



**CABINET
AGENDA**
for the meeting
on
15 November 2021
at
6.30 pm

To: Croydon Cabinet Members:

Councillor Hamida Ali, Leader of the Council
Councillor Stuart King, Deputy Leader (Statutory) and Cabinet Member for Croydon Renewal
Councillor Muhammad Ali, Cabinet Member for Sustainable Croydon
Councillor Janet Campbell, Cabinet Member for Families, Health & Social Care
Councillor Alisa Flemming, Cabinet Member for Children, Young People & Learning
Councillor Patricia Hay-Justice, Cabinet Member for Homes
Councillor Oliver Lewis, Cabinet Member for Culture & Regeneration
Councillor Manju Shahul-Hameed, Cabinet Member for Communities, Safety and Business Recovery
Councillor Callton Young OBE, Cabinet Member for Resources & Financial Governance

Invited participants: All other Members of the Council

A meeting of the **CABINET** which you are hereby summoned to attend, will be held on **Monday, 15 November 2021 at 6.30 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

Katherine Kerswell
London Borough of Croydon
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8 Mint Walk, Croydon CR0 1EA

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www.croydon.gov.uk/meetings
5 November 2021

Residents are able to attend this meeting in person, however we recommend that you watch the meeting remotely via the following link:

<https://webcasting.croydon.gov.uk/13707-Cabinet>

If you would like to attend in person please note that spaces are limited and are allocated on a first come first served basis. If you would like to attend in person please email democratic.services@croydon.gov.uk by 5.00pm the day prior to the meeting to register your interest.

If you would like to record the meeting, we ask that you read the guidance on the recording of public meetings here before attending. The agenda papers for all Council meetings are available on the Council website www.croydon.gov.uk/meetings

If you require any assistance, please contact Victoria Lower 020 8726 6000 x14773 as detailed above.

AGENDA – PART A

1. Apologies for Absence

2. Minutes of the previous meeting (Pages 7 - 28)

To approve the minutes of the meeting held on 18 October 2021 as an accurate record.

3. Disclosure of Interests

Disclosure of Interests Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider **in advance of each meeting** whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer **in good time before the meeting**.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPIs and ORIs at the meeting.

- Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.
- Where the matter relates to an ORI they may not vote on the matter unless granted a dispensation.
- Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation. Where a matter affects the NRI of a Member or co-opted Member, section 9 of Appendix B of the Code of Conduct sets out the test which must be applied by the Member to decide whether disclosure is required.

The Chair will invite Members to make their disclosure orally at the commencement of Agenda item 3, to be recorded in the minutes.

4. Urgent Business (If any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

- 5. Community Safety Strategy (Pages 29 - 84)**
Cabinet Member: Cabinet Member for Communities, Safety & Business Recovery, Councillor Manju Shahul-Hameed
Officer: Interim Corporate Director of Sustainable Communities, Regeneration & Economic Recovery, Sarah Hayward
Key decision: no
- 6. Governance of Brick By Brick Croydon Ltd. (Pages 85 - 110)**
Cabinet Member: Leader of the Council, Councillor Hamida Ali
Officer: Interim Corporate Director of Resources, Richard Ennis
Key decision: no
- 7. 1st Quarterly update on progress of performance for Brick by Brick Croydon Ltd. (Pages 111 - 118)**
Cabinet Member: Leader of the Council, Councillor Hamida Ali
Officer: Interim Corporate Director of Resources, Richard Ennis
Key decision: no
- 8. Financial Performance Report - Month 6 (September 2021) (Pages 119 - 148)**
Cabinet Member: Cabinet Member for Croydon Renewal, Councillor Stuart King and Cabinet Member for Resources & Financial Governance, Councillor Callton Young
Officer: Interim Corporate Director of Resources, Richard Ennis
Key decision: no
- 9. Finance, Performance & Risk performance report (Croydon Renewal and Improvement Plan) (Pages 149 - 204)**
Cabinet Member: Leader of the Council, Councillor Hamida Ali
Officer: Interim Assistant Chief Executive, Elaine Jackson
Key decision: no
- 10. Scrutiny Stage 1: Recommendations from Scrutiny (Pages 205 - 232)**
Cabinet Member: Leader of the Council, Councillor Hamida Ali
Officer: Interim Monitoring Officer, John Jones
Key decision: no
- 11. Investing in our Borough (Pages 233 - 360)**
Cabinet Member: Cabinet Member Resources & Financial Governance, Councillor Callton Young
Officer: Interim Corporate Director of Resources, Richard Ennis
Key decision: no

a) **Contracts for the Receipt, Bulking, Haulage, and Treatment of Food Waste and Green Waste** (Pages 361 - 388)

Cabinet Member: Cabinet Member for Sustainable Croydon, Councillor Muhammad Ali

Officer: Interim Corporate Director of Sustainable Communities, Regeneration & Economic Recovery, Sarah Hayward

Key decision: yes

12. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

PART B AGENDA

13. 1st Quarterly Update on Progress of Performance for Brick by Brick Croydon Ltd. (Pages 389 - 398)

Cabinet Member: Leader of the Council, Councillor Hamida Ali

Officer: Interim Corporate Director of Resources, Richard Ennis

Key decision: no

14. Contracts for the Receipt, Bulking, Haulage, and Treatment of Food Waste and Green Waste (Pages 399 - 424)

Cabinet Member: Cabinet Member for Sustainable Croydon, Councillor Muhammad Ali

Officer: Interim Corporate Director of Sustainable Communities, Regeneration & Economic Recovery, Sarah Hayward

Key decision: yes

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Cabinet

Meeting of held on Monday, 18 October 2021 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, CR0 1NX. To view the meeting webcast - <https://webcasting.croydon.gov.uk/croydon/meetings/13407>

MINUTES

- Present:** Councillor Hamida Ali, Stuart King, Muhammad Ali, Janet Campbell, Alisa Flemming, Patricia Hay-Justice, Oliver Lewis, Manju Shahul-Hameed and Callton Young
- Also Present:** Councillor Jason Perry, Jeet Bains, Jason Cummings, Maria Gatland, Lynne Hale, Simon Hoar, Yvette Hopley, Scott Roche, Andy Stranack, Sean Fitzsimons, Robert Ward, Pat Clouder, Patsy Cummings, Clive Fraser and Louisa Woodley
- Officers:** Caroline Bruce (Head of Business Intelligence, Performance and Improvement)
Bianca Byrne (Head of Commissioning and Procurement Corporate)
Matthew Davis (Deputy Section 151 Officer)
Richard Ennis (Interim Corporate Director of Resources (Section 151) and Deputy Chief Executive)
Gavin Handford (Director of Policy & Partnerships)
Sarah Hayward (Interim Executive Director Place)
Robert Hunt (Assets Manager)
Elaine Jackson (Interim Assistant Chief Executive)
Debbie Jones (Interim Executive Director Children, Families & Education)
John Jones (Interim Monitoring Officer)
Katherine Kerswell (Chief Executive)
Annette McPartland (Director of Operations)
Peter Mitchell (Interim Director of Commercial Investment)
Nish Popat (Head of Corporate Finance)
Stephen Wingrave (Head of Asset Management & Estates)

The Leader of the Council (Councillor Hamida Ali) invited Cabinet to take part in a minute's silence in memory to Sir David Amess and noted that everyone would join in the nation's grief of the murder of a man during the course of doing a consistency surgery. It was reflected that the terrorist attack had been an attack on democracy.

The Leader stated that whilst she had not had the privilege of meeting Sir David Amess that it was clear from the reflections of others that he had represented the best of elected representatives; he had been passionate, represented his community and had been a strong advocate for his constituency. She added her deepest condolences to the family and friends of Sir David Amess.

The Leader of the Opposition (Councillor Jason Perry) added that the events had been shocking and added his thoughts and prayers for the family and friends of Sir David Amess. It was noted that regardless of politics, it had appeared that Sir David Amess had been a good man and therefore the loss had been greater. The Leader of the Opposition stated that he felt that it remained important to keep democracy open and that terrorist events such as the murder should not create divide between elected representatives and the electorate; but that it remained important that everyone continued to be mindful of security.

PART A

137/21 Minutes of the previous meeting

The part A minutes of the Cabinet meetings held on 12 July 2021, 26 July 2021 and 16 August 2021 were agreed. The Leader of the Council signed the minutes as accurate records.

138/21 Disclosure of Interests

The Leader of the Council noted that following Council on Monday 11 October 2021 there was a new Code of Conduct and asked Members to confirm that their interest were up to date.

Members confirmed that their Register of Interests had been updated.

The Cabinet Member for Croydon Renewal (Councillor Stuart King) informed Cabinet that in relation to item 5 of the agenda (Property Disposal Update as part of the Interim Asset Disposal Strategy) he had a conflict of interest arising from his employment and that following receiving advice from the Interim Monitoring Officer (John Jones) he would withdraw from the meeting for the duration of that item.

139/21 Urgent Business (If any)

There were no items of urgent business.

140/21 Property Disposal Update as part of the Interim Asset Disposal Strategy

The Cabinet Member for Resources & Financial Governance (Councillor Callton Young) began by noting that there had been a large petition from residents in his ward in relation to the recommended disposal of Heath Lodge and so stated that he would not participate in the decision making for that disposal.

The Cabinet Member welcomed the emphasis placed on good governance within the development of the report; including the business cases for disposals, independent valuations and appointing suitably qualified agents to market the properties. It was noted that Savills had been appointed for the disposals of Croydon Park Hotel and College Green to ensure best value was achieved. The Cabinet Member

highlighted that ten formal expressions of interest were received for Croydon Park Hotel and College Green sites. Those expressions of interests had been analysed by both Savills and officers and had led to a short list of eight viable bidders for Croydon Park Hotel and six bidders for College Green.

Members' attention was drawn to paragraphs 5.6 and 5.14 of the report and the implications of obtaining the values set out in the report. Furthermore, paragraph 11 was also highlighted as it showed the positive revenue and capital consequences of the disposals. In particular it was noted that for every £10 million reduction in capital borrowing the council would stand to save around £790,000 during the lifetime of the loan.

The Cabinet Member for Culture & Regeneration (Councillor Oliver Lewis) queried how monies received from the sales might benefit the council's financial position. Furthermore, he noted that the park lodges of Asburton and Heath Lodges were from a time when park keepers remained on site and did not reflect current practices of running parks. In light of this, the Cabinet Member queried whether there was precedent of disposing of similar properties elsewhere.

In response to the questions, the Cabinet Member for Resources & Financial Governance stated that it was normal practice for council to dispose of surplus assets as it cost money to maintain them. It was noted that money had been invested in the Lodge to look at alternative uses of the property, however it was now in a state of disrepair. It was felt that it was right and proper to dispose of surplus assets to support Croydon's renewal. The Cabinet Member confirmed that when the council received capital receipts that money would be used in order to keep costs down elsewhere in the council.

In response to a question from the Cabinet Member for Sustainable Croydon (Councillor Muhammad Ali), the Cabinet Member confirmed that Savills had undergone a consultation exercise with adverts in the Estates Gazette and a data room which interested parties could visit to understand what was on offer. The Cabinet Member noted also that as part of the shortlisting offers interviews had been undertaken. The Head of Asset Management & Estates (Stephen Wingrave) added that around 5,000 adverts had been sent to Savills contacts and in the case of Croydon Park Hotel; specific adverts were sent to the hotel industry.

The Leader of the Council (Councillor Hamida Ali) noted that professional advice had been sought but queried as to the level of engagement with the Assurance & Improvement Panel and whether their opinion had been sought as another form of external advice. In response, the Cabinet Member confirmed that all conversations with the Panel in relation to the disposal and achieving best consideration had been positive. He added that in addition to external advice, independent valuations had been sought and competition had driven the price of the disposals.

The Cabinet Member for Homes (Councillor Patricia Hay-Justice) noted that whilst she did not like the idea of disposing of any assets she recognised that this was a decision which had to be made and in doing so the council was receiving a higher return than had been anticipated.

It was noted by the Shadow Cabinet Member for Croydon Renewal (Councillor Jason Cummings) that there had been positive commentary in relation to Croydon Park Hotel but queried whether the Administration accepted that the purchase had not been a good investment decision. In response, the Cabinet Member stated that there was an acceptance that markets changed and that the hotel market had suffered during the pandemic. It was stated that the Cabinet Member was not there to look back at history but to help fix the situation and find solutions. It was highlighted that the council was receiving a higher amount than had been anticipated and that money would be used to towards fixing the financial challenge faced by the council.

It was felt by the Shadow Cabinet Member for Resources & Financial Governance (Councillor Simon Hoar) that the sales of Croydon Park Hotel and College Green had become inevitable in the face of the financial challenge faced by the council. It was noted that the sale of the two assets and the two Lodges would bring in around £30million to the council. In light of this, the Shadow Cabinet Member queried whether this money would be reinvested into council services or staff. In response, the Cabinet Member stated that the money would be in the form of capital receipts and so would be used within the constraints of capital receipts. However, it was further highlighted that there would also be benefit in terms of interest payments on the loan.

Councillor Robert Ward noted that the College Green site was associated with the Fairfield Halls, and queried whether the external auditors value for money report had been received by the council. The Chief Executive (Katherine Kerswell) advised Members that the report had been received but that the external auditors had been requested the council not proceed with any further work in relation to it as they had wanted to do some further research themselves. It was stated that the council were waiting for the external auditors to conclude their work on the report.

The Leader of the Council confirmed with those in attendance that there were no questions on the Part B report and so proceeded to ask Cabinet to consider and agree the recommendations in the Part A and Part B reports.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED on the basis of the terms set out in Part A and B of the report to

1. Approve the disposal of the Croydon Park Hotel;

2. Approve the disposal of the College Green site;
3. Delegate the approval for the disposal of Heath Lodge, Grangewood Park by auction to the Interim Corporate Director Resources in consultation with the Cabinet Member for Croydon Renewal and to note the representations made following the Notice for the disposal of public open space;
4. Delegate the approve for the Disposal of Ashburton Lodge by auction to the Interim Executive Director Resources in consultation with the Cabinet Member for Croydon Renewal;
5. Approve the extension of the leases for Concord and Sycamore House;
6. Agree to the amended asset disposal list as detailed in section 7 of this report; and
7. Note the update on the Investment Asset performance as detailed in section 8 of the report.

141/21

Council Tax Support Scheme Review

The Cabinet Member for Croydon Renewal (Councillor Stuart King) informed Members that the report sought approval to undertake a statutory consultation on the introduction of an income banded Council Tax support scheme. It was noted that the support scheme cost in region of £35 million in 2021/22; a cost which had been rising for a number of years and was estimated to rise to £40 million within the following few years.

It was highlighted by the Cabinet Member that the council had not been properly funded by the government for this support and that funding had decreased since 2013. Following changes in the funding from government in 2013, the Cabinet Member noted, a number of councils had moved to amend their support schemes with the introduction on income banding; however Croydon had not.

It was felt that an income banded scheme was a simpler and fairer scheme to operate for both the council and residents. It was stated that the proposed scheme took into account combined household income with support targeted at households with the lowest incomes and greatest needs. The Cabinet Member stated that the scheme would protect pensioners, care leavers under the age of 25 and non-working disabled residents; with around 9000 households continuing to be protected. The Cabinet Member highlighted that there was also a recommendation to introduce a hardship fund to support residents in the transition from the current scheme to the new scheme.

The Cabinet Member stated that he had made it clear with officers that it was important that there was genuine and meaningful consultation with experts and the stakeholder community who understood the Council Tax scheme to ensure the scheme which was consulted on achieved the objectives and there were no unintended consequences. It was confirmed that the final details of the scheme would take into account the outcome of the consultation.

In response to the question from the Cabinet Member for Culture & Regeneration (Councillor Oliver Lewis), the Cabinet Member for Croydon Renewal stated the reason for the increasing costs in recent years had been due to the rise in numbers who were working poor, who were struggling to make ends meet and had become eligible for support.

The Cabinet Member for Homes (Councillor Patricia Hay-Justice) queried how much the increased efficiency of running the new scheme may result in terms of savings and whether that had been factored into the expected savings of £45.7 million.

The Cabinet Member highlighted paragraph 3.8 of the report and noted that an average 40% of Universal Credit claimants had between eight to 12 changes in entitlement per year. Each time an entitlement changed then the council recalculated the Council Tax liability and instalments due. By moving to an income banded scheme, the Cabinet Member stated there would be efficiencies in terms of the administration of the scheme which were confirmed to be in region of £250,000 per year which had not been included within the savings figure in the report.

The Cabinet Member for Children, Young People & Learning (Councillor Alisa Flemming) queried what consideration had been given to support care leavers from the age of 25 to transition into paying for Council Tax. Furthermore, she queried how long it was intended the hardship fund would be in operation for. In response, the Cabinet Member stated that the hardship fund would be in operation of the first year of the new scheme. He further noted that one of the purposes of the consultation was to ensure the scheme and fund served the purposes of supporting people.

Concerns were raised by the Cabinet Member for Resources & Financial Governance (Councillor Callton Young) that a resident had challenged that the proposed scheme, alongside the changes to Universal Credit, was too much to bear and queried whether a disabled resident who was not working would be impacted by the change. In response, the Cabinet Member stated that without knowing the full details he was unable to categorically confirm; however highlighted that vulnerable disabled residents would not be affected by the proposals as they were specifically protected. The Cabinet Member stressed that it was important to use the consultation to fully understand all the possible scenarios.

The Shadow Cabinet Member for Croydon Renewal (Councillor Jason Cummings) noted that there had been a number of comments at the

meeting in relation to those residents who would not be affected by the changes to the Council Tax support scheme, however noted that around £5.7 million of support currently provided would no longer be available. It was noted that there were a significant number of people in the borough who were on low incomes and would no longer receive support. In light of this impact, the Shadow Cabinet Member queried whether the Cabinet Member felt the proposal to be at odds with the way the Labour Group had spoken about Government changes to benefits.

The Cabinet Member stated that he felt there were differences in the way the Government was proceeding with changes to Universal Credit and how the council were seeking to address the financial challenge it faced. The council, it was stated, were seeking to protect the most vulnerable whereas the Cabinet Member stated the Government were proposing a blanket cut which did not take into account the needs of those impacted. Additionally, it was highlighted, the council were consulting on the proposals and seeking the views of experts to ensure there were no adverse impacts; whereas the Cabinet Member stated the Government had taken a decision despite the objections it faced.

