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LONDON BOROUGH OF CROYDON

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STATEMENT OF EXECUTIVE DECISIONS MADE BY CABINET ON 18 FEBRUARY 2021

This statement is produced in accordance with Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. Further to the associated public notice of Key Decisions no scrutiny call-in has been received, and therefore the following decisions can be implemented.

The following apply to the decisions listed below:

Reasons for these decisions: As set out in the report
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2485>

Other options considered and rejected: As set out in the report
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2485>

Details of Conflicts of Interest declared by the Decision Maker: None

Note of dispensation granted by the head of paid service in relation to a declared conflict of interest by that Decision Maker: None

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out below:

Decision Title: RENEWING CROYDON IMPROVEMENT PLAN - UPDATE

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 Cabinet

RESOLVED: To

1. Note the updates provided in the report in relation to the Croydon Renewal Improvement Plan;
2. Note the report of the MHCLG Rapid Review team, and the Council's response to the recommendations and milestones;

3. Undertake further stakeholder engagement to develop a Community Panel, with the purpose of supporting openness and transparency of the Council's delivery against the Croydon Renewal Improvement Plan, with proposed membership and terms of reference reported back to Cabinet in March 2021 for approval; and
4. In recognition of the MHCLG appointed Improvement & Assurance Panel, implementation of the Croydon External Improvement Board be paused and reviewed in July 2021.

Decision Title: RENT SETTING POLICY FOR COUNCIL HOMES

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 Cabinet

RESOLVED: To review the Rent-Setting Policy for Council Homes within the Housing Revenue Account ("The Policy"), at appendix 1 of the report and as detailed within the report and recommend to Full Council the adoption of this policy in accordance with Article 4.02 of Part 2 of the Constitution.

Decision Title: REVIEW OF BRICK BY BRICK CROYDON LTD: BRICK BY BRICK SHAREHOLDER DECISION - THE FUTURE OF THE COMPANY

Key Decision no.: 0621CAB

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 Cabinet

RESOLVED: To

1. Consider the PwC report including recommendations at Appendix 1 of the Part B agenda and the options set out in this report; agree to proceed with the option set out as scenario 2 of that report, which is a build out of sites by Brick by Brick combined with a sale of sites under construction whilst still considering the option of a sale of the business, with a further report to Cabinet in April / May 2021.
 - i. Note that, with any option, there will be further costs/resourcing (in particular the sale of the business option, in order to ensure the proper advice is obtained regarding valuation, legal and financial implications)

and some write off of the Council's investment (as further explained in the Part B report)

2. Agree that revised funding arrangements be entered into with Brick by Brick to reflect the current loan positions and proposals for the future, including, where relevant, moving to a 100% debt funding position (as opposed to 25% equity and 75% debt); extending relevant loans and repayment periods; allowing delays with repayments of existing loans; agreeing to further funding of no more than £9.99 million in relation to sites proposed for Brick by Brick to continue developing (and only where absolutely necessary within an appropriate repayment period), and:
 - i. Agree that the Interim Chief Executive be given delegated authority to finalise and agree the terms of new/varied funding agreements to be entered into between the Council and Brick by Brick in consultation with the Section 151 Officer and Monitoring Officer and in consultation with the Leader, Deputy Leader and Cabinet Member for Resources and Financial Governance.
 - ii. Note the progress of the loan agreement review (recommendation 19 of the Report in the Public Interest), as detailed in paragraphs 3.13-3.15 of this report.
 - iii. Note the advice at paragraph within the Part B paper regarding the legal implications of these proposed revised funding arrangements.
 - iv. Agree, where practically possible, to apply all funds being received from Brick by Brick first to the accrued interest and any subsequent funding will be used to pay back the principle loans
3. Agree for the necessary steps to be taken, in accordance with the Council's Tenders and Contracts Regulations, to appoint marketing agents to consider the disposal options for the College Green site (note, this is the site adjacent to Fairfield Halls which was due to transfer to Brick by Brick, but is currently held by the Council); the outcome of this options appraisal shall be reported back to Cabinet in accordance with the Council's governance processes.
4. Agree for the Council to review those sites Brick by Brick propose not to develop, as identified in Appendix 4, and to receive a future report to Cabinet on the potential use and future of each site (note, these are sites that had originally been intended to be transferred to Brick by Brick but are still held by the Council).
5. Agree that the plans to transfer the four sites identified in Appendix 4 from the Council to Brick by Brick proceed and, note, these sites will then be dealt with in accordance with recommendation 1.9 below.
6. Approve that the Council's Housing Revenue Account (HRA) can acquire residential units from Brick by Brick as part of this review and note that the concurrent report to Cabinet regarding the arrangements for the future development of social housing within the Housing Revenue Account business plan will include Brick By Brick developments sites as potential

development options. The acquisition and development will be subject to a review of affordability and HRA revenue implications.

The Cabinet, on behalf of the Council, exercising its functions as sole shareholder of Brick By Brick Croydon Ltd, is recommended to:

7. Agree that Brick by Brick continue to build out those schemes currently on site and due to complete by October 2021 (as identified in Appendix 2)
8. Agree that, in the event risks arise which affect timely completion of those sites referred to in Recommendation 1.7, agree that:
 - i. Brick by Brick shall report to the Council's Interim Chief Executive regarding those risks, including any development, operational, legal or other risks;
 - ii. The Council's Interim Chief Executive, in consultation with the Section 151 Officer and Leader, be authorised to decide:
 - a. whether the risks are such that selling the site(s) urgently would be more economically advantageous and, in those circumstances, shall have the ability to authorise Brick by Brick to sell those relevant sites; or
 - b. whether a further review is to be carried out and reported to Cabinet for a decision.
9. Agree that, for those sites which have estimated completion dates beyond October 2021 (as identified in Appendix 2), Brick by Brick be authorised to:
 - i. market the sites for sale and report back to the Council's Interim Chief Executive and Section 151 Officer regarding offers received;
 - ii. Subject to any objection by the Council's Interim Chief Executive in consultation with the Section 151 Officer and the Leader (note, this is to allow the Council the opportunity to consider whether continued build out of these sites might be more cost effective than offers received), sell those sites and, where necessary, novate any relevant contracts, such as building contracts, to the purchasers (for the avoidance of doubt, should the Council's Interim Chief Executive object, Brick by Brick shall not have the shareholder's authority to sell those sites).
10. Agree with the recommendation of the board of Brick by Brick to depart from the current Business Plan and no longer develop any site other than those sites identified in Appendix 2 (note, potential future transfers of interests in the work already undertaken will be the subject of a future report to Cabinet in accordance with recommendation 1.5 above).
11. Agree that these recommendations be adopted by way of shareholder resolution as revisions to the Business Plan of Brick by Brick Croydon Ltd, thereby requiring the company and Directors of the company to act on these recommendations and to carry out all necessary actions to give effect to them.

12. Require the Board of Brick by Brick to prepare and submit a revised Business Plan (by no later than May Cabinet) for adoption by the Council as shareholder, reflecting the decisions made under this report and to include the consequential impact on staffing and other relevant matters.

Decision Title: INTERIM ASSETS DISPOSAL STRATEGY

Key Decision no.: 0821CAB

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 Cabinet

RESOLVED: To

1. Approve the Interim Asset Disposal Strategy and note the first tranche of proposed sales which is set out in appendix A of the report
2. Approve the proposed list of assets for disposal and to progress the marketing of the initial tranche of asset disposals as set out in appendix 3 of Part B of the report including specific approvals for:
 - i. Valuation fees for the proposed disposals
 - ii. Other cost of sales budgetary requirements as included in appendix 3 of the report.
3. Approve the proposed approach for the disposal and marketing of the Croydon Park Hotel as detailed in section 8 of the report.
4. Note the requirement for additional resource to successfully manage and achieve this major project.

Decision Title: CROYDON EQUALITIES STRATEGY

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 Cabinet

RESOLVED: To

1. Refer the adoption of the Equalities Strategy to Full Council with a recommendation for approval.
2. Refer the adoption of the new Equalities Objectives to Full Council with a

recommendation for approval.

3. Note the engagement and consultation that has been undertaken to develop this strategy and supporting action plan to deliver its key priorities. Its content is applicable across the borough and is intended to benefit all our staff, residents and communities and thereby all who live and/or work in the borough, or working directly with Croydon's residents and communities.

Decision Title: EDUCATION STANDARDS

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 Cabinet

RESOLVED: To note the contents of the report and to recognise the work of staff in schools to support Croydon's children and young people.

Decision Title: SCRUTINY STAGE 1: RECOMMENDATIONS FROM SCRUTINY & OVERVIEW COMMITTEE

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 Cabinet

RESOLVED: To Receive the recommendations arising from meetings of the Children & Young People Sub-Committee held on 19 January 2021 and Scrutiny & Overview Committee held on 4 & 9 February, and to provide a substantive response within two months (i.e. at the next available Cabinet meeting on 22 March 2021).

Decision Title: STAGE 2 RESPONSE TO RECOMMENDATIONS ARISING FROM CHILDREN & YOUNG PEOPLE SUB-COMMITTEE HELD ON 3 NOVEMBER 2020, HEALTH & SOCIAL CARE SUB-COMMITTEE HELD ON 10 NOVEMBER 2020 AND SCRUTINY & OVERVIEW COMMITTEE HELD ON 17 NOVEMBER 2020

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 Cabinet

RESOLVED: To approve the response and action plans attached to the report at Appendix A and that these be reported to the Scrutiny and Overview Committee or relevant Sub-Committees.

Decision Title: CALL-IN REFERRAL TO CABINET: EMISSIONS BASED PARKING CHARGES

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 Cabinet

RESOLVED: To

1. Note the grounds for referral made by the Scrutiny & Overview Committee on the Emission-based Parking Charges key decision.
2. Agree that:
 - 1) Parking charges across the Borough are increased in line with the recommendations made in
Key Decision No.: 5120ETR - Parking charges review January 2021
Key Decision No.: 0220PL - EMISSION-BASED PARKING CHARGES
 - 2) That where current free parking bays exist across the Borough that these remain free for the current time and that to note that a report will be submitted to the Traffic Management Advisory Committee that will explore the options available to achieve the policy outcomes required within the Parking Policy.

Decision Title: REVIEW OF BRICK BY BRICK CROYDON LTD: BRICK BY BRICK SHAREHOLDER DECISION - THE FUTURE OF THE COMPANY

Key Decision no.: 0621CAB

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 Cabinet

RESOLVED: To approve the recommendations set out in Part A (min ref. 19/21).

Decision Title: INTERIM ASSETS DISPOSAL STRATEGY

Key Decision no.: 0821CAB

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 Cabinet

RESOLVED: To

1. Approve the Interim Asset Disposal Strategy
2. Approve the proposed list of assets for disposal and to progress the marketing of the initial tranche of asset disposals as set out in appendix 3 of Part B of the report including specific approvals for:
 - i. Valuation fees for the proposed disposals
 - ii. Other cost of sales budgetary requirements as included in appendix 3 of the report.
3. Approve the proposed approach for the disposal and marketing of the Croydon Park Hotel as detailed in section 8 of the Part A report
4. Note the requirement for additional resource to successfully manage and achieve this major project.

Signed: Council Solicitor and Monitoring Officer

Notice date: 02 March 2021