0m.
- 1.6. To note the General Fund capital programme 2023-24 forecast underspend of £20.7m against the revised capital budget of £127.1m. The 2023-24 General Fund capital budget has been updated to reflect the changes agreed through the Capital Programme and Capital Strategy 2023-29 report at the Cabinet meeting on 6 December 2023.
- 1.7. To note the HRA capital programme 2023-24 forecast overspend of £1.8m against the revised capital budget of £37.2m. The 2023-24 HRA capital budget has been updated to reflect the changes agreed through the Capital Programme and Capital Strategy 2023-29 report at the Cabinet meeting on 6 December 2023.
- 1.8. To note the Council's historic borrowing and subsequent debt burden continues to be critical to the non-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 regard to its level of structural indebtedness 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.
- 1.10. 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.

Agenda Item: 10 HRA RENT SETTING 2024-25

Key Decision No.: 7223EM

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 the social rents increase of 7.7% from April 2024 based on the current final year of the government's Social Housing Rent Policy, (applying September 2023 CPI + 1%)
- 1.2. To agree the request to set the tenants service charges increase at the same level as the rents (7.7%) for the financial year 2024-25.
- 1.3. To agree the continuation of the Housing Revenue Account (HRA) hardship fund aimed at assisting tenants who are financially impacted by the 2024-25 rent increase, subject to obtaining a further Direction in appropriate terms from the Secretary of State.
- 1.4. To agree, the nil increase to the garage rents on the proviso that a full review of the viability of assets is carried out in 2024-25 and reported back to Cabinet.
- 1.5. To agree the request to set the increase in the caravan site plot charges in line with September CPI of 6.7%.

Agenda Item: 11 HRA BUSINESS PLAN AND BUDGET UPDATE 2024-25

Key Decision No.: 7123EM

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 recommend Full Council to agree the proposed HRA budget for 2024-25.
- 1.2. To recommend Full Council to agree the update to the HRA 30 years Business plan based on the HRA budget for 2024-25.
- 1.3. To note the assumptions in the Business Plan and the associated risk.
- 1.4. To note the ongoing work required on the asset management strategy and the enhanced stock condition surveys that are underway which will further inform the next iteration of the Business Plan.

Agenda Item: 12 THE FUTURE OF THE EXPERIMENTAL HEALTHY NEIGHBOURHOODS

Key Decision No.: 8923EM

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. A) To proceed with making permanent the Healthy Neighbourhood ref 1,2,3,4,6 and 7 as outlined below and to continue to work with residents to ensure signage is improved as where necessary to raise awareness.

Ref	Healthy Neighbourhood	Wards	Experimental Order	Order Ref
1	Albert Rd	Woodside	The Croydon (Traffic Movement)No17 Exp Order 2022	2022 No 63
2	Dalmally Rd	Addiscombe West	The Croydon (Traffic Movement)No12 Exp Order 2022	2022 No 29
3	Elmers Rd	Addiscombe West	The Croydon (Traffic Movement)No14 Exp Order 2022	2022 No 37
4	Holmesdale Rd	South Norwood	The Croydon (Traffic Movement)No16 Exp Order 2022	2022 No 58
6	Parsons Mead	Broad Green	The Croydon (Traffic Movement)No15 Exp Order 2022	2022 No 40
7	Sutherland Rd	Broad Green	The Croydon (Traffic Movement)No13 Exp Order 2022	2022 No 34

B) To remove The Kemerton Rd Healthy Neighbourhood, detailed below:

Ref	Healthy Neighbourhood	Ward	Experimental Order	Order Ref
5	Kemerton Rd (single residential road between two residential roads with a point closure at its end with Jesmond Rd)	Addiscombe West	The Croydon (Prohibition and Restriction of Stopping, Loading and Waiting) and (Free Parking Places) (No 3) Experimental Order 2022	2022 No 32

Kemerton Rd was closed at its junction with Jesmond Rd with lockable bollards which the emergency services can unlock in an emergency. There is no evidence to demonstrate that it was a road used by through traffic, and it does not form part of a wider healthy neighbourhood scheme. Residents who came to the drop-in sessions were not supportive of it remaining. The opening of the road to traffic would not necessarily create an opportunity for through traffic to by-pass any roads as it is a short length of highway between two main roads, no real gains in using it to access the road on either side.

1.2. To agree that officers will work with residents on adjustments to improve the following Croydon Healthy Neighbourhoods (CHN), Ref 1, 4 ,and 7 Subject to Paragraph 1.1 A

A) To work with residents of Albert Rd (Ref CHN 1) to agree adjustments that can be made between Eldon Rd and Harrington Rd. This section is currently unrestricted due to the on-going development requiring a temporary closure.

B) To work with residents of 1) Holmesdale HN (Ref CHN 4) to reduce the impact in Dixon Rd due to displaced traffic, and 2) to work with residents of Priory Rd and Wentworth Rd (Ref CHN 7) to reduce the impact caused by displaced traffic. Any adjustments to 1) and 2) will be integral to the 2024-25 TfL funded LIP programme to ensure the Healthy Neighbourhoods deliver a coherent approach to improving conditions in residential roads through reducing the degree on impact.

Ref	CHN	Unrestricted residential roads within HN subjected to displaced traffic	Residential Roads outside of HN subjected to displaced traffic	Experimental Order	Order Ref
4	Holmesdale Rd	Dixon Rd		The Croydon (Traffic Movement)No16 Exp Order 2022	2022 No 58
7	Sutherland Rd		Wentworth Rd and Priory Rd	None	None

- 1.3. Subject to approval of recommendations 1.1 above, to delegate authority to the Corporate Director of Sustainable Communities, Regeneration & Economic Recovery to undertake all measures necessary to make the above referenced 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 CAPITAL PROGRAMME AND CAPITAL STRATEGY 2023-29

Key Decision No.: 7023EM

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 the Council's 2023-29 General Fund Capital Programme which includes planned expenditure of £479.68m (including capitalisation directions) across the six years.
- 1.2. Approve the Council incurring nil General Fund borrowing for financial years 2023-24 and 2024-25 and borrowing of £164.67m over 2025-29. The cost of this future borrowing is factored into the Council's Medium Term Financial Strategy.
- 1.3. Approve the 2024-25 Housing Revenue Account (HRA) Capital Programme with investment planned of £57.24m with borrowing of nil.
- 1.4. Approve an increase to the 2023-24 HRA capital budget from £33.248m to £37.162m, owing to increased major repairs and improvements, with this £3.914m increase funded by HRA reserves.
- 1.5. Approve the Council's Capital Strategy, as detailed within Appendix A of this report.
- 1.6. 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 regard to its level of indebtedness to ensure it can deliver sustainable local government services.

**Agenda Item: 14 TREASURY MANAGEMENT STRATEGY STATEMENT,
MINIMUM REVENUE PROVISION POLICY STATEMENT
AND ANNUAL INVESTMENT STRATEGY 2024/25**

Key Decision No.: 9323EM

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. The Treasury Management Strategy Statement 2024/25 as set out in this report;
- 1.2. The Prudential Indicators as set out in Appendix A of this report;
- 1.3. The Annual Minimum Revenue Provision Policy Statement (required by the Local Authorities (Capital Financing and Accounting) (England) (Amendment) Regulations 2008SI 2008/414) as set out in Appendix B;
- 1.4. The Borrowing Strategy and Investment Strategy; and
- 1.5. Note the requirement for Members to undertake training in order to have the appropriate knowledge and skills to enable them to understand and scrutinise the Council's treasury management.

Signed: Monitoring Officer

Notice date: 14 February 2024

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

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 22 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: 14 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