The Shadow Cabinet Member for Resources & Financial Governance (Councillor Simon Hoar) queried how many households would be negatively impacted by the proposed changes and whether the capital receipts from asset sales could be used to support this service and reduce the impact on residents.

The Cabinet Member noted, in response, that 10% of the savings were proposed to be reinvested into the hardship fund. In terms of the number of households which could be impacted by the change, the Cabinet Member stated the figure was likely around 20,000 however, it was suggested that the consultation would enable the council to understand the impact the hardship fund would have on mitigating the worst impacts.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED: To

1. Approve statutory consultation on the introduction of a new income banded Council Tax Reduction (Support) Scheme for working age claimants from 1st April 2022.
2. Agree that the recommended scheme to be consulted on be an income banded Council Tax Support scheme, which:
 - Retains 100% protection for Pensioners, care leavers under 25 and Disabled non-working residents
 - Utilises income bands of £50
 - Has a maximum level of income per week before someone is not eligible for CTS of £450 per week or £23,400 per year

- Has a maximum discount awarded for (not protected) working age residents of 80%
- Introduces a Hardship Fund to support residents transition from the current CTS scheme to an income banded scheme

142/21

Consultation on the Closure of Purley Leisure Centre

The Cabinet Member for Culture & Regeneration (Councillor Oliver Lewis) stated that the council did not want to close facilities and recognised the impact the decision would have on users of the leisure centre; however stressed that it was no longer an option to continue as was. It was stated that Purley pool lacked sufficient space to enable it be a sustainable facility and was losing money year on year. Additionally, it was noted the facility was nearly 40 years old and required significant investments in its plants and mechanical equipment in order for it to reopen.

Members were informed that Purley leisure centre was first put forward for closure in 2007 when the previous Administration had built Waddon leisure centre. Since that date, the Cabinet Member stated, subsequent Administrations had kept Purley leisure centre open by patching up issues. It had led to a situation where there was an unsustainable venue which would require significant investment to undertake all of the required repairs in order for it reopen.

The Cabinet Member highlighted that there was provision within the Local Plan for a new publically accessible wet facility as part of the redevelopment of the site; and it was stated that it was the Cabinet Member's view that the people of the south of the borough deserved a new leisure facility and so he hoped the council could work with interested parties to bring such a development forward.

The Cabinet Member for Children, Young People & Learning (Councillor Alisa Flemming) queried what mitigations had been put in place to ensure school children were able to access swimming classes. In response, the Cabinet Member noted that since the start of the pandemic in March 2020 Purley leisure centre had been unable to reopen due to the air handling system failing government standards for public buildings. In light of this, the council had looked to relocate user groups to alternative facilities. It was recognised, however, that such relocation did present additional journey times for many schools.

The Cabinet Member added that the council were communicating with schools as widely as possible as to the options available. It was noted that there were a range of other leisure facilities in the south of the borough including; New Addington, Waddon and gym facilities at Monk's Hill. It was noted by the Cabinet Member that it was important that the council not only communicated the options available but also how they might travel to them.

The Cabinet Member for Homes (Councillor Patricia Hay-Justice) left the meeting at 19:22 and returned at 19:26.

The Cabinet Member for Communities, Safety & Business Recovery (Councillor Manju Shahul-Hameed) welcomed the start of the consultation and queried whether it was possible to understand usage of other leisure centres during the consultation period. The Cabinet Member stated that it was possible to assess membership databases for leisure centres which were open and whether people were travelling to use other facilities.

It was noted by the Leader of the Council (Councillor Hamida Ali) that councillors had received a large volume of contact from residents who were concerned about the impact of the closure. The national funding available to leisure centres during the pandemic was highlighted in the report, however it was noted that Purley was not eligible for the funding. The Leader requested information on the work to ensure a more fit for purpose facility was developed in the south of the borough.

The Cabinet Member informed Cabinet that he had received a letter from Swim England earlier that day and quoted the letter as saying: Purley is the main facility in Croydon that causes them concern as it currently provides a good amount of water space, but was approaching 40 years since it was built and that ongoing unsustainable investment would be expected at this point. It was highlighted by the Cabinet Member that there was recognition from the national swimming body that the situation would be unsustainable.

It was noted that the site of the leisure centre comprised of a multi-story car park and an old Sainsbury's supermarket which was being leased to a developer. The Cabinet Member stated that the council had made it clear that it was expected that any development on the site would bring forward a new facility for the south of the borough. It was the desire of the council for there to be modern, publically accessible wet facility at the site.

The Cabinet Member noted that the leisure industry had suffered during the pandemic as facilities were unable to open for long periods of time. Whilst there was national leisure recovery fund available and the council was successful in being awarded just under £1 million; this funding did not cover Purley leisure centre due to the inadequate air handling system which meant it was unable to open and was ineligible. It was stressed that the issues faced at Purley were chronic and that even if the repairs could be undertaken the site would continue to not breakeven.

It was stated by the Shadow Cabinet Member for Culture & Regeneration (Councillor Jeet Bains) that several pages of the report focussed on what cannot be done to save the facility, but that only one paragraph considered all the options. As such, he queried what work had been done to try to keep the centre open.

The Cabinet Member confirmed that the council had looked all of the options around the viability of Purley pool and had sought to keep it open. The council had sought funding and had spoken to community groups who were potentially interested in operating the building but no concrete options had materialised. It was highlighted that Purley leisure centre had been an ongoing concern since 2007 and that should the investment take place to reopen the facility it would continue to lose money and be unviable.

Concerns were raised by the Shadow Cabinet Member for Resources & Financial Governance (Councillor Simon Hoar) that the loss of the facility would lead to a loss of users who would either go elsewhere or not attend a leisure centre at all. It was noted that Waddon leisure centre was not located that far away but that it was challenging to access via public transport from Purley or Coulsdon. The same issue faced residents if they wished to use the New Addington site. With this in mind, he raised concerns that residents in the south of the borough would struggle to access leisure facilities and there would be an impact on people's health and wellbeing.

The Cabinet Member encouraged Members to direct residents to the consultation so the council could fully understand the impact of the decision and develop mitigations, where possible. Whilst it was hoped that people would continue to use the leisure centres, it was recognised that residents may use the facilities in neighbouring boroughs.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED: To

1. Not reopen Purley Leisure Centre; and
2. Consult with residents on the mitigations of using alternative leisure facilities at Waddon and New Addington.

143/21

Report in the Public Interest Action Plan - Quarter 2

The Leader of the Council (Councillor Hamida Ali) noted that the Quarter 1 report had been considered at Cabinet in June 2021 and at that stage over half of the actions had been deemed complete. At quarter 2, it was noted that the council were reporting two thirds of actions as being complete which the Leader felt was clear evidence that the Administration continued to make significant progress in addressing the root causes of the council's financial and governance challenges. The Leader highlighted that in the last quarter a stronger framework of oversight for the council's companies had been introduced, the council had worked with the Centre of Governance & Scrutiny to develop a scrutiny work programme and access to information protocol. Additionally, it was noted that an internal

audit against reported progress had been undertaken to provide assurance to Members and residents that the changes had been made.

The Cabinet Member for Resources & Financial Governance (Councillor Callton Young) welcomed the report and the progress which had been made to implement the recommendations in order to ensure there was good practice within the council which could be benchmarked against other London councils. Officers were thanked for their work in progressing the action plan.

It was noted by the Leader that a lot of the work being undertaken required cultural change which would take time and that a number of actions would require continuous assurance to be undertaken to ensure the council remained on track financially, on a governance point but also culturally. Members were advised that the Member Learning & Development Panel had agreed a training programme which would lead to further progress.

The Cabinet Member for Culture & Regeneration (Councillor Oliver Lewis) noted that the Report in the Public Interest had resulted in 99 actions and he felt that it was no small accomplishment that 62 of those actions had been completed. In terms of the outstanding actions; the Cabinet Member queried when those might be considered completed. In response, the Leader drew Members attention to paragraph 3.7 which set out the high priority recommendations from the external auditors which had been tackled first and were either considered complete or underway.

In terms of the outstanding actions, the Leader stated that these related to the cultural change piece of work which related to the wider Croydon Renewal programme and a range of work streams.

The Leader of the Opposition (Councillor Jason Perry) welcomed the report but noted that almost a year on there remained one third of actions considered outstanding. Whilst it was recognised that many of the actions would remain ongoing, he queried when all actions would be considered complete. In terms of the governance of the companies, he asked whether it was now considered the subsidiaries were opaque. The Leader reiterated that the Member's Learning & Development Panel had agreed a training programme which was due to be delivered by March 2022 and work in relation to Member induction following the Local Elections in May 2022. It was further noted that appendix 1 of the report set out when the actions were anticipated to be completed.

The Leader highlighted that previous Cabinet meetings had considered reports which addressed the governance of companies which had been important pieces of work to ensure the council exercised its proper shareholder responsibilities. It was stated to be an important area of progress and the RIPI action plan was assisting in ensuring the council addressed the challenges it was facing.

The Shadow Cabinet Member for Croydon Renewal (Councillor Jason Cummings) noted that within the reported there was feedback from the General Purposes & Audit Committee (GPAC); that the review of the use of transformation funding be taken to the GPAC meeting in October 2021 and that a report on the lessons learnt in relation to Croydon Park Hotel be taken to GPAC in November 2021. The Shadow Cabinet Member sought clarification as to when those reports would be received. The Interim Corporate Director of Resources (Section 151 Officer) and Deputy Chief Executive (Richard Ennis) advised Members that both reports would be taken to the November meeting of GPAC as further analysis was to be undertaken.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED: To

1. Note and agree on the progress the Council has made in regard to achieving the recommendations set out by external auditor in the Report in the Public Interest (appendix 1) with 62 out of 99 actions complete;
2. Note the outcome of the first tranche of work to properly evidence what has been achieved so far following the initial internal audit of actions delivered to provide full assurance to members and residents on the changes achieved; and
3. Agree the Refreshed Action Plan including actions marked complete, progress updates against open actions and identification of actions to be embedded going forward as business as usual.

144/21

Financial Performance Report - Month 5 (August 2021)

The Cabinet Member for Croydon Renewal (Councillor Stuart King) introduced the report and noted that at Quarter 1 the council was forecasting a balanced budget for the 2021/22 financial year and period 5 report (August 2021) continued to forecast a balanced budget. It was noted that this was due to a good response from departments to the challenges faced by the council and ensuring they lived within the budgets set. In particular, the Cabinet Member highlighted that Children's, Adult's and Resources were all forecasting underspends.

Members were informed that risk mitigations had been identified to the value of £11.4 million, which it was noted was an indication of departments responding to the challenge and identifying mitigations which could be used against any overspends over the course of the year.

In comparison, the Cabinet Member noted that at the same point in 2020/21 the council was reporting an overspend of £49 million which he felt was an indication of the work undertaken by the Administration to fix

the finances and ensuring vital public services continued to serve the people of Croydon.

The Cabinet Member highlighted to officers and elected Members that whilst there were budgets, they did not have to be spent and he hoped that message was feeding through the organisation.

Whilst the Cabinet Member noted the progress which had been made, he stated that it would be wrong to consider that the financial challenge had been resolved. It was stressed that there was lot still to be done, not just in the current financial year but also in developing proposals for the 2022/23 budget; as such ensuring there were risk mitigations in place was imperative should risks arise.

The Cabinet Member for Homes (Councillor Patricia Hay-Justice) noted that concerns remained within the Housing Revenue Account (HRA) and the overspend which was being projected. In light of this, it was stated that a great deal of work had been underway to manage the spend. The Cabinet Member for Homes highlighted that some savings forecasted for 2022/23 would be in place by the end of 2021/22 which would assist in mitigating the HRA expenditure. Furthermore, the Cabinet Member for Homes welcomed the Gateway team into the Homelessness team which it was felt would supplement the preventative work which was being undertaken by the council which would reduce the need for temporary and emergency accommodation.

The Cabinet Member for Sustainable Croydon (Councillor Muhammad Ali) noted that risk still remained and queried what efforts had been made to ensure risks were understood and quantified.

In response, the Cabinet Member for Croydon Renewal confirmed there remained an overspend within the HRA but that there had been some positive movement as a result of actions taken by the department and Cabinet Member. In terms of temporary and emergency accommodation, the Cabinet Member noted that this was an issue that was faced by a number of London councils as there was an issue of rising costs due to a shortage of appropriate accommodation.

In terms of identifying and quantifying risks, the Cabinet Member stated that it was an important task and that he felt one of the strengths in the way the council had approached the financial reporting in 2021/22 had been to identify quantifiable and unquantifiable risks. He stated that he was pleased that £11.4 million of mitigations had been identified which would support responding to any of the risks, should they arise.

The Cabinet Member for Families, Health & Social Care (Councillor Janet Campbell) noted that underspend with Adults Social Care had reduced in period 5 by £35,000 due to an increase in the number of people supported by the mental health service; however it was highlighted that the service remained on track to underspend. It was noted by the Cabinet

Member that at the time the report was written it was not known if the NHS funding for hospital discharge would continue after 30 September 2021, however Members were informed that this had since been confirmed and would be reflected in the period 6 report.

The Shadow Cabinet Member for Croydon Renewal (Councillor Jason Cummings) broadly welcomed the financial performance indicated within the report but highlighted that it was performance against a budget which had received £50 million of capitalisation direction funding. As such, it was noted that the real challenges would be seen in the years to come when the capitalisation direction was not available. In terms of the HRA budget, the Shadow Cabinet Member queried whether the intention was for the HRA reserves to be used or for the budget to be brought to a balanced position before the year end. In response, the Cabinet Member for Croydon Renewal acknowledged that the budget was balanced in part due to the capitalisation direction, but stressed that the position was also due to work to tackle overspends and hard decisions made by the Administration.

In terms of the HRA, the Cabinet Member for Homes confirmed that she and officers were working to ensure that the overspend was contained so that the reserves were not required, but stated that the economic environment may impact that ambition.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED: To

1. Note the General Fund is projecting a net favourable movement of £0.378m from Period 4. Service departments are indicating a £3.365m overspend (Month 4 £3.742m) with this being netted off as in the past four months against release of a one off Covid Grant (£3.451m) confirmed to Croydon Council for 21/22 by MHCLG as part of the Local Government Finance Settlement;
2. Note that a further number of risks and compensating opportunities may materialise which would see the forecast year-end variance change and these are reported within Section 3 of the report. Should these risks materialise or the mitigations not be effective the Council could overspend by £7.814m (Month 4 £11.664m);
3. Note the Housing Revenue Account (HRA) is projecting a £0.742m (Month 4 £0.696m) overspend for 2021/22. If no further mitigations are found to reduce this overspend the HRA will need to drawdown reserves from HRA balances which at the moment there are sufficient balances to cover this;
4. Note the capital spend to date for the General Fund of £8.235m (against a budget of £138.688m) and for the HRA of £5.713m

(against a budget of £183.209m), with a projected forecast variance of £36.899m on the general fund against budget and nil forecast variance against budget for the general fund;

5. Note, the above figures are predicated on forecasts from Month 5 to the year end and therefore could be subject to change as forecasts are refined and new and updated information is provided on a monthly basis. Forecasts are made based on the best available information at this time;
6. Note that whilst the Section 114 notice has formally been lifted, the internal controls established as part of the S114, such as the Spend Control Panel remain. However, restrictions have been lifted for ring-fenced accounts such as the Pensions Fund, Housing Revenue Account and Coroner's Costs as these do not directly impact on the financial position of the General Fund. The Spending Control Panel which was set up at the beginning of November 2020 continues to meet on a twice daily basis; and
7. Note that due to no Cabinet Meeting in September 2021 Period 4 has not been presented to Cabinet. Period 4 position has been provided for as Appendix 3 of the report to ensure there is a clear audit trail for Members between Period 5 and Period 4; and
8. Note that the Council has received a one off financial support of £2.3m from Government to help cover the pressures within Unaccompanied Asylum seeking Children (UASC), which means the Council still funds £2.20m of pressures.

145/21

Finance, Performance & Risk performance report (Croydon Renewal and Improvement Plan)

The Leader of the Council (Councillor Hamida Ali) noted that Cabinet had seen iterations of the report at previous meetings which responded to the Administration's commitment to be open and transparent to both Members and residents. It was noted that the report was beginning to show some progress on key targets across the council; however the Leader stated that the report was a snapshot in time only.

The Leader highlighted that two thirds of performance measures were on track, but noted that the report highlighted areas where more progress was required.

The Cabinet Member for Sustainable Croydon (Councillor Muhammad Ali) welcomed the report and the move to making performance management public and opening the council up to greater scrutiny. In particular he welcomed the data on frontline services which a number of queries from residents were in relation to.

The Cabinet Member for Resources & Financial Governance suggested that in previous years performance, which should have been measured and had not been done as would have been expected, and so welcomed the KPIs within the report which would support the improvement work that was being undertaken within the council.

The Chief Executive (Katherine Kerswell) advised Members that it was unlikely that the report would be entirely finalised as it was piece of work which was constantly built upon. As data and information was analysed, greater understanding was developed. Members were further advised that it was the ambition for data sheets to be available on the website to enable the public to access them and analyse them.

Members were advised by the Chief Executive that the council had invited those who had undertaken the non-statutory rapid review for the Ministry of Housing Communities & Local Government in 2020 had been invited to return to Croydon to assess the work which had been undertaken in the previous year. One of the areas that had been raised during the previous review had been the lack of a performance report and the introduction of such a report was welcomed.

In response to questions, the Chief Executive advised that the council could learn from the Local Government Association but advised caution in terms of the organisation not getting beyond itself as it remained on the road to recovery. It was highlighted that the report was only as good as the information provided and it was important that officers understood the value of the report and it was used to support delivery improvements.

The Leader of the Opposition (Councillor Jason Perry) welcomed the performance report and questioned whether the Leader would commit to maintaining such a report; whether the data was positive or negative. In response the Leader confirmed that the performance report would continue to be provided and would be enhanced. It was noted that it was an important tool for the council to understand the performance of services.

The Shadow Cabinet Member for Croydon Renewal (Councillor Jason Cummings) noted that the data was not only important for Members but the public also. The recycling data was raised by the Shadow Cabinet Member as it was noted that the council was not meeting recycling rates and that there had been significant drops in recent months. In light of this, he queried what the cause of the drop was and whether it was resulting in the council paying more for landfill.

