

LONDON BOROUGH OF CROYDON

To: All Member of Council
Croydon Council website
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STATEMENT OF EXECUTIVE DECISIONS MADE BY CABINET ON 12 JULY 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 reports
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2508>

Other options considered and rejected: As set out in the reports
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2508>

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: ONGOING REVIEW OF BRICK BY BRICK CROYDON LTD AND THE FUTURE OF THE COMPANY

Key Decision no.: 3321CAB

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

Cabinet **RESOLVED** (acting, where relevant, on behalf of the Council exercising its functions as sole shareholder of Brick by Brick Croydon Ltd) to:

1. Reject the offer for the purchase of Brick by Brick (Croydon) Ltd.
2. Agree that a modified build out scenario of 23 sites will be implemented and to note that in order to deliver that, Brick by Brick will require additional management and technical support, the costs of which are factored into the costs shown in this report and as further consequence of this decision that Brick by Brick will return 5 sites to the Council on the basis that they will be marketed for sale (and on the basis that site ownership will either remain with Brick by Brick or transfer to the Council, whichever is most efficient for maximizing value or the efficiency of the sale process). The remaining site of Belgrave and Grosvenor to be deferred pending the completion of the stock survey being undertaken in adjoining council buildings and to be brought to a future Cabinet meeting for final consideration.
3. Agree that the decisions made under this Report shall take effect as amendments to the current Business Plan of Brick by Brick (and as a shareholder decision under the Articles of the company). In addition, and also as shareholder, the Council will require Brick by Brick to issue monthly reports to the Council to update on its financial position, progress with development of sites, sales, any key contractual issues and any other relevant matter (as needed). Such reports are to be presented to the Cabinet on a quarterly basis.
4. Confirm that, in accordance with the February Cabinet report, sales receipts may continue to be recycled by Brick by Brick and agree that the S151 Officer, in consultation with the Chief Executive and Monitoring Officer be given authority to approve those ad-hoc sales receipt recycling requests from Brick by Brick, up to a total amount of £5m in any one transaction and following the terms of the consolidated loan agreement, reporting on a quarterly basis to Cabinet.
5. Delegate authority to the Section 151 Officer, in consultation with the Chief Executive and Monitoring Officer, to make any necessary formal shareholder resolutions in order to give effect to the above recommendations and to authorise the entering into any of the necessary formal legal documentation that arise as a consequence (including (i) to confirm the appointment of consultants to provide the necessary additional management and technical support, and (ii) in respect of the sale of the 6 sites, as are referred to in recommendation 2).
6. Delegate authority to the Section 151 Officer, in consultation with the Chief Executive and Monitoring Officer, to vary the loan agreement in respect of the sites returned to the Council sites (subject to SDLT and various other tax advice) and with any such modifications being reported in the quarterly report to Cabinet.
7. Otherwise note the progress made with regard to Brick by Brick.
8. To thank the Improvement and Assurance Panel for their advice and support in the production of the report.

Decision Title: FINANCIAL PERFORMANCE REPORT - OUTTURN 2020/1

Details of decision:

Having carefully read and considered the Part A and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the

RESOLVED: To

1. Note the draft outturn for the General Fund for 2020/21 being £65.8m over approved budget, which is a £1.4m improvement on the Period 11 position previously reported to Cabinet on 7th June;
2. Note the forecast level of closing General Fund general reserves as £27.5m - after taking into account likely adjustments to the levels brought forward as part of the work to finalise the 2019/20 accounts audit process, and which is in line with the assumptions set out in the approved 2021/22 Budget and Medium Term Financial Strategy of March 2021;
3. Note the forecast outturn and level of HRA balances carried forward;
4. Note the draft General Fund capital outturn position for 2020/21;
5. Note the draft HRA capital outturn position for 2020/21; and
6. Approve the roll-forward of capital underspends into the 2021/22 Capital Programme for both the General Fund and HRA as set out in Tables 4 and 5.