In response, the Cabinet Member for Sustainable Croydon stated that for 2020/21 the garden waste collection was not included in the data. Members were informed that if the rates for Q1 and Q2 were combined it showed an increase in recycling rates; however it was noted that due to covid-19 general waste collection had increased by 20%, which was a trend seen elsewhere. Additionally composting waste tonnage had

increased by 12 – 15%, which alongside the general waste increase, had resulted in a reduction in the recycling rate. Members were informed that an update from the Department for Environment, Food & Rural Affairs was due to be published later in the year which would show the national picture.

Concerns were raised by the Shadow Cabinet Member for Sustainable Croydon (Councillor Scott Roche) that staff were concerned about job security as it was reported there were rumours of further cuts to staffing within the council; as such he queried what the council would say to those members of staff. The Leader stated that the approach to the budget for 2022/23 was to protect as many services as possible. One of the areas of focus was reviewing the contracts the council let to ensure they were achieving best value for money. The Leader, however, stated that she was not in a position to confirm there would be no cuts but assured Members that the council would work with staff and trade unions.

The Chief Executive requested that Members informed her of any staff who were expressing concerns so she could speak with them directly. It was noted that staff had been upset recently in relation to coverage on savings proposals as they had not been spoken to. This was due to there not being any firm proposals in place; however Members were advised that senior staff had spoken to the affected staff directly. The Chief Executive further highlighted that she had undertaken a webinar with staff the previous week and had highlighted the need for further savings to be made.

Concerns were raised in relation to responsive repairs by the Shadow Cabinet Member for Families, Health & Social Care (Councillor Yvette Hopley). She noted that she had raised concerns at the Council meeting during the previous week but felt that there had not been a realisation as to the situation. Given her concerns, she queried whether the figures contained within the report were accurate and whether boiler repairs would be included within the report going forward.

The Leader informed Members that the council was aware that there was a need to fully baseline performance in terms of repairs; as such the indicators within the report would be updated following work to fully review the Axis contract.

The Shadow Cabinet Member confirmed that she had reported her concerns to the Executive Directors and the Cabinet Member in advance of the Council meeting.

In response to the concerns raised the Cabinet Member for Homes (Councillor Patricia Hay-Justice) confirmed that the issues raised at the Council meeting had been followed up and that a response would be provided to the Shadow Cabinet Member by the end of the week. In terms of the data, the Cabinet Member noted that the performance levels were those in relation to the London average however more robust measures

would be put in place. The Cabinet Member provided assurances that any issues would be reported in the performance report as there was no intention to hold back data as the intention was to understand where there were issues and to improve the service. The Cabinet Member further welcomed contributions for additional measures and informed Members that the council was in conversation with tenants and leaseholders in terms of what benchmarking they thought should take place.

Members were informed by the Cabinet Member for Homes that in relation to measure HOU41 c, d and e, that she and the Leader were due to meet with the Managing Director of Axis to discuss the responsive repairs contract.

Councillor Robert Ward requested clarification in terms of the Value for Money report on Fairfield Halls, and why the report had been paused. In response, the Chief Executive advised the external auditors (Grant Thornton) had requested to complete some further work which was being undertaken. Once that work had been completed, the external auditors would advise the council of the outcome. Members were advised that the report had been provided to only herself and the Section 151 Officer (Richard Ennis) in confidentiality only.

The Shadow Cabinet Member for Children, Young People & Learning (Councillor Maria Gatland) noted that a red indicator had 29% of Child Protection children subject to a plan for second or subsequent time against a target of 18% and queried what was causing that performance and the work which was being done to tackle it.

In response, the Cabinet Member for Children, Young People & Learning (Councillor Alisa Flemming) confirmed that the performance figure was high, however stated that all red indicators were reviewed regularly both at the Children's Improvement Board and in one to one meetings. It was stated that the increased in Child Protection cases was directly linked to covid-19. As children and young people were returning to school, more families were being referred. The Interim Executive Director of Children, Families & Education (Debbie Jones) advised Members that the cases were reviewed very regularly and that the situation in Croydon was similar to the experiences of statistical neighbours as there had been an increase in children on Child Protection Plans generally.

The Shadow Cabinet Member for Communities, Safety & Business Recovery (Councillor Andy Stranack) welcomed the commitment of providing performance reports, but raised concerns in relation to the council not adopting a new Community Safety Strategy. Additionally he suggested that indicators should be provided which monitored the council's relationships and partnerships with the voluntary and community sector.

Clarification was provided by the Leader of the Council that a Community Safety Strategy was in place as the previous Strategy had been extended

to enable the council to engage with stakeholders to develop a new Strategy which reflected the priorities of the council. The Cabinet Member for Communities, Safety & Business Recovery (Councillor Manju Shahul-Hameed) further informed Members that the draft Strategy had been discussed at a scrutiny meeting and was due to go to the next Safer Croydon Partnership meeting.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED: To

1. Review the corporate FPR report (appendix A) as at 31 August 2021 with regard to overall performance against the Croydon Renewal Plan. Noting areas of good performance and those of concern.
2. Note the progress made, and areas of concern, against programmes and projects in relation to milestones, deliverables and issues.
3. Note the progress made against savings and growth targets as identified in the Croydon Renewal Plan. More detail on this area can be found in Table 2a of the Financial Monitoring Report also being presented at this Cabinet meeting.
4. That Cabinet identify areas of performance within the FPR report (appendix A of the report) where they require deeper analysis and benchmarking (where applicable) to be presented in the next FPR report at the 15 November Cabinet for discussion and action.

146/21

Investing in our Borough

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED: To note

1. The request for approval of the Children with Disabilities – Care Provider Register (CPR) procurement strategy as set out at agenda item 11a of the agenda and section 5.1.1 of the report;
2. 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 5.2.1 of the report;

3. 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 5.3.1 of the report; and
4. The list of September recess delegated award decisions for contracts over £5,000,000 in value made by the nominated Cabinet Member in consultation with the Cabinet Member for Resources & Financial Governance or, where the nominated Cabinet Member is the Cabinet Member for Resources & Financial Governance in consultation with the Leader since the last meeting of Cabinet, as set out in section 5.4.1 of the report.

147/21

Children with Disabilities - Care Provider Register (CPR)

The Cabinet Member for Resources & Financial Governance, Councillor Callton Young, informed Cabinet that the purpose of the report was to seek approval to tender for a care provider register (CPR) for the purchase of domiciliary and care packages for children and young people up to the age of 17. Members were informed that currently the council spot purchased domiciliary care services and this report sought to move from off contract spend to contract spend to support the management of costs.

It was noted that the CPR would be for a total of four years with anticipated spend being in the region of £1.6 million per annum, with a total anticipated spend of £6.4 million. This was in comparison to current spend being in the region of £2.7 million per annum; which would result in savings of £10.8 million over the four year term of the contract. It was further highlighted that the price for standard care could be capped at a maximum of £20 per hour and complex care at £28 per hour.

The Cabinet Member for Children, Young People & Learning, Councillor Alisa Flemming, added that the procurement framework would allow for a consistency of approach and experience for residents across the borough which was not always the case with spot purchasing. The Cabinet Member stated that she had reviewed the report closely to ensure that whilst savings would be made that the quality of care remained high.

The Shadow Cabinet Member for Children, Young People & Learning, Councillor Maria Gatland, welcomed the approach but questioned whether there would be a reduction in services for children and young people as a result of the CPR. In response, the Cabinet Member for Children, Young People & Learning stated that the Care Quality Commission ratings would be assessed and that children would not see a worst service. She stated that she was confident that the work which went into the development of the report would mean there would be a good quality service. Furthermore, it was noted that reviews would be undertaken on a case by case basis and would look at not only the support for the young people, but what that meant for the family and siblings.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED: To

1. Approve the strategy detailed in the report for the procurement of a contract for a period of four years for the delivery of domiciliary and personal care during the period 1st April 2022 to 31st March 2026. The total estimated annual value is £1.6m which results in a total aggregated value of £6.4m over the 4 years.
2. Note that the Director of Commissioning and Procurement has approved the waivers listed below under Regulation 19 of the Council's Tender and Contract regulations:
 - To adjust the split between cost and quality evaluation ratio as required under regulation 22.4 to 60% cost / 40% quality.
 - To adjust the social value evaluation criteria from 10% as required under regulation 22.5 to 5%.

148/21

Exclusion of the Press and Public

This item was not required as the Part B items were agreed in the Part A session of the meeting.

149/21

Minutes of the previous meeting

The part B minutes of the Cabinet meeting held on 26 July 2021 were agreed. The Leader of the Council signed the minutes as an accurate record.

150/21

Property Disposal Update as part of the Interim Asset Disposal Strategy

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED on the basis of the terms set out in Part A and B of the report to

1. Approve the disposal of the Croydon Park Hotel;
2. Approve the disposal of the College Green site;
3. Delegate the approval for the disposal of Heath Lodge, Grangewood Park by auction to the Interim Corporate Director Resources in consultation with the Cabinet Member for Croydon

Renewal and to note the representations made following the Notice for the disposal of public open space;

4. Delegate the approve for the Disposal of Ashburton Lodge by auction to the Interim Executive Director Resources in consultation with the Cabinet Member for Croydon Renewal;
5. Approve the extension of the leases for Concord and Sycamore House;
6. Agree to the amended asset disposal list; and
7. Note the update on the Investment Asset performance.

The meeting ended at 8.58 pm

REPORT TO:	Cabinet 15 November 2021
SUBJECT:	Community Safety Strategy
LEAD OFFICER:	Sarah Hayward - Interim Corporate Director Sustainable Communities, Regeneration & Economic Recovery
CABINET MEMBER:	Councillor Manju Shahul-Hameed Cabinet Member for Communities, Safety and Business Recovery
WARDS:	All
COUNCIL PRIORITIES 2020-2024	
Delivering for Croydon, ensuring that safety and communities are at the heart of our delivery and map the progress made on the renewal of the Community Safety Strategy. Council's priorities	
FINANCIAL IMPACT	
There are no financial implications.	
FORWARD PLAN KEY DECISION REFERENCE NO.: This is not a Key Decision.	

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

1. RECOMMENDATIONS

The Cabinet is recommended to:

1. Recommend to Full Council the adoption of the Community Safety Strategy, Appendix 1 hereto.

2. EXECUTIVE SUMMARY

- 2.1 This report provides the recommendation of the Community Safety strategy to full Council.

3. THE ROLE OF THE SAFER CROYDON PARTNERSHIP (“SCP”)

- 3.1 The Safer Croydon partnership (“SCP”) covers community safety. It acts as the statutory Crime and Disorder Reduction Partnership (CDRP) for Croydon, as required by the Crime and Disorder Act 1998. The partnership includes the council, police, fire services, probation and health agencies, as well as businesses, community and voluntary sector organisations. The Safer Croydon Partnership works to cut crime, help neighbourhoods fight disorder and reduce reoffending.

- 3.2 This are a number of multi-agency programme boards that have delegated responsibility on behalf of the Safer Croydon Partnership, The purpose of the boards is to coordinate the delivery of actions that supported the strategic aim of the partnership in accordance with the 2017 – 2021 Safer Croydon Community Safety Strategy. The Boards will continue to play a role in co-ordinating the delivery of the proposed Community Safety Strategy 2022-2024

4. SAFER CROYDON PARTNERSHIP: STRATEGIC ASSESSMENT

- 4.1 On a yearly basis, the Violence Reduction Network lead on producing the evidence-based data product for the SCP – the Strategic Assessment- which gives an overview of the current and long-term issues affecting or likely to affect a specific area or borough.
- 4.2 The Strategic Assessment is used to make inferences and provide recommendations for prevention, intelligence, enforcement and reassurance priorities as well as to inform the future partnership strategy. This assessment must address specific elements in relation to crime and disorder (which encompasses anti-social behaviour) including the misuse of drugs, alcohol and other substances and reoffending so that the SCP can fulfil its statutory duty to produce a plan or strategy which deals with the reduction of the issues mentioned above. The Strategic Assessment is used to formulate the Community Safety Strategy which provides direction for the partnership in deploying resources efficiently to reduce crime and ASB in the borough and achieving other statutory objectives around reducing reoffending and reducing the misuse of substances such as drugs and alcohol.

5. STRATEGY

- 5.1 The current Community Safety Strategy runs from 2017 to 2020. The strategy was further extended in 2020 for an additional year and is due to expire on the 31st December 2021.
- 5.2 Croydon adopted a public health approach to reducing violence in June 2019 and has established a violence reduction network which has started to implement that approach. This new Community Safety Strategy 2022-2024 has focused on the Public Health approach to Violence Reduction by putting evidence at the heart of the strategy and actively involved a greater number of people and partners in the proposed solutions to reduce violence in the borough.

6. KEY THEMES

- 6.1 Taking the findings of the evidence-based data strategic assessment for 2020 and 2021 as well as other sources of evidence such as information from the Mayor's Office for Policing and Crime (MOPAC), feedback from partners at the Safer Croydon Partnership, information from the SCP Programme Boards as well as feedback the voluntary and community sector (VCS) have fed through a number of key themes were identified, these included:

- Domestic abuse
Including how we can better support victims, challenge perpetrators and support them to change, and help people thrive once they've left violence.
- Protecting young people from violence and exploitation
Including ensuring children's voices are heard and the partnership are protecting young people from violence and exploitation.
- Disproportionality in the criminal justice system
Some people are treated differently by a range of public institutions, and this can have an impact on how they experience violence.
- Resilience, trauma and trust
Different people have different protective factors, ranging from personal resilience to trust in other people and organisations. We need to understand how to foster the protective factors in individuals and communities.
- A focus on high priority neighbourhoods
The strategic assessment identified nine priority areas in the borough which the Partnership should focus on because they are high in crime, Anti-Social Behaviour and the causes of crime.

6.2 The themes identified have been addressed in the draft Community Safety Strategy 2022-2024, Appendix 1, and will contribute to delivering against the following Council Corporate Plan themes and objectives;

- Everyone feels safer in their street, neighbourhood and home;
- People live long, healthy, happy and independent lives;
- Our children and young people thrive and reach their full potential

7. ENGAGEMENT

7.1 The development of the new Community Safety Strategy was a genuinely collaborative approach with all parts of SCP having an input. In addition, and the development process included views and ideas from residents, communities and partners external to the SCP who were engaged with.

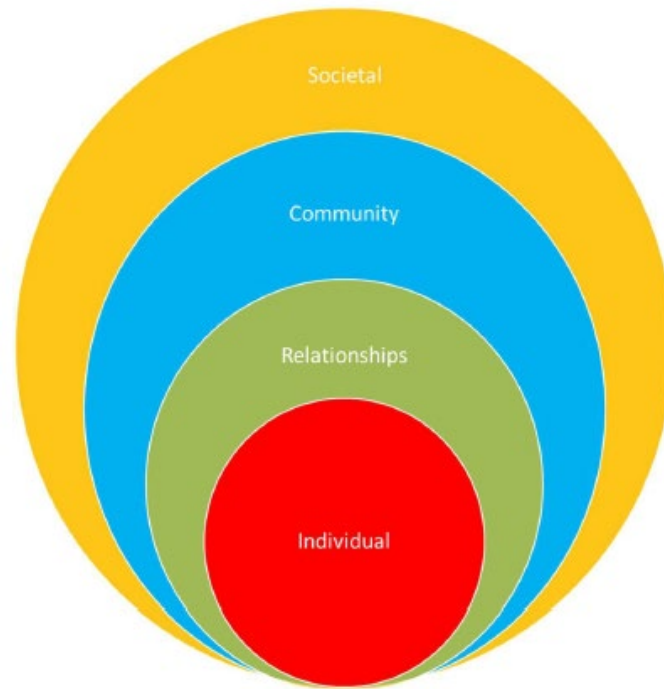
7.2 Voluntary sector partners that are either involved directly in violence and safety work, or those who help support people to divert people from crime and violence or support people and communities in its aftermath were also engaged with.

7.3 Representatives from all the programme boards which tackle specific themes (Youth Crime Board, Reduce Reoffending Board, Counter Extremism and Prevent Board, Domestic Violence and Sexual Violence) were also actively involved in the process. The engagement took place over a number of months and a variety of meetings where partners on the SCP discussed key themes, what the SCP and constituent partners are currently doing, what needs to be done and key actions for the new Community Safety Strategy. Partners were also asked to provide written feedback as part of the process.

- 7.4 The Health and Wellbeing Board also held a “Knife Crime Workshop” where discussions were held on what was working well and what areas needed improvement.
- 7.5 Two surveys were designed so that the views of local residents on key themes could be heard. Both surveys were circulated by the partnership and completed by a range of residents within Croydon. The purpose of the surveys was to hear resident’s views on where they felt safe geographically in the borough (wards), what settings they feel unsafe in (Public transport, public spaces), if they have experienced/ witnessed any violence, whether they would they report incidents to the partnership members and what could be done to improve their safety.
- 7.6 One survey centred on young People & Crime and was completed by young residents aged up to 25 years old. The purpose of the survey was to identify what areas people felt unsafe in and how we could improve safety in areas. In the last six months, 451 responses have been received. The survey was circulated by the Director of Education, Youth Offending Service (YOS) and the partnership. The Youth Engagement team also conducted surveys with young people when they carried out their outreach work.
- 7.7 The second survey focused on safety for women and girls which also identified areas where residents did not feel safe and what would need to take place in order to improve their safety. 1,245 responses have been received in the last six months. The survey was circulated by the Family Justice Centre (FJC), partners who work with the community to address Domestic Abuse and Sexual Violence as well as violence against women and girls. There was a degree of duplication with the surveys due to the age of respondents but responses were not double counted. There was a degree of overlap because both surveys covered girls which could have potentially fallen within the earlier survey but this did not entail us double counting responses.

8 PUBLIC HEALTH APPROACH

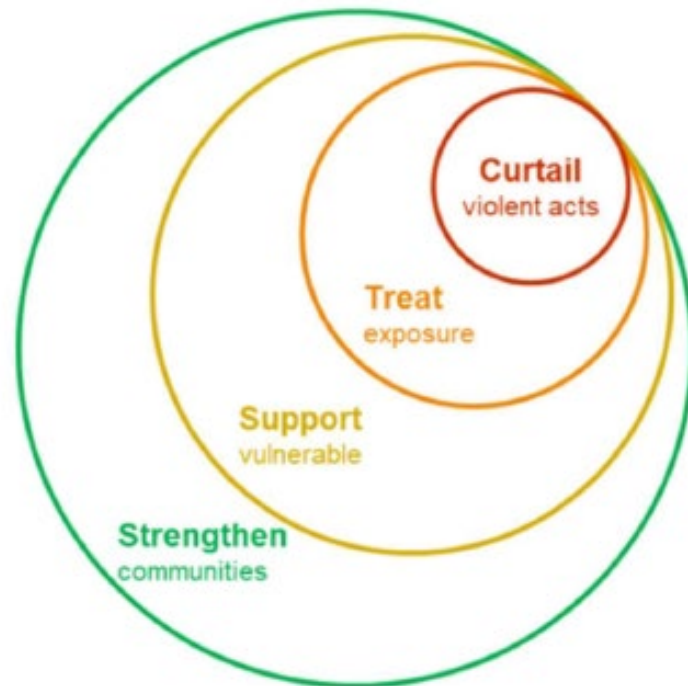
- 8.1 The borough’s Violence Reduction Network (VRN) has adopted the public health approach in reducing violence. This is also used by the London-wide Violence Reduction Unit which was set up by the Mayor of London in late 2018, who adopted it from Police Scotland where it was first used to reduce violence in 2005 and it was proven to be very effective. The public health approach involves a holistic view of both violence and coercion. It adopts an ecological framework based on evidence that no single factor can explain why some people or groups are at higher risk of interpersonal violence, while others are more protected from it. This framework views interpersonal violence as the outcome of interaction among many factors at four levels.



8.2 The ecological framework of the public health approach:

- These include economic and social policies that maintain socioeconomic inequalities between people, the availability of weapons, and social and cultural norms such as parental dominance over children and cultural norms that endorse violence as an acceptable method to resolve.
- The contexts in which social relationships occur, such as schools, neighbourhoods and workplaces, also influence violence. Risk factors here may include the level of unemployment, population density, mobility and the existence of a local drug or gun trade.
- Family, friends, intimate partners and peers may influence the risks of becoming a victim or perpetrator of violence. For example, having violent friends may influence whether a young person engages in or becomes a victim of violence.
- Personal history and biological factors influence how individuals behave and increase their likelihood of becoming a victim or a perpetrator of violence including being a victim of child maltreatment, psychological or personality disorders, alcohol and/or substance abuse.

8.3 A more practical way of showing how the VRN adopts this ecological framework in reducing violence is by embedding the following core actions in its approach shown in the figure below as used by Waltham Forest:



- Curtail violent acts at source, pursuing perpetrators and enforcing action.
- Treat those who have been exposed to violence to control the spread.
- Support those susceptible to violence due to their exposure to risk factors.
- Strengthen community resilience through a universal approach.

8.4 To achieve this there must be a holistic networked approach to tackling violence involving a wide range of relevant partners. It is also vital that data is at the heart of how the VRN and the partnership will operate. The proposed Community Safety Strategy which is attached continues to focus on our Public Health approach to Violence Reduction

9. PRE-DECISION SCRUTINY

9.1 This recommendation has not been to pre-decision Scrutiny.

10 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

10.1 The Interim Director of Finance has confirmed that there are no financial aspects to this strategy.

10.2 Approved by: Matt Davis, Interim Director of Finance.

11. LEGAL CONSIDERATIONS

11.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that Community Safety Partnerships, formerly known as Crime and Disorder Reduction Partnerships, were established under the Crime and Disorder Act 1998 to help tackle crime and reduce reoffending. Community

Safety Partnerships are made up of representatives from ‘responsible authorities’ including: police, probation service, local authorities, health, fire and rescue authorities who are responsible for developing strategies for reducing crime and offending in their areas. There has also been a mutual duty on Police and Crime Commissioners and Community Safety Partnerships to cooperate on reducing crime and offending under provisions of the Police Reform and Social Responsibility Act 2011.

- 11.2 In summary, the responsible authorities have a statutory duty to work together to: reduce re-offending; tackle crime and disorder; tackle anti-social behaviour; tackle alcohol and substance misuse; and tackle any other behaviour which has a negative effect on the local environment. Community Safety Partnerships may also work with any other local partners they wish to, including business representatives and the voluntary and community sector. In carrying out their statutory duties, Community Safety Partnerships also have further obligations including: setting up a strategic group to direct the work of the partnership; to regularly engage and consult with the community about their priorities and progress achieving them; to set up protocols and systems for sharing information; analyse a wide range of data, including recorded crime levels and patterns, in order to identify priorities in an annual strategic assessment; set out a partnership plan and monitor progress; produce a strategy to reduce reoffending; and commission domestic violence homicide reviews (under the Domestic Violence, Crime and Victims Act 2004).
- 11.3 Section 6 of the Crime and Disorder Act 1998 as amended provides that the responsible authorities for a local government area shall, formulate and implement, in accordance with section 5 of that Act and regulations published thereunder—(a) a strategy for the reduction of crime and disorder in the area (including anti-social and other behaviour adversely affecting the local environment); and (b) a strategy for combatting the misuse of drugs, alcohol and other substances in the area; and (c) a strategy for the reduction of re-offending in the area. In this regard, the relevant regulations are The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007, as amended. (“The Regulations”).
- 11.4 The Regulations provide that for each area there shall be a strategy group whose functions shall be to— (a) prepare strategic assessments; and (b) prepare and implement a partnership plan, for that area on behalf of the responsible authorities. In this context, the Safer Croydon Partnership fulfils this role of strategy group and the partnership plan is referred to as the Community Safety Strategy.
- 11.5 The regulations provide that the partnership plan shall set out—
- (a) a strategy for the reduction of re-offending, crime and disorder and for combating substance misuse in the area ;
 - (b) the priorities identified in the strategic assessment prepared during the year prior;
 - (c) the steps the strategy group considers it necessary for the responsible authorities to take to implement that strategy and meet those priorities;
 - (d) how the strategy group considers the responsible authorities should allocate and deploy their resources to implement that strategy and meet

- those priorities; (e) the steps each responsible authority shall take to measure its success in implementing the strategy and meeting those priorities; and
- (f) the steps the strategy group proposes to take during the year to comply with its obligations under regulations 12, 13 and 14 which pertain variously to community engagement and publication of a summary of the partnership plan.

11.6 The strategy group is required to publish in the area a summary of the partnership plan in such form as it considers appropriate, having regard to the need to bring it to the attention of as many different groups or persons within the area as is reasonable.

11.7 As various work streams which form part of the proposed strategy are brought forward, further legal consideration may be required on the implementation of the recommendations in the report.

Approved by Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance & Deputy Monitoring Officer

12. HUMAN RESOURCES IMPACT

12.1 There is no human resources impact from this decision. If any should arise this will be managed under the Council policies and procedures.

12.2 Approved by: Jennifer Sankar, Head of HR Place & Housing on behalf of the Director of Human Resources.

13. EQUALITIES IMPACT

13.1 An Equality Analysis Form has been completed and reviewed by the Council's Equalities Manager to ensure that strategy is in accordance with the Equalities Act 2010. The Equality Analysis ensured that the appropriate steps have been considered to ensure the strategy would not have a negative impact on those who have protected characteristics. It predominantly highlighted that the strategy is informed by the data-led Strategic Assessment, the relevant partners under the SCP and community feedback through resident surveys. The strategy includes and supports the priorities of other local and pan-London strategies too which were listed in the analysis. Altogether, this provides a holistic approach in improving the safety of the community inclusive of protective characteristics, ensuring to eliminate potential negative impact.

13.2 Approved by: Denise McCausland, Equalities Manager.

14. ENVIRONMENT AND CLIMATE CHANGE IMPACT

14.1 There is no climate change impact, there is no environmental impact because behaviour that adversely affects the local environment is also under the umbrella of crime and disorder functions detailed below.

15. CRIME AND DISORDER REDUCTION IMPACT

- 15.1 Section 17 of the Crime and Disorder Act 1998 says that without prejudice to any other obligation imposed on it, it shall be the duty of the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions, and the need to do all that it reasonably can to prevent crime and disorder in its area. This duty requires the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); the misuse of drugs, alcohol and other substances in its area; and re-offending in its area.
- 15.2 By Section 6 of the same Act the Council and its partners are required to formulate and implement a strategy for the reduction of crime and disorder in the area.
- 15.3 Therefore there are two duties. The first is to formulate and implement a crime reduction strategy. This is about crime which already exists. The second is crime and disorder prevention.
- 15.4 Domestic Violence, Crime and Victims Act 2004 places a requirement on Community Safety Partnerships to conduct Domestic Homicide Reviews and this came into effect on 13th April 2011. Tackling domestic abuse remains a priority for the Partnership. The Partnership want to support victims better, challenge perpetrators and support them to change, and help people to thrive once they have left abusive relationships
- 15.5 An additional theme of the strategy is ensuring children's voices are heard and the partnership are protecting young people from violence and exploitation. Between 2014 and 2016 a number of pieces of legislation were introduced, including the Care Act 2014, Counter-Terrorism and Security Act 2015, Serious Crime Act 2015, Modern Slavery Act 2015 and Psychoactive Substances Act 2016. Legislation introduced duties including new reporting, referral and decision-making mechanisms, staff awareness requirements and impacts on contract management in the work of relevant organisations.
- 15.6 Associated with the above mentioned theme, the Counter Terrorism and Security Act 2015 places a legal duty on local authorities "when exercising its functions, to have due regard to the need to prevent people from being drawn into terrorism"

18. DATA PROTECTION IMPLICATIONS

- 18.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

18.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

NO

18.3 Approved by: Sarah Hayward, Interim Corporate Director of Sustainable Communities, Regeneration & Economic Recovery.

CONTACT OFFICER:

Christopher Rowney, Head of the Violence Reduction Network.

APPENDICES TO THIS REPORT

Appendix 1 - Draft Community Safety Strategy 2022 - 2024

BACKGROUND PAPERS

None.

Community Safety Strategy

2022 to 2024

Delivering for Croydon

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Foreword

The Safer Croydon Partnership (SCP) acts as the statutory Community Safety Partnership for Croydon, as stipulated by the Crime and Disorder Act 1998.

The SCP is responsible for co-ordinating the development and implementation of Croydon's Community Safety Strategy. The partnership comprises the police, council, fire, probation and health agencies, as well as businesses, and community and voluntary sector organisations. It works with other boards on Croydon's Local Strategic Partnership on crime and safety matters, in particular the Safeguarding Children Partnership and the Adults Safeguarding Board.

Croydon is geographically the fifth largest borough in London covering 86 square kilometres. At 388,563 people, Croydon has the second largest population in London. Almost a fifth of the population is aged 60 or above. However, Croydon has the highest number of residents aged 0 to 19 years of age and the highest number of looked after children in the capital, which has implications for the types of services we need to provide for young people

Croydon ranks as the 17th least deprived out of the 33 London boroughs. However, this average hides the pockets of high deprivation within Croydon. One small area of Croydon is the third most deprived area in London (out of 4,642 small areas) and some 8,950 people live in areas that are amongst the 10% most deprived areas in the country.

In 2020, there was a 1.7% decrease in crime in Croydon compared to the year before. This may be compared with reductions of 14.2% in London and 8% nationally. These falls can be linked to the restrictions imposed on society during the Covid-19 pandemic. However, the lockdowns also brought about new challenges.

Violence represents around a third of all crime in the borough. In 2020, there was an 11% increase in the number of violent offences in Croydon, the highest total in the capital. London saw a 1% decrease in violence in the same period. This significant rise is largely attributable to an increase in domestic abuse, fuelled by lockdowns.

Croydon is a diverse, friendly and vibrant borough full of people living busy lives and helping to create supportive communities. However, we have seen violent incidents in our borough, across London as well as nationally, with the tragic loss of young people killed on our streets, women and young girls targeted in public places as well as experiencing violence at home, and public figures killed while carrying out their civic duties. We are working together as a partnership to ensure that people from all of our communities feel safe in their homes and neighbourhoods

We have sought to develop a collaborative strategy with all parts of Croydon's partnership and communities.

This strategy supports the priorities of the Mayor's Office for Policing and Crime (MOPAC) as set out in the [Police and Crime Plan for London 2017 to 2021](#): a better police service for London; a better criminal justice service for London; keeping children

and young people safe; tackling violence against women and girls; and standing together against hatred and violence.

Croydon adopted a public health approach to reducing violence in June 2019 and has since started work to create a violence reduction network in order to implement it. A number of themes and principles were developed:

Theme One - Using Data to drive our approach- Building a strong evidence base and a common screening tool that can be used across organisations to predict who, where and why individuals and families are more likely to be involved in violent or aggressive behaviours and identifying the interventions that will have the maximum impact.

Theme Two - Preventing Violence before It Occurs - Looks at the periods and key influences in a person's life journey, from pre-birth to adulthood which can increase the risks of becoming involved in violent behaviour and the opportunities when interventions can be most effective.

Theme Three - Community Based Support – Recognises the strength of the Community and Voluntary Sector in Croydon and places them at the heart of Croydon's public health approach to violence reduction. It promotes combining skills and enabling voluntary and community organisations to support people and families collaboratively.

Theme Four - Targeted Interventions - It uses the principles of a family centred approach aimed at addressing violence, by looking at the wider family and connected family dynamics, based on clear safeguarding, case management approaches.

Theme Five – Intensive Interventions and Enforcement – Sets out an intention to offer personalised support for those who are motivated to step away from a life of violence, whilst using the full range of enforcement across all agencies, against those whose behaviour places themselves, those around them, or the wider community at risk of harm.

The principles set out in the Framework for The Public Health Approach to Violence Reduction in Croydon are issues that have been consistently voiced at community meetings, with young people and by those directly affected by violence, offenders, victims and families.

- Every person understands the role they can play in reducing violence –Embedding trauma informed practice across local authority, health, schools, colleges, community and voluntary agencies, business sector and criminal justice agencies.
- Developing community-based networks to help those impacted by violence navigate the challenges they face – Identifying and training individuals who have influence in their local area to provide support for young people and families who are at risk of or affected by violence and guide them into support services.
- Focusing on the vocabulary of INCLUSION – Supported by the evidence from the Croydon Vulnerable Adolescent Review published by the Croydon Safeguarding Children Board in February 2019, to build a collaborative, partnership approach to

inclusion, including the development of an 'Inclusion Intervention Offer' in schools and colleges, or as part of a work readiness programme.

- Recognition of the importance of culture and identity for families and young people - The challenges of culture and identity within families are becoming increasingly relevant in terms of violence prevention. This priority proposes embedding an understanding of culture and identity within the family dynamics within contextual safeguarding and trauma awareness training for the Borough and as part of the screening and assessment process for families and vulnerable young people.
- Social media and violence – Sets out a series of Prevention and Intervention steps to improve the awareness of the impact of exposure to violent social media content for families, guardians and those working with young people

The above inform the four elements of this new Community Safety Strategy:

1. **Curtail** violent acts at source, pursuing perpetrators and enforcing action.
2. **Treat** those who have been exposed to violence to control the spread.
3. **Support** those susceptible to violence due to their exposure risk factors.
4. **Strengthen** community resilience through a universal approach.

This new Community Safety Strategy focuses on all of the above and seeks to strengthen it by actively involving a greater number of people and partners in our solutions to reduce violence in the borough. We have worked with a wide range of institutions represented on the Safer Croydon Partnership Board to develop the new strategy. We have involved our voluntary sector partners who participate directly in violence and safety work. Our strategy has also been informed by the views of residents and communities, particularly through surveys of young people and women and girls.

Engagement with the local communities is important both in order to contribute to our understanding of the causes and impact of crime, but also in order to work with them to tackle the underlying causes. We also need to provide reassurance of our determination to reduce crime and our progress in doing so. We will continue to learn from partners about the methods of communication and engagement that are working well for them.

Taking account of the evidence from the 2021 Strategic Crime Assessment, the views of stakeholders and findings from public engagement, our strategic priorities for the next three years will be:

1. **Tackle domestic abuse**
2. **Protect young people from violence and exploitation**
3. **Tackle disproportionality in the criminal justice system**
4. **Strengthen community resilience, offer trauma-informed services, focusing on Hate Crime, and build trust in the partnership**
5. **Focus on high priority neighbourhoods**

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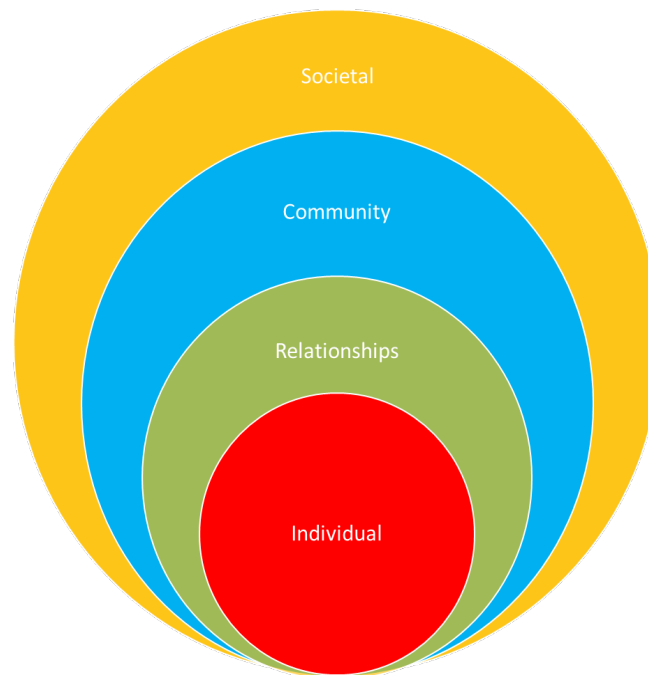
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1. Our Approach

The public health model

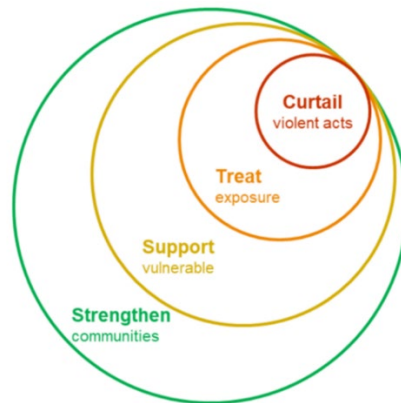
Croydon's Violence Reduction Network (VRN) has adopted the public health approach in reducing violence. This strategy details how we will implement it.