Decision Title: CROYDON'S GENERAL FUND MEDIUM TERM FINANCIAL STRATEGY (MTFS) 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 unaudited closing reserve balance for 2020/21 being brought forward to 2021/22.
2. Notes that this report now includes a projection for Budget Position in 2024/25 and also notes Budget Gap for Financial Years 2022/23 to 2024/25.
3. Notes that the Council will not receive any confirmation from MHCLG on its £25m request for Capitalisation Direction for 2022/23 until later in this financial year. The budget gap without any capitalisation direction stands at £63.27m

for 2022/23 assuming that proposed savings agreed in March 2021 are agreed of £24million

4. Note that the Budget for 2022/23 to 2024/25 is projected based on Council Tax growth being 1.99% for general increase and 2% growth in the Council Tax Base. No increases in Business Rate growth assumed.
5. Note that a further Budget Update report will be brought to Cabinet in November 2021.

Decision Title: HOUSING OMBUDSMAN SELF-ASSESSMENT AND COMPLAINT HANDLING FAILURE ORDER

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 contents of the Housing Complaints Self Assessment, as per Appendix 1 of the report, in order for the assessment to be publicised on the Local Authority website.

Decision Title: SCRUTINY STAGE 1: RECOMMENDATIONS FROM SCRUTINY

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 meeting of the Scrutiny & Overview Committee held on 27 May 2021 and to provide a substantive response within two months (i.e. at the next available Cabinet meeting on 16 August 2021).

Decision Title: SCRUTINY STAGE 2: RESPONSES TO RECOMMENDATIONS FROM SCRUTINY

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: INVESTING IN OUR BOROUGH

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

1. The request for approval of the Substance Misuse Contract Award as set out at agenda item 11a and section 5.1.1 of the report.
2. The request for approval of the Arboricultural Services Contract Variation as set out at agenda item 11b and section 5.1.1 of the report.
3. The request for approval of the Public Health Nursing Contract Award as set out at agenda item 11c, and section 5.2.1 of the report;
4. The contracts between £500,000 and £5,000,000 anticipated to be awarded under delegated authority from the Leader by the nominated Cabinet Member, in consultation with the Cabinet Member for Resources and Financial Governance and with the Leader in certain circumstances, before the next meeting of Cabinet, as set out in section 5.3.1 of the report.
5. The list of delegated award decisions made by the Director of Commissioning and Procurement since the last meeting of Cabinet, as set out in section 5.3.2 of the report.
6. Property lettings, acquisitions and disposals to be agreed by the Cabinet Member for Resources and Financial Governance in consultation with the Leader since the last meeting of Cabinet, as set out in section 5.4.1 of the report.

Decision Title: INTEGRATED DRUG & ALCOHOL TREATMENT SERVICE

Key Decision no.: 2121CAB

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 award in accordance with Regulation 28.4(c) of the Council's Contracts and Tenders Regulations for the Integrated Drug and Alcohol Treatment Service for Adults and Young People to the **Supplier** (identified in

Part B of this report) for a contract term of 5 years for a maximum contract value stated in the part B report.

2. Note that the contract award includes the provision for delivery of services (additional to core services) which are funded by the time-limited grants from the Mayor's Office for Policing and Crime (MOPAC) and the Ministry of Housing, Communities and Local Government (MHCLG) referred to in the Financial Impact section of the report.

Decision Title: ARBORICULTURAL SERVICES CONTRACT VARIATION

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 the extension by way of variation of the contract for Specialist Arboricultural works with City Suburban Tree Surgeons Limited for nine (9) months from 1st April 2021 to 31st December 2021 at a value of £400,000 (maximum contract value, including this proposed extension will be £9,221,369).

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Key Decision no.: 3321CAB

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

The decisions were taken with Part A of the meeting and are set out at minute number 99/21.

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RESOLVED: To

1. Approve the award in accordance with Regulation 28.4(c) of the Council's Contracts and Tenders Regulations for the Integrated Drug and Alcohol Treatment Service for Adults and Young People to the **Supplier** (identified in Part B of this report) for a contract term of 5 years for a maximum contract value stated in the part B report.
2. Note that the contract award includes the provision for delivery of services (additional to core services) which are funded by the time-limited grants from the Mayor's Office for Policing and Crime (MOPAC) and the Ministry of Housing, Communities and Local Government (MHCLG) referred to in the Financial Impact section of the report.

Signed: Council Solicitor and Monitoring Officer

Notice date: 20 July 2021