The approach takes a holistic view of both violence and coercion, based on evidence that no single factor can explain why some people or groups are at higher risk of interpersonal violence, while others are more protected from it. This framework views interpersonal violence as the outcome of interaction among many factors at four levels:



- **Community:** the contexts where social relationships occur (such as school, neighbourhoods and workplaces) also influence violence. Risk factors may include the level of unemployment, population density, mobility and existence of a local drug or gun trade
- **Relationships:** influence the likelihood of an individual becoming a victim or perpetrator of violence (family, friends, intimate partners and peers – e.g. violent friends)
- **Individual:** personal history and biological factors increase the likelihood of an individual becoming a victim or a perpetrator of violence (including being a victim of child maltreatment, psychological or personality disorders, alcohol or substance misuse)

The core actions of a public health approach to reduce violence are summarised in the figure below, as used by Waltham Forest’s Violence Reduction Partnership:



- **Treat** those who have been exposed to violence to control the spread.
- **Support** those susceptible to violence due to their exposure to risk factors.
- **Strengthen** community resilience through a universal approach.

To achieve this there must be a holistic networked approach to tackling violence involving a wide range of relevant partners. It is also vital that data and lived experience are at the heart of how the VRN and the partnership operate.

Problem-oriented approach

We regard crime in an area as a problem, not an individual incident. For a crime to occur, three components are needed: a likely offender, a victim or target, and the absence of a guardian.

We focus on the underlying causes of those problems and how to tackle them. We assess places (where and when crime happens), victims and offenders and their respective potential controllers: the manager (e.g. a guard or security door), the guardian and the handler (e.g. parent, teacher or mentor) as shown below. Cross-cutting issues are identified, for addressing through a collaborative strategic plan.



Crime harm, the 'Felonious Few', high priority victims and hotspots

We use the Cambridge Crime Harm Index to calculate how harmful a crime is relative to other crimes as a tool for focussing resources. The index multiplies each offence by the number of days in prison that crime would attract if an offender were to be convicted of committing it, based on no previous offending history.

Most crime, specifically crime harm, is committed by a small fraction of offenders against a small fraction of victims in a small fraction of locations. The Partnership will refocus its limited resources on, respectively, the 'Felonious Few', high priority victims and hotspots, to increase the chance of crime reduction, particularly concerning those targets which give rise to serious harm.

Evidenced-based action

Any new method or approach we adopt to reduce crime must be based on evidence to avoid wasting time and resources on ineffective or less efficacious measures. The VRN ensures this through what is known as the "Triple-T Strategy" - targeting, testing and tracking:

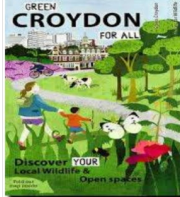



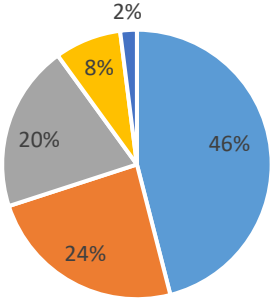

Targeting: It systematically identifies, ranks and compares the levels of harm linked to various crime "units", whether they be places, times or people.







Testing: Having identified the high harm target areas, the VRN reviews and tests methods to identify which is the most effective at reducing the harm.

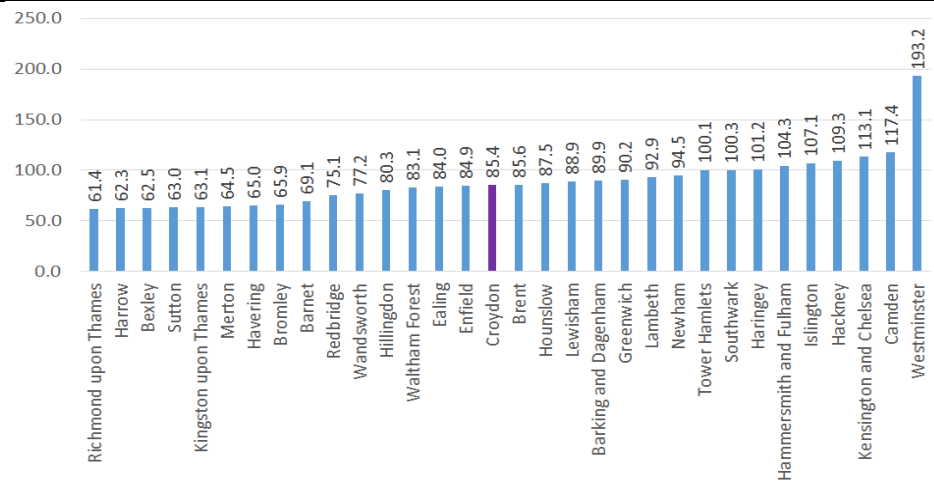
Tracking: It then generates and uses internal evidence to track the delivery and evaluate the effectiveness of the approach. The new tracking data forms the basis of new research and more reliable evidence of "what works".

For more information on the Partnership's approach, see the Strategic Assessment 2021 (pages 3-5).

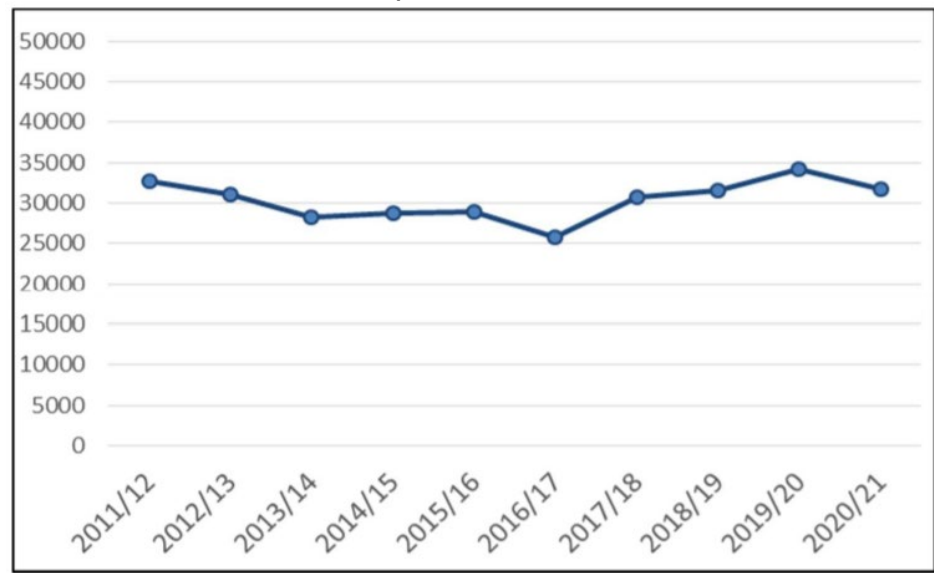
2. Croydon Facts

	<p>Croydon is London's southern-most borough and covers an area of 34 square miles (87km²). It is one of London's biggest local retail and commercial centres, with good rail, tram and road links, more than 120 parks and open spaces and some of London's most expensive housing.</p>																																				
	<p>Home to around 388,600 people, Croydon is the second largest London borough in terms of population and is continuing to grow. It is projected to grow by another 20,000 by 2043.</p>																																				
	<p>Croydon has the largest population of 0-19 year olds in London at 103,300 residents (Estimate ONS 2020), who make up 27% of the borough's total population.</p>																																				
	<p>Croydon Ethnic Group Profile in 2021 (GLA 2016 housing-led projections by ethnicity):</p> <div data-bbox="459 853 1398 1391" style="border: 1px solid #ccc; padding: 10px; margin: 10px 0;"> <p style="text-align: center;">Croydon Ethnic Group Profile 2021</p>  <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <thead> <tr> <th>Ethnicity</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>White</td> <td>46%</td> </tr> <tr> <td>Black</td> <td>24%</td> </tr> <tr> <td>Asian</td> <td>20%</td> </tr> <tr> <td>Mixed</td> <td>8%</td> </tr> <tr> <td>Other</td> <td>2%</td> </tr> </tbody> </table> </div> <p>There was more diversity in the younger age group population in Croydon (Census 2011)</p> <div data-bbox="459 1480 1398 2033">  <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <thead> <tr> <th>Age Group</th> <th>White</th> <th>Mixed/multiple ethnic group</th> <th>Asian/Asian British</th> <th>Black/African/Caribbean/Black British</th> <th>Other ethnic group</th> </tr> </thead> <tbody> <tr> <td>65 and over</td> <td>77.4%</td> <td>1.8%</td> <td>1.0%</td> <td>9.1%</td> <td>0.7%</td> </tr> <tr> <td>25 to 64</td> <td>57.0%</td> <td>4.0%</td> <td>17.6%</td> <td>19.6%</td> <td>1.9%</td> </tr> <tr> <td>0 to 24</td> <td>43.9%</td> <td>12.6%</td> <td>16.5%</td> <td>25.1%</td> <td>1.9%</td> </tr> </tbody> </table> </div>	Ethnicity	Percentage	White	46%	Black	24%	Asian	20%	Mixed	8%	Other	2%	Age Group	White	Mixed/multiple ethnic group	Asian/Asian British	Black/African/Caribbean/Black British	Other ethnic group	65 and over	77.4%	1.8%	1.0%	9.1%	0.7%	25 to 64	57.0%	4.0%	17.6%	19.6%	1.9%	0 to 24	43.9%	12.6%	16.5%	25.1%	1.9%
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	<p>Croydon has become relatively less deprived compared to other local authorities in England between 2015 and 2019. There are pockets of deprivation and one small area of Croydon is the third most deprived area in London (out of 4,642 small areas) and some 8,950 people live in areas that are amongst the 10% most deprived areas in the country.</p>
	<p>Levels of permanent exclusions from primary and secondary schools in Croydon are lower than both the national and regional average rates (2019). Permanent exclusions were 0.06% in 2017/18, compared with 0.08% in London and 0.1% in England.</p> <p>The proportion of 16 and 17 year olds in education or training in Croydon (94.0% in 2019) has been in line with both regional and national averages for the past 3 years.</p>
	<p>The proportion of out of work claimants has risen by around 3% since March 2020 – directly as a result of the impact of the Covid-19 pandemic on the economy.</p> <p>The claimant count (not all unemployed) in July 2021 was 8.3% of the resident population of working age (up 3.9 percentage points from 4.4% in March 2020, but down 1.2 percentage points since the peak in March 2021). Croydon has a higher proportion of claimants compared to the region and national figure.</p>
	<p>The number of looked after children in Croydon is the highest in London (791 in March 2020)</p>
	<p>For 2020, the rates of children in need referrals and child protection referrals (563.0) per 10,000 children are much higher than the rates in London and England</p>
	<p>The number of homeless households in temporary accommodation on March 2021 was 2,029, of which 1,475 included children (Q4 2021 MHCLG)</p>
	<p>Rate of total notifiable offences per '000 resident population (year to 31 December 2020) was 85.4. Source MPS, Borough Volume and Trends dashboard</p>



After a downward trend, the number of offences increased from 2016/2017. However, the year since the start of the pandemic in March 2020 has seen a drop in numbers. Source: MPS



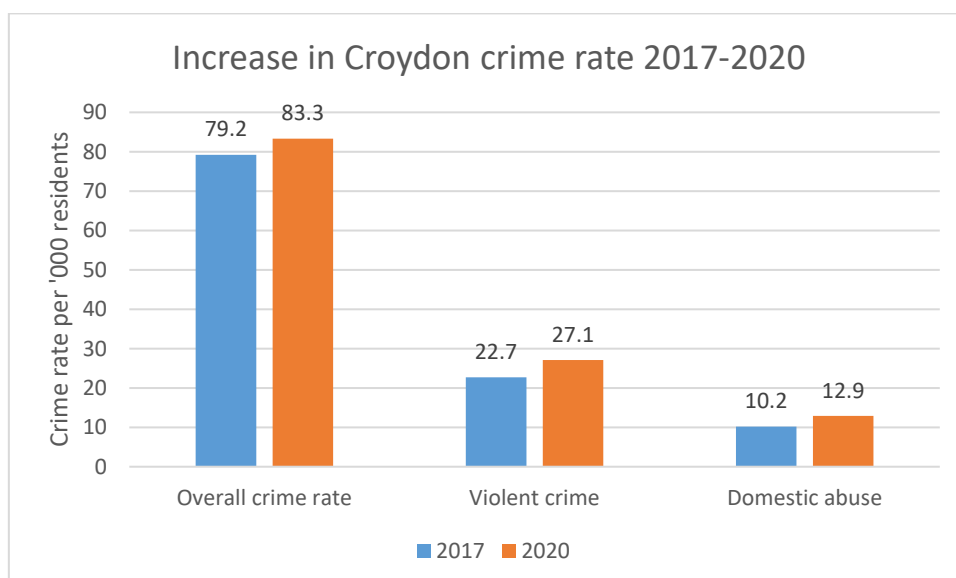
3. Key Outcomes 2017-21

The Covid-19 pandemic has caused fluctuations in crime and anti-social behaviour on a global, national and local scale. Government-imposed restrictions on society throughout 2020 had the effect of suppressing many types of crime. However, they were also a catalyst for other types of crime to increase. The overall effect is reflected in statistics that show a fall in crime in Croydon of only 2% in 2020, compared to the year before. Though some types of crime have been police driven – like drugs offences – it is violence that remains the main contributor to high crime in the borough.

Some of the outcomes achieved over the last four years are set out under each theme of the 2017-20 strategy:

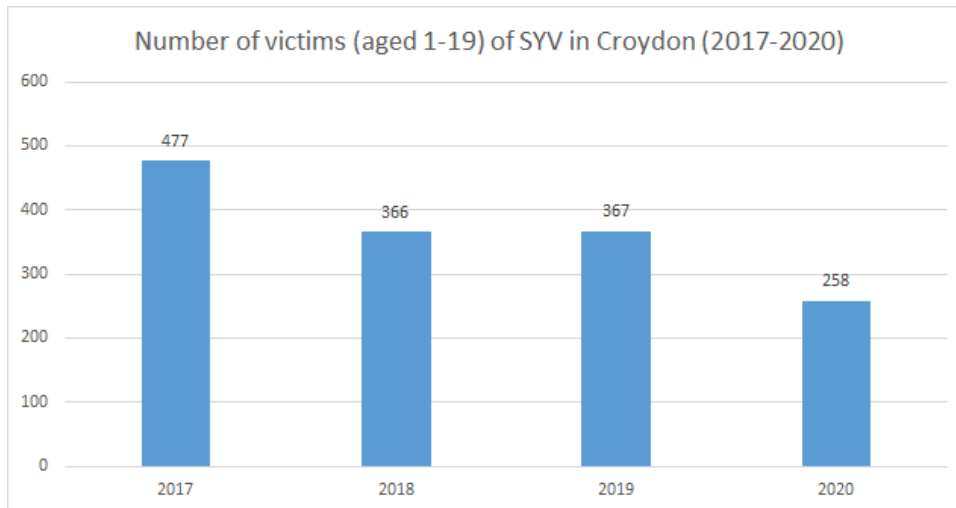
1. **Reduce the overall crime rate in Croydon with a focus on violent crime, and domestic and sexual violence.**

- Croydon adopted a public health approach to violence reduction in 2019. The Council appointed the first director of the violence reduction network and restructured the community safety team to give a strategic and operational focus to violence reduction work. It secured significant external funding and committed council resources to implement the public health approach and reduce violence in Croydon.
- Even though there has been a decrease in *crime volume* in 2020 compared to 2019, by comparing 2020 to 2017 the overall *crime rate* in Croydon rose by 5%. Also during the same period the violent crime rate increased by 19% and the domestic abuse rate (DA) by 26%.
- Most DV and abuse is hidden, as in the rest of London. The Family Justice Centre (FJC) continues to perform at close to capacity with an average of 67 Multi Agency Risk Assessment Conference cases per month in the year to August 2021. This includes new victims and people who have been referred before.



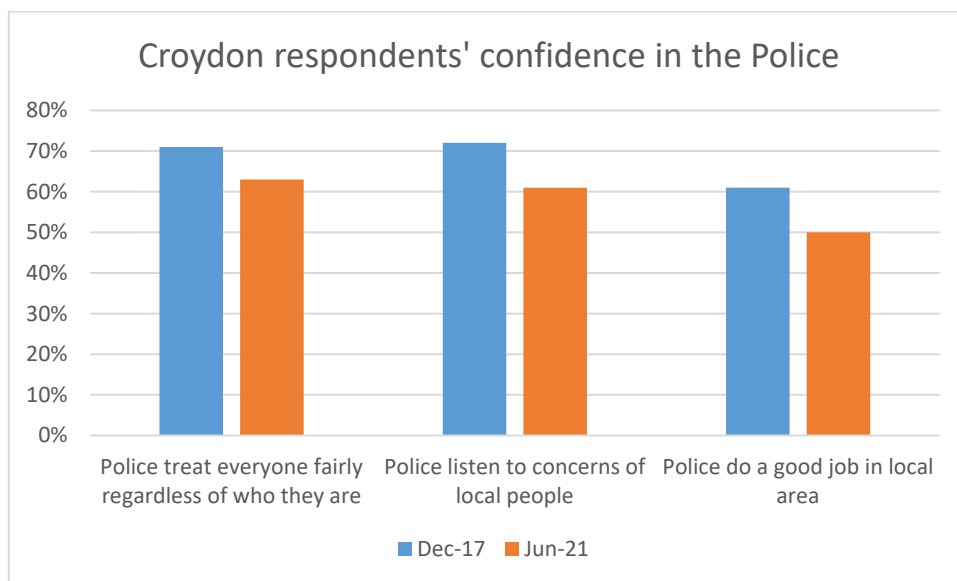
2. Safety of children and young people.

- The rate of serious youth violence has fallen since the 2016 peak (even before the Covid lockdown reduced the opportunities for such crimes), but it remained a serious issue for young people.
- Challenges relate both to safety of children and children's perceptions of their safety – many young people carry weapons because they feel threatened.
- The number of young people entering the criminal justice system for the first time has fallen for four consecutive years.



3. Improving public confidence and community engagement.

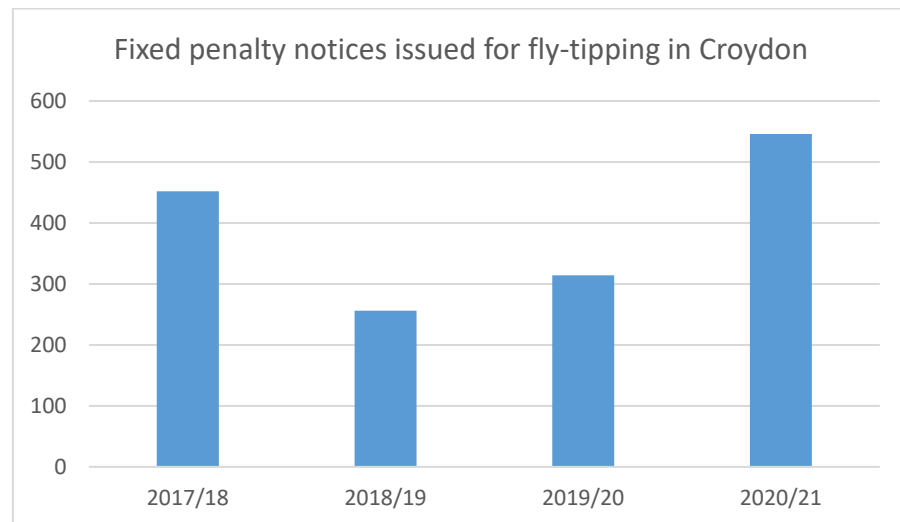
- Croydon residents' confidence in the police is higher than the London average, but has declined since 2017, according to MOPAC's Public Voice Dashboard. However, in the Violence Reduction Network's survey of safety of women and girls in the borough 79% of respondents stated that they would report a crime to the authorities.



- Other parts of regulatory services contributed to this work including Trading Standards who are doing nationally recognised work on illegal knife sales to children both on and off-line.

4. Anti-social behaviour and environmental crime.

- ASB-related calls to the Police in Croydon increased by 5% between 2017 and 2019. A further increase of 85% in 2020 is mostly attributed to Covid-19 where all related calls (e.g. social distancing and mask wearing) were recorded as anti-social behaviour.
- There were however a number of high profile successes, including business closures in Portland Road following a major undercover police operation.
- Fly-tipping incidents in Croydon increased by 3% to 25,532 between 2016/17 and 2019/20. In 2019/20 the number of fixed penalty notices (FPNs) issued by the council represented 1.2% of incidents, though some recipients may have been responsible for multiple incidents. The number of FPNs issued in 2020/21 increased by 74%.



5. Improve support and reduce vulnerability for all victims of crime, focusing on hate crime.

- Tackling hate crime has been a key area of success. Since it was launched in 2019, Croydon's hate crime pledge has been signed by 24,000 individuals and organisations.
- The Prevent and community outreach teams have worked with community organisations to equip them with the tools and knowledge to tackle hate crime and to support people to report it.
- The number of recorded hate crime offences increased by 35% from 698 in 2017 to 944 in 2020. However, the percentage of borough residents regarding hate crime as a problem in their area fell slightly from 14% in 2017/18 to 12% in 2019/20.

4 Strategic Assessment 2021

The Strategic Assessment provides the main evidence base for this strategy. It has highlighted the key issues for the Safer Croydon Partnership to address in order to reduce crime and anti-social behaviour (ASB) in the borough. Conducted annually, it will help to evidence the impact of the strategy on crime trends.

Statistics

Although crime in Croydon fell slightly (by 1.7%) overall in 2020, there were large falls in crimes including burglary (-17%), robbery (-17%) and theft (-22%). This drop can be linked to societal restrictions implemented as a result of Covid-19. However, there were increases in other crimes, particularly drugs (+12%) and violence against the person (+11%). A rise in domestic abuse and hate crime contributed to this increase as well as a rise in harm in non-domestic violence with injury, specifically knife crime and, to a lesser extent, gun crime. The increase of arson offences, which show a link to domestic incidents, are also a cause for concern.

Both crime count and crime harm show a decrease in crimes involving young people. However, this is most likely linked to the Covid-19 restrictions and the VRN still recognises young people and their involvement in crime, particularly violence, to be a strategic priority.

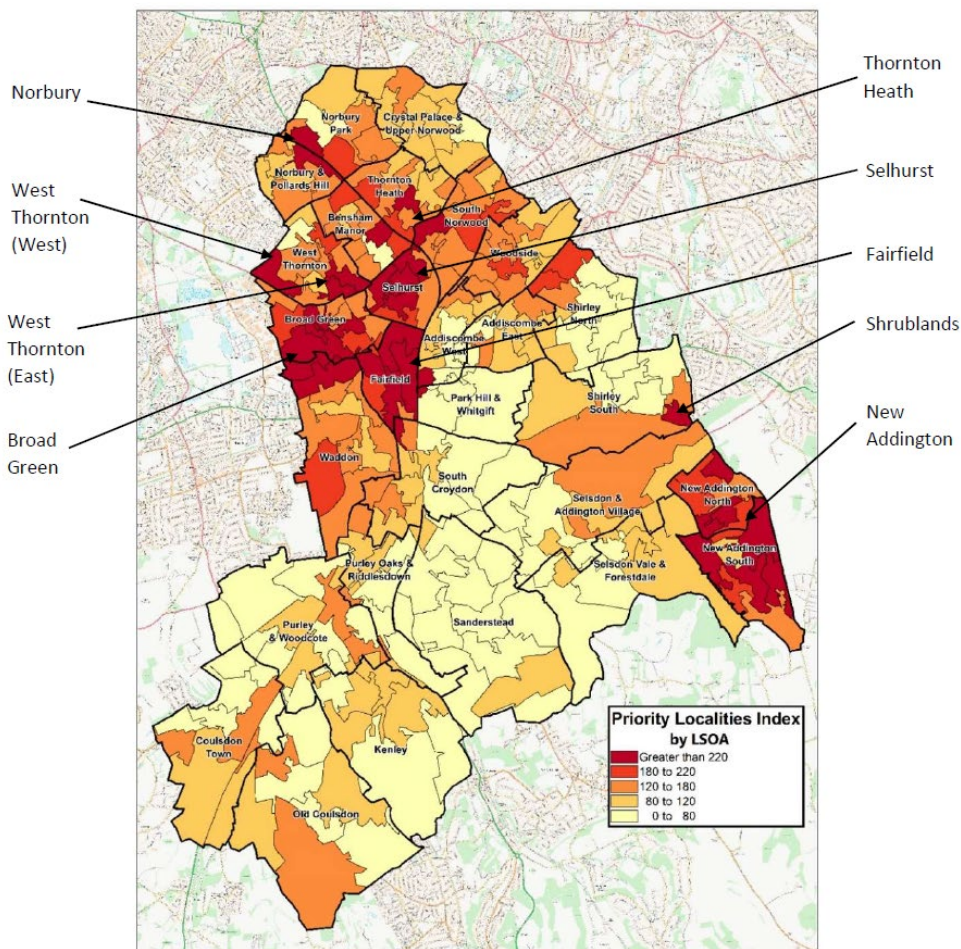
The table provides a breakdown of crime harm levels in Croydon by major crime type. It shows that where for some crime types there has been an increase in the count of offences, there has actually been a reduction in harm of this crime type.

Crime Harm				
Crime Type	2019	2020	+/-	% +/-
Arson and Criminal Damage	49,645.25	57,169.00	7,523.75	15.2%
Burglary	69,130.00	55,550.00	-13,580.00	-19.6%
Drug Offences	41,503.50	32,565.50	-8,938.00	-21.5%
Misc. Crimes Against Society	59,411.75	49,928.25	-9,483.50	-16.0%
Possession of Weapons	92,613.50	64,467.75	-28,145.75	-30.4%
Public Order Offences	24,781.25	25,658.00	876.75	3.5%
Robbery	397,850.00	330,325.00	-67,525.00	-17.0%
Sexual Offences	644,378.00	470,670.25	-173,707.75	-27.0%
Theft	43,104.00	36,366.00	-6,738.00	-15.6%
Vehicle Offences	19,899.00	18,611.50	-1,287.50	-6.5%
Violence Against the Person	528,368.50	578,093.00	49,724.50	9.4%
Total Notifiable Offences	1,970,684.75	1,719,404.25	-251,280.50	-12.8%

In line with our problem-oriented approach, we have focussed our assessment on Place, Offenders and Victims.

Place

Given the shifts in crime owing to conditions under the pandemic, we have used data on crime, deprivation and demography to design a Priority Localities Index for the borough. This has helped us to identify neighbourhoods where cross-cutting issues causing crime and ASB need prioritised action by the partnership. The priority areas are highlighted on the next page.



Offenders

Repeat offenders represent 20% of all suspects but commit more than 40% of crime in Croydon. For specific types of violence including domestic abuse, knife crime and serious youth violence, this rises to about half of all offences and harm committed. They also contribute significantly to hate crime offences. The homes of suspects and repeat suspects are highly concentrated in the Priority Localities Index areas.

A focus on high harm suspects will provide a more manageable, resource-focused and intensive approach to reducing serious crime in the borough. The number of individuals who commit 50% of harm in Croydon is less than 10% of the number of those who commit 50% of the volume of offences. They include the most high-risk individuals who have committed serious violence, sexual offences, robbery and arson, rather than more minor crimes of theft and criminal damage. They also commit a significant proportion of serious harm in the borough including domestic abuse, serious youth violence and non-domestic violence with injury.

Analysis of repeat offenders, high count and high harm offenders shows several cross-cutting issues which are likely to influence criminal behaviour, namely drugs, mental health and alcohol. In addition, most high count and high harm offenders are unemployed.

Victims

Most adult victims of crime are aged between 18 and 45. Large percentages of victims of specific crimes, especially domestic violence (DV), are in this age-group. However, those aged 10 to 17 years old experience almost one fifth of all crime harm; this is closely associated with knife crime.

Repeat victims (9% of all victims) are victims of 20% of the crime count and 31% of crime harm where victims have been identified. They figure strongly in cases of:

- Domestic violence - more than a third of all DV offences and harm are committed on repeat victims
- Hate crime – 60% of repeat crimes are between neighbours (a consequence of increased interaction during lockdown)
- Alcohol related crime.

Identifying and supporting victims of 50% of crime harm, rather than of 50% of crime count in Croydon, would enable the partnership to maximise the use of its limited resources, as the cohort is 95% smaller.

High harm victims have experienced violence (including domestic abuse, non-domestic violence with injury and serious youth violence), sexual offences and arson, as well as alcohol-related crime. They are not, however, typically victims of hate crime.

[Strategic Assessment recommendations for the strategy](#) are:

1. Focus on the neighbourhoods identified from the Priority Localities Index to collaboratively address the underlying issues linked to crime and ASB.
2. Establish ways to improve neighbourhood cohesion in areas identified by the Priority Localities Index where this may have deteriorated.
3. Expand micro-patrols to the crime hotspot areas of the borough. This is to be done not just by the Metropolitan Police Service (MPS) but by other uniformed enforcement strands of the partnership too.
4. Invite and form a partnership with key agencies who can heavily contribute to addressing the underlying issues of crime in the borough and enforcement. One should be involved in providing opportunities to residents; the other should be the British Transport Police.
5. Use crime harm as a measure to identify suspects and victims of serious crimes in order to focus intensive resources to reduce further serious risk in the borough.
6. Increase information sharing by partners to reduce offending in the borough, specifically on mental health, employment, and alcohol and substance misuse.
7. Provide better guidance to 10 to 17 year olds on the risks and consequences of capturing and sharing explicit material online.

8. Write a problem profile on domestic abuse in the borough in order to provide a detailed strategic document to focus resources efficiently.
9. Build and implement a performance framework for the whole network so that the responses based on these recommendations are monitored and measured closely.

5. Public Engagement Summary

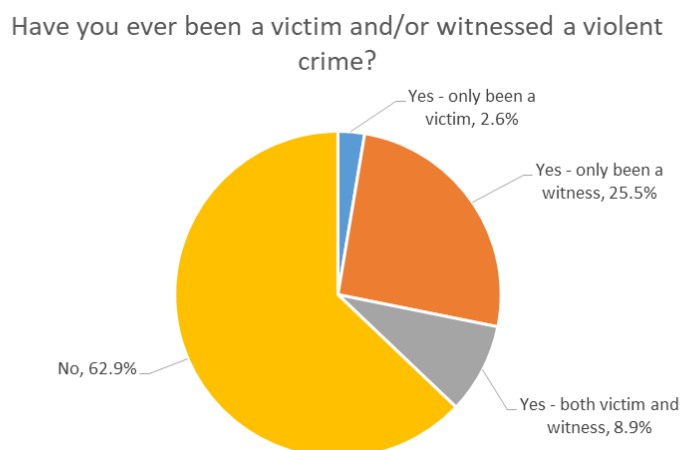
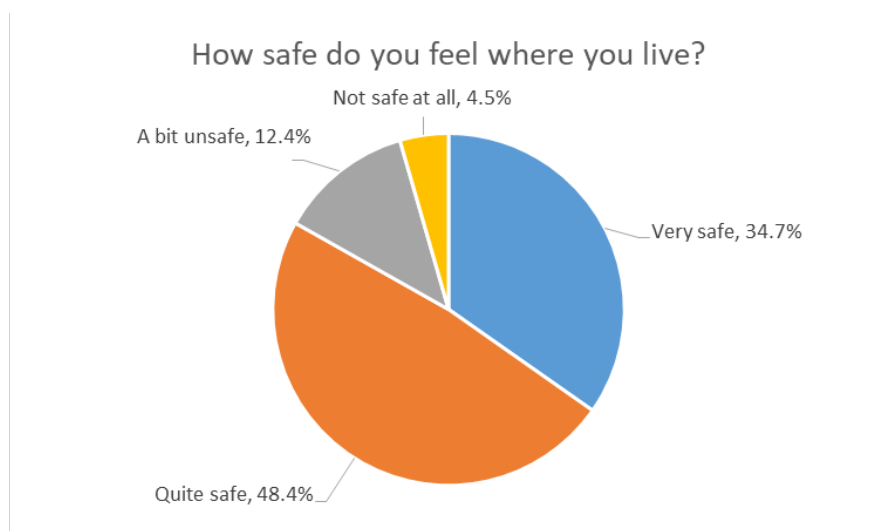
The Safer Croydon Partnership undertook two surveys in 2021 to improve our understanding of crime and safety from the point of view of young people and women and girls.

Survey of young residents

The survey was completed by young residents aged up to 25. Its purpose was to identify where people felt unsafe and how we could improve safety there. There were 451 respondents, of which 380 were used for the analysis after data cleansing.

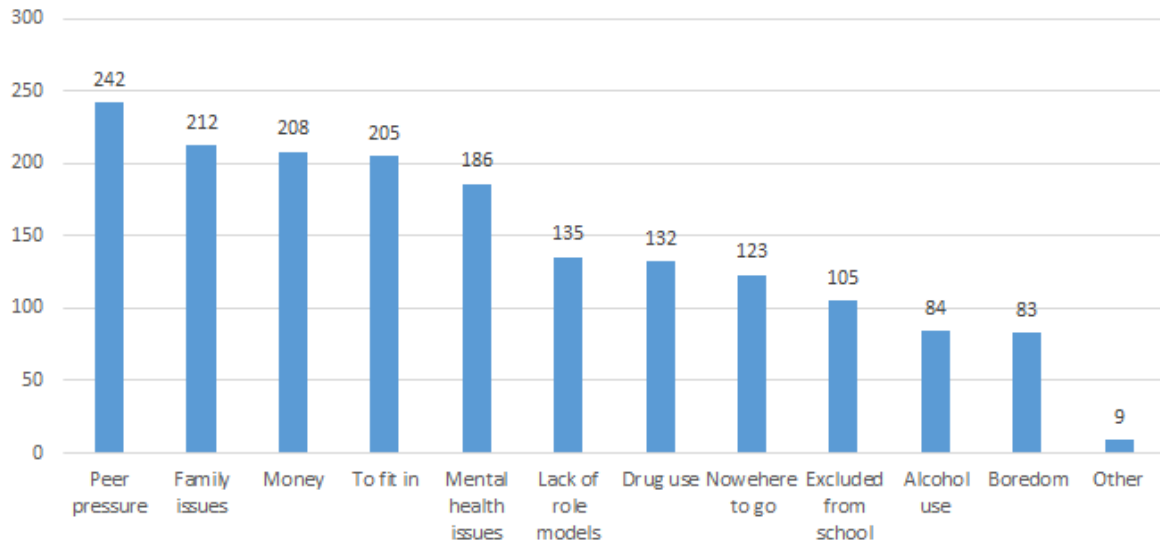
While the vast majority of respondents felt safe, one sixth felt a bit unsafe or not at all safe where they lived, mainly because of knife crime, violence and gangs. However, one third had experienced or seen crime.

Larger district centres in the north and east, such as West Croydon and Thornton Heath, were most frequently mentioned as areas they would avoid.



The top five reasons why young people committed violent crime were given as peer pressure, to fit in, family issues, money and mental health issues.

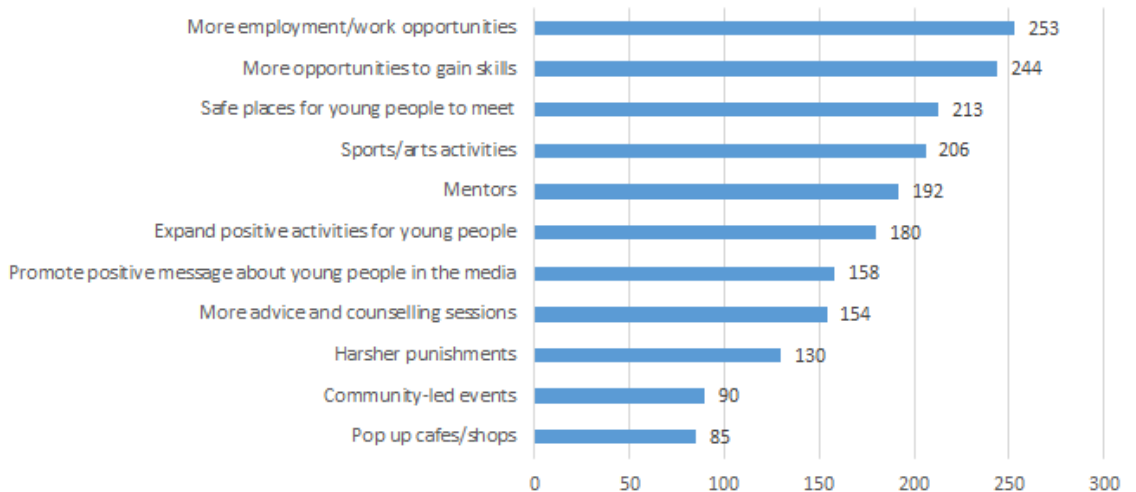
Why do you think young people commit violence crime (multiple answers optional)?



Undetected crimes included knife carrying, drug dealing, child neglect, grooming and DV. However, a third of respondents would not report an incident, mainly for fear of being seen as a ‘snitch’ and because of a lack of trust in the authorities.

The most helpful ways to help young people at risk of violent crime included: more opportunities for gaining skills and jobs; safe places to meet, more sports, arts and other positive activities, and mentoring. Young people also believe that increasing CCTV, visible enforcement on patrol, family support, educational and community activities would also help reduce crime in their area.

What do you think would be the most effective ways to help young people at risk of violent crime (multiple answers optional)?

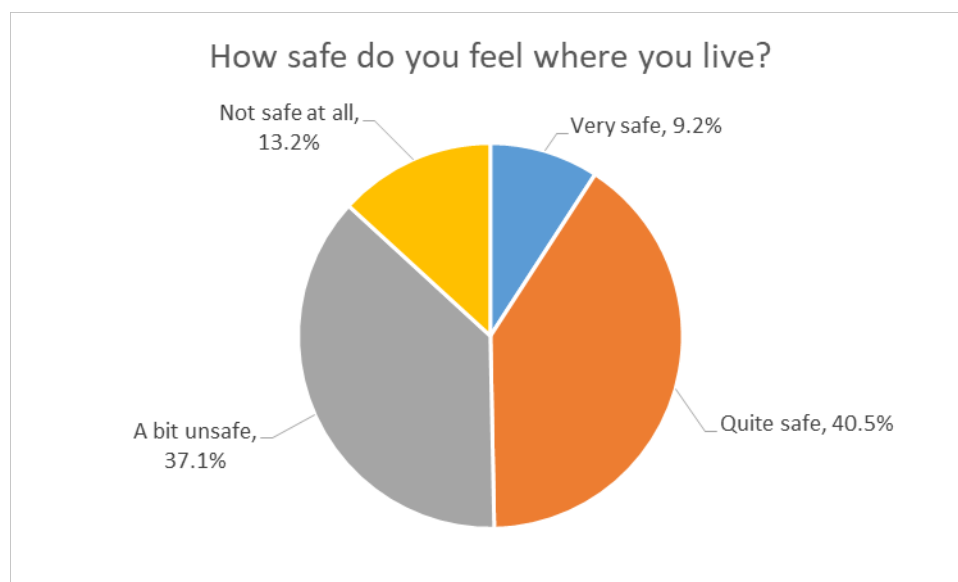


Survey of women and girls

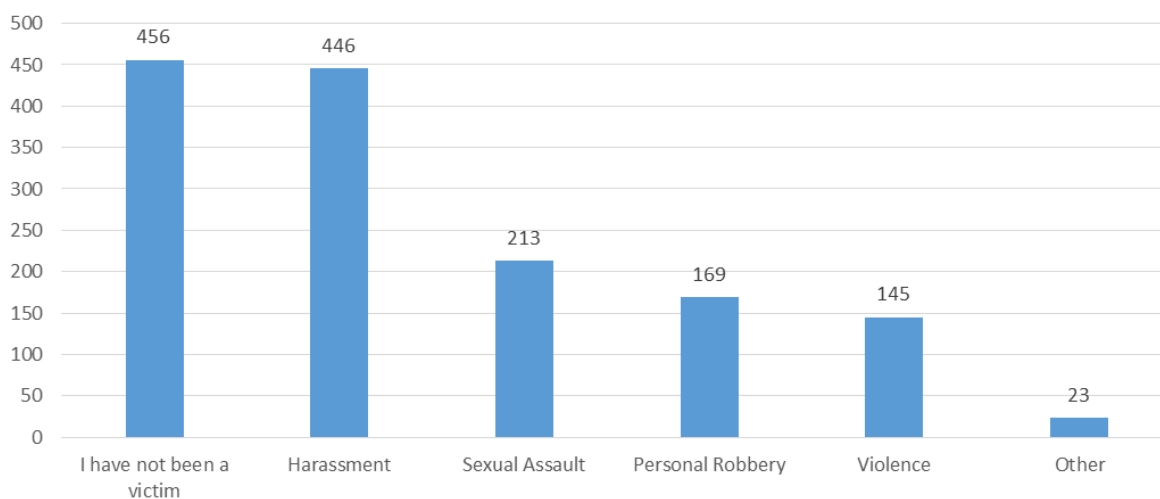
This survey focused on safety for women and girls, and identified areas where residents did not feel safe and what would need to take place in order to improve their safety. There were 1,245 responses, of which 1,113 were used for analysis after data cleansing.

Half of women and girls felt a bit unsafe or not at all safe where they lived (in contrast with one sixth of young residents); this was mainly because of harassment, sexual assault and personal robbery. 59% had experienced crime and three quarters had witnessed crime.

Larger district centres in the north and east, such as West Croydon, Thornton Heath, South Norwood and New Addington, as well as Croydon Town Centre, were most frequently mentioned as areas they would avoid.



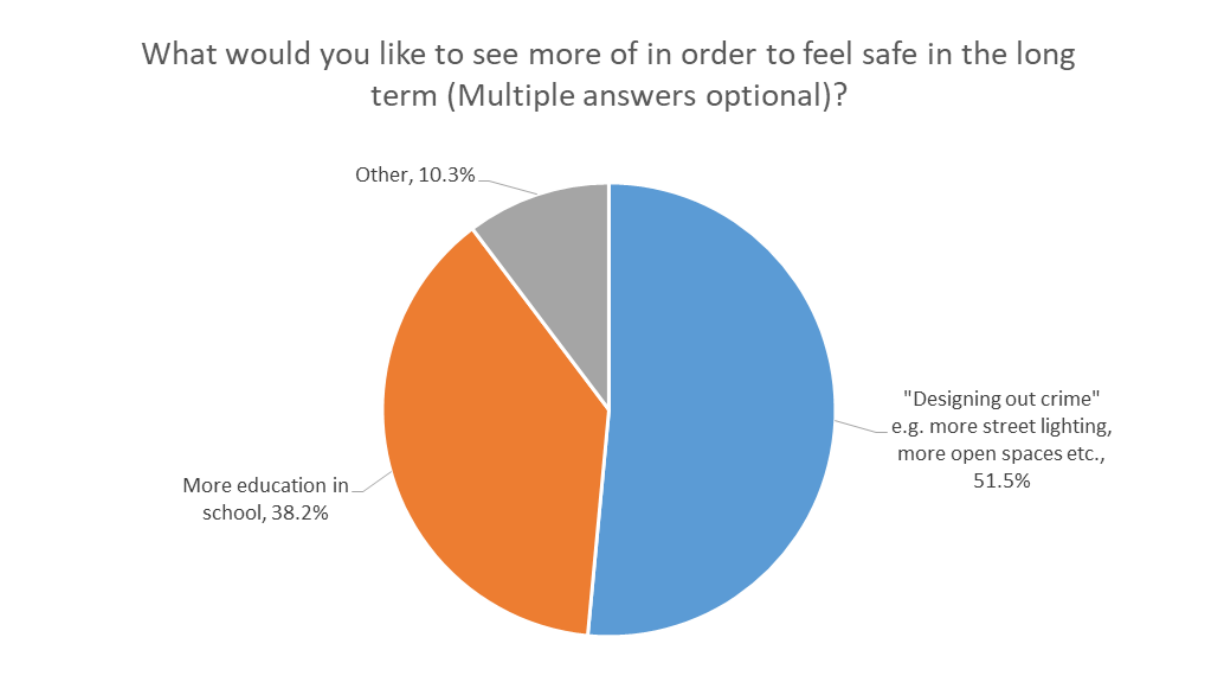
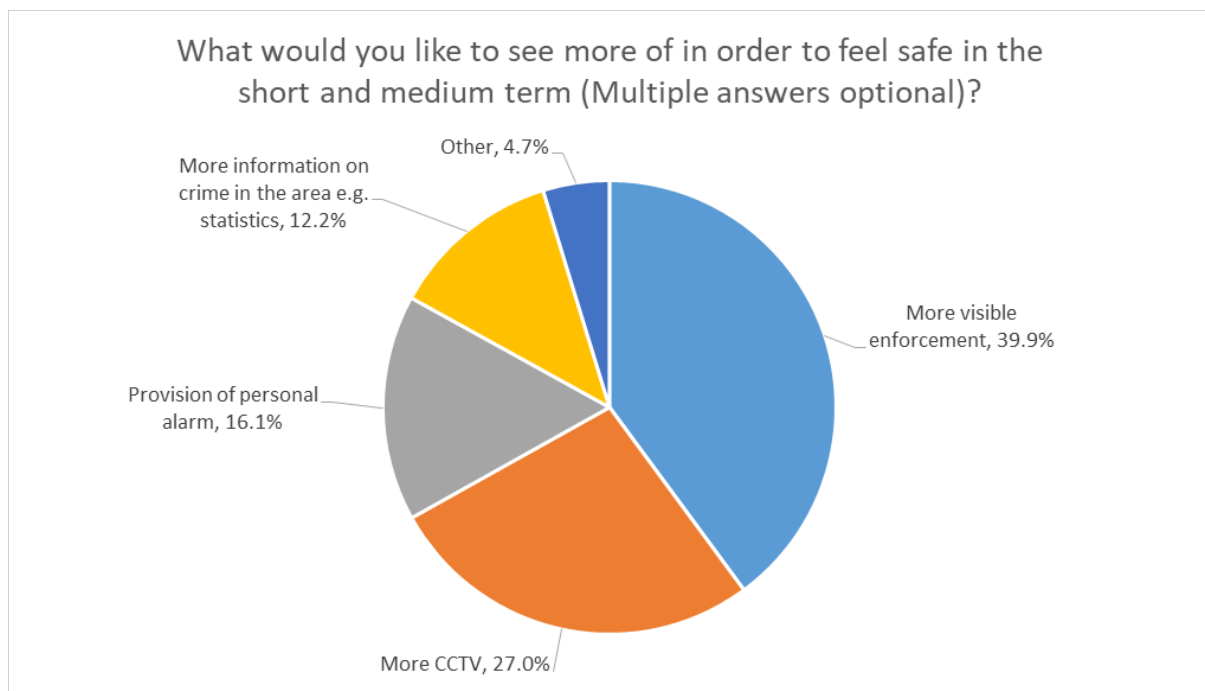
Excluding in your home, school and workplace, have you ever been a victim of the following:



Respondents did not feel safe while travelling or waiting for public transport, in parks, shopping centres and high streets, as well as in pubs, bars and clubs.

A fifth of respondents would not report an incident, mainly because it was a long process or for fear of reprisals, or of not being believed, and because of a lack of trust in the authorities.

In the short and medium term, more visible enforcement, more CCTV and personal alarms would make most people feel safe, as well as provision of personal alarms. In the long-term respondents wanted more education in schools and crime designed out of the public realm.



6. Conclusion

The Safer Croydon Partnership has considered the findings and recommendations in the Strategic Assessment. It has also taken account of feedback from engagement with young people and women and girls. It has decided on the following priorities for the Community Safety Strategy for 2022-2024:

1. **Tackle domestic abuse**
2. **Protect young people from violence and exploitation**
3. **Tackle disproportionality in the criminal justice system**
4. **Strengthen community resilience, offer trauma-informed services, focusing on Hate Crime, and build trust in the partnership**
5. **Focus on high priority neighbourhoods**

This strategy implements the Public Health approach to violence reduction. All actions within each priority are therefore designed to address the four elements of this model:

1. **Curtail** violent acts at source, pursuing perpetrators and enforcing action.
2. **Treat** those who have been exposed to violence to control the spread.
3. **Support** those susceptible to violence due to their exposure risk factors.
4. **Strengthen** community resilience through a universal approach.

Consistent with the problem-oriented approach, the partnership will focus on the underlying causes of those problems and how to tackle them. Mindful of the limited resources available, interventions will target the 'Felonious Few', high priority victims and hotspots to increase the chance reducing crime, particularly crime harm. The strategy's evidence-based approach will target, test and track its actions.

It is essential that the Safer Croydon Partnership has the confidence of people who live and work in the borough. The Partnership will build and implement a performance framework so that the responses to the recommendations in the strategic assessment are monitored and measured closely. The evaluation of the outcomes achieved by this strategy will include the views of residents, obtained through regular engagement during its three-year period.

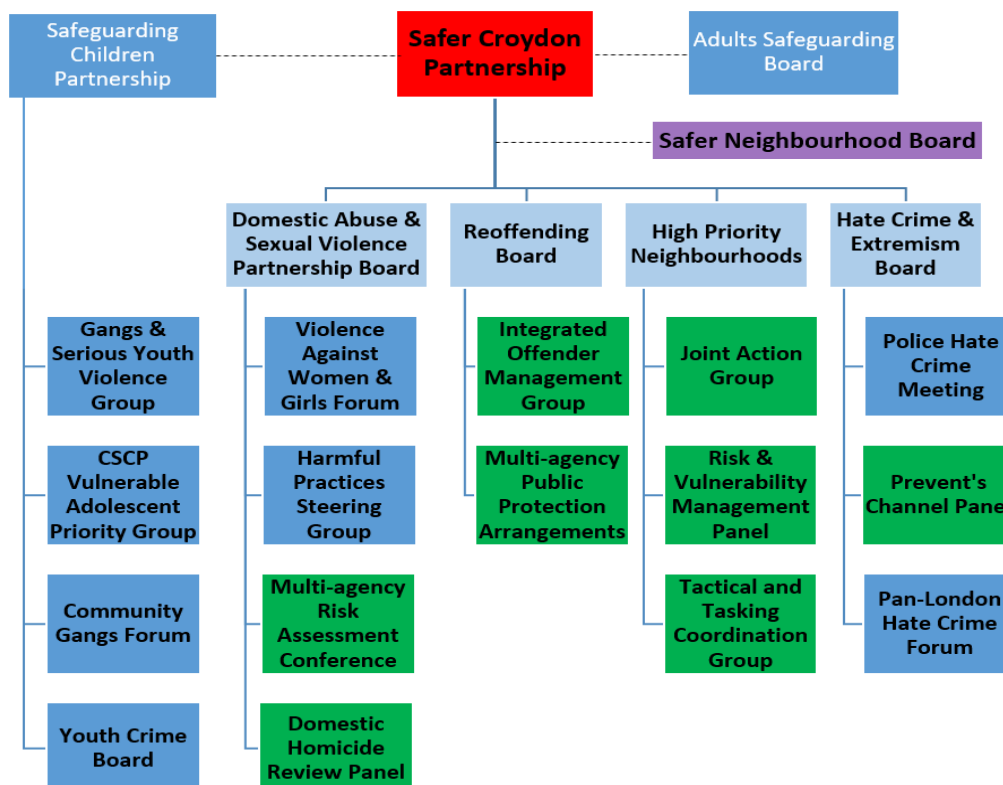
7. Delivery Framework

The Safer Croydon Partnership Board is responsible for all community safety matters across the borough. It provides strategic leadership and makes decisions regarding resources, performance management and future developments. It works with other boards on Croydon's Local Strategic Partnership on crime and safety matters, in particular the Safeguarding Children Partnership and the Adults Safeguarding Board.

Key responsible authorities on the Board include the council, police, and health, probation and fire services. The voluntary sector and residents are also represented. Organisations instrumental in delivering strategy priorities may also be invited to join.

The boards and meetings in the chart below are accountable to the Board (see Glossary for details). Those dealing with youth crime are directly accountable to the Safeguarding Children Partnership, which works closely with the Safer Croydon Partnership. Case management forums, in green, tailor plans for specific individuals to reduce offending or vulnerability. Where there is demand, specific working groups are also set up to tackle crime and ASB in a specific area, which last for a minimum of six months.

The SCP will continue to work closely with the Safeguarding Boards with the intention of building stronger partnerships. This will include the SCP providing them with information and updates on work programmes as well as action plans.



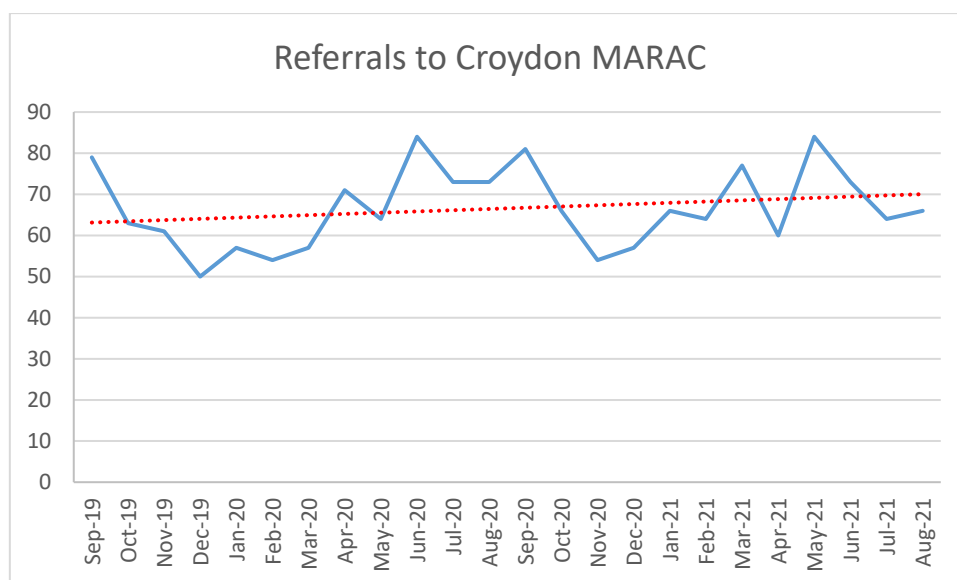
8.1 Priority 1 Tackle domestic abuse

What we want to achieve

Tackling domestic abuse remains a priority for the Partnership. We also want to support victims better, challenge perpetrators and support them to change, and help people to thrive once they have left abusive relationships.

Level of need

The rate of domestic abuse incidents and offences per 1,000 population has been increasing year on year in Croydon, which had the 3rd highest rate in London in 2020. There were 5,154 reported incidents of domestic abuse, an increase of 17.9%, compared to the previous year. In the year to August 2021 there was a 3.3% increase in the average level of cases with a high risk of severe harm referred to the Multi-Agency Risk Assessment Conference (MARAC).



Lockdown restrictions during the Covid pandemic forced intimate partners and family members of the same household to stay indoors together, putting themselves at greater risk of harm from an abusive partner or relative. In addition, better awareness of services for victims and of what constitutes domestic abuse increased the likelihood of people coming forward to report it.

What we are doing

Support victims

The Partnership works through the police, council, including the Family Justice Centre (FJC), and voluntary and community organisations to mobilise the professional and community network through raising awareness and training frontline staff. It will use the measures introduced by the Domestic Abuse Act 2021 to protect and support victims.

FJC brings together several agencies to provide a single, multi-agency assessment of victims' risk and harm, obviating the need for victims to repeat their history, and refers victims for specialist support including accommodation and legal services. It

coordinates volunteers who provide emotional support and practical help. Its freedom programme supports survivors who have left abusive relationships.

Independent Domestic Violence Advisors at the FJC, police stations, and Croydon University Hospital provide specialist support, which extends to victims who are homeless, experiencing modern slavery or radicalisation, and those with no recourse to public funds. An independent sexual violence advisor is also available. Several local voluntary and community organisations support BAME women experiencing domestic abuse and sexual violence and work to improve their relations with the criminal justice system to encourage engagement and trust.

The Police use the Domestic Violence Disclosures Scheme (Claire's Law) to reduce serial perpetrators and give more control to women.

People with learning disabilities are at high risk of suffering domestic abuse due to factors including difficulties in recognising abuse, fear or lack of knowledge of how to report this, emotional vulnerability and communication difficulties. All staff working with people with learning disabilities need to be alert to the possibility of domestic abuse and know how to address this and where to make referrals for support.

Challenge perpetrators and support them to change

The police arrest perpetrators at the scene wherever possible, and otherwise within 24 hours. They will use and enforce bail conditions and compliance with Domestic Violence Protection Notices (DVPNs) to protect victims. After arresting perpetrators, the police will refer them to support groups, to the Domestic Abuse Perpetrator's Panel (DAPP) where appropriate, and to the rehabilitative DRIVE programme, which makes interventions to change the behaviour of perpetrators.

Several themed forums coordinate activity among practitioners in Croydon and exchange good practice, including the Violence Against Women and Girls (VAWG) coordinators meeting (Pan London), the VAWG Forum, Domestic Abuse and Sexual Violence Partnership Board, and Multi-Agency Safeguarding Hub (MASH) Operational Management Group.

Relevant case management meetings include the Adults Safeguarding Board Multi-Agency Risk Assessment Conference (MARAC), and Domestic Abuse Perpetrators Programme (DAPP) Meeting.

What we will do

We will continue to apply a multi-agency approach to tackle domestic abuse and sexual violence (DASV) within Croydon and provide multi-agency service provision for victims. DASV must be understood as part of the wider context of violence against women and girls (VAWG). This is the case, for example, with how young people experience domestic abuse. VAWG is dealt with under Priority 4. We will update Croydon's DASV Strategy and will:

Curtail violent acts at source, pursuing perpetrators and enforcing action

1. Use recommendations and learning from domestic homicide reviews to improve partnership practice and actions to tackle domestic abuse and sexual violence.

2. Produce an evidence-based profile of domestic abuse in Croydon and engage with service users and the VCS to develop actions to tackle this crime in hotspot areas.

Treat those who have been exposed to violence to control the spread

3. Continue to provide and arrange refuge and other safe accommodation to victims of domestic abuse and sexual violence.
4. Work with perpetrators through the rehabilitative [Croydon DRIVE Project](#) programme to end their abusive behaviour.
5. Train partners to develop appropriate trauma-informed responses to victims of domestic abuse and sexual violence.
6. Croydon Health Services NHS Trust to appoint a qualified member of staff to support the Independent Domestic Violence Advisor.
7. Develop a domestic abuse specialism in Croydon Health Services NHS Trust's safeguarding team to develop practitioners' knowledge and skills across the organisation

Support those susceptible to violence due to their exposure to risk factors

8. Raise awareness of domestic abuse and sexual violence and train Safer Neighbourhood Policing Teams to support victims and monitor and enforce perpetrators' compliance with bail conditions and Domestic Violence Protection Orders (DVPOs).
9. Strengthen partnership work and make services available to support parents involved in conflict and the children and young people exposed to it.
10. All staff in Croydon Health Services NHS Trust working with people with learning disabilities will be trained in understanding and responding to domestic abuse, complete training in safeguarding adults level 3, and develop links with the FJC.

Strengthen community resilience through a universal approach

11. Provide training for organisations working with victims of domestic abuse and sexual violence, and raise awareness to increase understanding of this crime and ensure that it remains everyone's business.
12. Ensure that all schools and GP practices in hotspot areas receive training to identify signs of violence against women and girls, including domestic abuse and sexual violence, and arrange appropriate responses.

How we will we know our actions have been effective

- Statistics on number of domestic abuse incidents, offences and sexual violence offences recorded by the Police. The volume of cases reported per '000 of women and girls resident in Croydon. This rate is likely to increase, as more victims come forward following implementation of the Domestic Abuse Act 2021.
- Number of cases at the Multi-Agency Risk Assessment Conference (MARAC)
- Number of cases recorded by the Family Justice Centre
- Level of engagement with and outcomes from [Croydon DRIVE Project](#)
- Feedback from voluntary and community sector partners
- Feedback from Family Justice Centre service users

- Sufficient independent domestic violence advisors are available to provide a safe level of support for victims of domestic abuse and sexual violence in Croydon.

8.2 Priority 2 Protect young people from violence and exploitation

What we want to achieve

We want to protect young people at risk of becoming victims of crime. We want to reduce serious youth violence in Croydon, including knife enabled violence and robbery, and involvement in gangs. We want to reduce the number of children and young people involved in exploitation, in particular county lines which involves using children and vulnerable people to traffic drugs from location to location.

This strategy takes a more holistic view, addressing both violence and the safety of young people. It has been informed by the views of young people in Croydon, their concerns and what they think would reduce youth violence.

Identifying adverse childhood experiences as early and quickly as possible is crucial for planning effective interventions to prevent violence. These include domestic abuse, child neglect, older siblings involved in crime and anti-social behaviour, school behaviour and exclusions, and cannabis use.

What we are doing

The Safer Croydon Partnership (SCP) covers the direct and indirect criminality and victimisation of children. This includes county lines, sexual and criminal exploitation and grooming. The SCP coordinates and leads on several meetings designed specifically in protecting young people from violence.

The Gangs and Serious Youth Violence (SYV) Board oversees the multi-agency approach to reducing SYV and gang activity in the borough at a strategic level. The Community Partnership ensures appropriate interventions are made for young people be they diversion, disruption or enforcement. The council runs workshops in schools on harm and safety, as well as events for staff on SYV and exploitation.

The Youth Crime Board is responsible for the work of the multi-agency Youth Offending Service to coordinate the delivery of actions to prevent and reduce re-offending and manage risk to safeguard children and young people within the borough in accordance with the Youth Justice Plan 2021/22.

Whereas the SCP is focussed on the risk of criminal exploitation of children, the [Croydon Safeguarding Children Partnership](#) (CSCP) focusses on raising awareness of safeguarding risk and supporting the wider partnership to recognise and respond appropriately to safeguarding concerns involving children up to 18 years of age. It supports the SCP by building awareness of child exploitation and providing training and quality assurance of safeguarding practice. Together, they provide a holistic approach to safeguarding children in the borough.

The CSCP provides for effective joint working with the SCP on matters of young people's safety through the Vulnerable Adolescents Priority Group, which uses a public health approach in reducing violence amongst young people.

The council leads working groups in areas where SYV is an issue. CVA and Croydon BME Forum deliver the 'My Ends' project to divert young people from crime through mentoring, support for parents, training youth work organisations on trauma and mental health, and establishing community partnerships. The Partnership also encourages young people to participate in decision-making on the issue of violence and exploitation through Croydon Youth Forum.

Other themed forums, including the Early Help Partnership Board, collaborate on funding bids, co-ordinate activity among practitioners and exchange good practice. Case management meetings include PREVENT's Channel Panel, Gangs Weekly Tasking Group, Risk Management and Vulnerability Panel and the Complex Adolescents Panel (CAP).

What we will do

Curtail violent acts at source, pursuing perpetrators and enforcing action

1. Provide more visible enforcement on patrol where possible in areas of high harm towards young people.
2. Apply for Criminal Behaviour Orders (CBOs), Knife Crime Prevention Orders and Gangs Injunctions when disruption is appropriate.
3. Develop an agreed joint programme of actions to remove weapons and provide reassurance including Trading Standards initiatives (e.g. knife or corrosive substance test purchases)
4. Weapons sweeps by staff of partner agencies, e.g. London Fire Brigade, housing providers/estate managers and refuse collectors.
5. Sign up businesses to responsible retailer agreements and train them on knife sales issues and take appropriate enforcement action on the sale of knives to young people.
6. Use London Information Sharing to Tackle Violence programme and wider public health data, social media intelligence, local drugs markets and local rescue and response county lines analysis, and other relevant local authority data to inform the strategic assessment analysis.

Treat those who have been exposed to violence to control the spread

7. Provide violent crime offenders with bespoke community service interventions before court and after conviction that protect the public.
8. Reduce harm to direct and indirect victims of offending
9. The Gangs Team to deliver on bespoke actions plans for gang members.
10. Refer offenders from police custody to providers of education, employment and training through the DIVERT programme.
11. YOS to ensure that Interventions take account of adverse childhood experiences and are trauma informed in recognition that those carrying out SYV have often been victims themselves
12. YOS to ensure victim(s) and potential victims are at the core of its work by offering restorative justice interventions by contacting identified victims of serious youth violence to offer the opportunity to engage in direct or indirect restorative interventions

13. Provide young victims of violence with a trauma informed needs assessment, with referral to the Emotional Health and Wellbeing service where appropriate and work effectively with partners for a fast track access to support for young people affected by serious youth violence.
14. Place a commissioned third sector organisation such as RedThread in Croydon University Hospital A&E to provide immediate support and space for young people injured through serious youth violence and ensuring information is shared with relevant agencies in a timely way.
15. To strengthen work on parents and families of those affected by knife crime.
16. Ensure that offenders (aged 18+) who meet the criteria for the MOPAC Knife crime GPS Pilot be considered and the relevant licence condition added. Consider also those already in the community who it is identified may pose a risk, as an alternative to recall or when re-released from recall.

Support those susceptible to violence due to their exposure to risk factors

17. Minimise school exclusions (and managed moves in place of exclusions), create inclusive settings and support young people back into education, employment and training.
18. Work with parents and carers, especially those who are vulnerable, to engage young people in diversionary activities and education and prevent harm.
19. Ensure services are deployed to known hotspots
20. The Youth Engagement Team to continue their delivery of the 'Safe and Well' programme in schools
21. YOS to offer bespoke services that support young people back into education and employment.
22. Ensure young victims of violence, are identified and given support to access diversionary services, including education, training and employment
23. Deliver universal and targeted programmes in schools (including as part of Sex and Relationships Education), based on Croydon safeguarding issues and trends, and support schools to assess quality and impact.
24. Safeguarding Children Partnership to ensure local Early Help processes and referral pathways, and everyone's role within them, are clear and easily accessible to parents, carers, schools, Pupil Referral Units and college staff.
25. Create more opportunities for gaining skills and jobs.
26. Develop more sports, arts and other positive activities, youth engagement, counselling and mentoring.
27. Develop resources for workshops in youth community settings and train partners to run them.
28. To develop communication methods to young people and families.
29. All staff in Croydon Health Services NHS Trust Learning Disability Team to complete PREVENT training

Strengthen community resilience through a universal approach

30. Where possible, to improve design of areas to remove opportunities for storing weapons.

31. Work to ensure places of education are safe and inclusive, build young people's resilience and have a trauma-informed approach.
32. To encourage schools to include knife crime and youth violence within their safeguarding plans.
33. Hold educational and community activities.
34. All partner agencies to adopt a trauma informed approach and commission training accordingly.
35. Co-design communication materials with YP in engagement stages to increase awareness of services by getting the language right and engage with families at a human level.
36. To explore the extension of the social workers in schools programme in partnership with education providers beyond March 2022

How we will know our actions have been effective

- Reduction in the number of young people who are victims of Youth Violence, Serious Youth Violence, CSE and Knife Crime with Injury where the victim is aged 1 to 24, recorded by the Police (MPS).
- Regular surveys of young residents find that a greater percentage of respondents report that they feel safe in Croydon.
- Reduction in the number of young people treated by London Ambulance Service for violent injuries inflicted in Croydon.
- Reduction in the number of people treated by Accident & Emergency at Croydon University Hospital for violent injuries received in Croydon.
- The number of young people being worked with by the Gangs Team.
- The number of PREVENT referrals of young people.
- A reduction in number of young people entering the criminal justice system for the first time.
- A reduction in re-offending.
- An increase in the number of young people in Education and Employment particularly for those 16+.
- Reduction in school exclusions.

8.3 Priority 3 Tackle disproportionality in the criminal justice system

What we want to achieve

Some people are treated differently by a range of public institutions, and this can have an impact on how they experience violence. This chapter shapes a multi-agency response to reduce the disproportionality of outcomes people from Black, Asian and minority ethnic (BAME) backgrounds in the Criminal Justice System.

The problem

People from a BAME background were over-represented as defendants in the criminal justice system in 2019, according to [Ministry of Justice \(MoJ\) data](#). This was largely because people from these ethnic groups made up a disproportionate share of people arrested, and this carried through to the prosecution, conviction, and imprisonment stages. Evidence also suggests that offenders from BAME backgrounds receive longer custodial sentences, which could be partly due to the higher rate of 'not guilty' pleading among defendants from these ethnic groups.

Discriminatory treatment of young people from BAME backgrounds can have significantly adverse impacts on young persons' views of themselves, their health and life chances. In Croydon young black males are significantly overrepresented in the youth justice system, more likely to enter it at a higher level, and more likely to receive stiffer sentences, including custodial sentences. This group are also more likely to be stopped and searched. Additionally, Black Caribbean pupils in Croydon, as in England as a whole, have the greatest level of disproportionately when it comes to exclusion from school.

When considering discrimination we must consider race, disability, gender, religion, sexuality and take into account the fact that discrimination can occur not just amongst individuals but also systemically.

What we are doing

Croydon Youth Offending Service has developed a Disproportionality Action Plan for 2021/22 to monitor services with regard to diversity and address oppressive practice and inequality proactively, informing local practice and strategic planning, working collaboratively with Croydon BME Forum and strategic partners such as the police, courts and the NHS. Inspirational black male professionals and police are invited to speak to the young males group on the Criminal Justice System and aspirations. The service also closely monitors under-14 year olds entering the system and strives to divert them from re-offending.

Croydon BME Forum conducts training sessions for professionals on cultural sensitivity, addressing bias, prejudice, and discrimination and how to overcome this in practice. It advises the Partnership and the Gangs Matrix Board on local issues and partnership work to reduce disproportionality in the criminal justice system.

Police are conducting ongoing research in response to critical incidents, stop and search and criminal justice outcomes with a disproportionality focus and continue to

evolve their response to the systematic and institutional racism that influences the overrepresentation of young black males in the criminal justice system.

Although several agencies have made progress, currently the partnership lacks comprehensive and accurate equalities data of the cohorts of people affected in Croydon. This is needed to understand disproportionality fully and tackle it effectively. The CSCP has asked its member agencies to be more robust in their recording of ethnicity and disability of young people.

The Vulnerable Adolescent Priority Group (VAPG) reviews data on disproportionality and champions the need for accurate data recording. VAPG's Schools Curriculum and Change Group shares resources, strategies and information. It has begun a work programme that will examine racial harassment; teacher recruitment, retention and promotion; governor recruitment; exclusions; and pupil achievement.

The Probation Service inputs equalities data on their cases to inform the services they commission for particular groups. It has introduced the Effective Proposal Framework helping to reduce disproportionality by taking account of offending history and producing suitable proposals and disposals to use in court reports.

What we will we do

Understanding the problem

1. All agencies to record equality and inclusion information about their cases, including the Probation Service and Police research on critical incidents, stop and search and criminal justice outcomes with a disproportionality focus.
2. Produce data to understand the impact of disproportionality at every stage of the Criminal Justice System, from policing ('stop and search'), sentencing trends, custody rates and rates of reoffending, and numbers of young people entering the criminal justice system for the first time.
3. Once available, analyse data by ethnicity, gender, sexuality, disability, religion and geographic information to inform the planning of interventions and commissioning of services.
4. Analyse and review BAME groups at risk of gang affiliation and criminal exploitation through county lines in order to establish a baseline.
5. Share data, patterns, needs and learning across the partnership, including education (exclusions data), health and police, and hold discussions to better understand disproportionality across the criminal justice system and define actions required
6. Working and exchanging learning with other London Authorities
7. The Partnership will use relevant forums to formally raise the Partnership concerns and recommendations.

TREAT those who have been exposed to violence/crime to control the spread

8. Youth Offending Service interventions are tailored to meet the individual needs of young people and address overrepresentation, paying particular attention to young people's self-assessments and learning styles

9. Youth Offending Service Officers to attend regular reflective practice to discuss needs of staff and offenders and plan actions to tackle overrepresentation, disproportionality and oppressive practice
10. Probation Service to use the equality and inclusion analysis of their caseload to ensure that services commissioned are tailored for certain groups.
11. Ensure the physical and mental health needs of individuals are quickly identified and actioned, promoting accessibility to health provision for disadvantaged groups
12. Ensure the Youth Offending Service and police identify young people suitable for diversion from the criminal justice system to achieve a fair application of alternatives to prosecution
13. Maintain dialogue with the judiciary and court users group on overrepresentation, involving young people, and compare similar offences and sentencing outcomes for young people by ethnic groups.
14. Probation will continue to use the Effective Proposal Framework Tool to produce a list of suitable proposals and disposals, before court reports are written, to ensure there are better sentencing outcomes for all groups, reducing disproportionality amongst those going through the criminal justice system and extend use of tool to those coming out of prison on licence.
15. Officers are being trained to ask safeguarding questions of all juveniles in custody and involve social services to help manage risk and offer diversions.

SUPPORT *those susceptible to violence due to their exposure risk factors.*

16. Identify individuals who are potentially experiencing systemic discrimination within the education system, and advocate accordingly.
17. Ensure that all young people, particularly those who are NEET, are offered opportunities for education, training and employment that are in line with their individuality and personal need.
18. Develop joint working between the Youth Offending Service and social care to develop a trauma-informed and culturally aware approach to meet the needs of unaccompanied minors.
19. Work with specialist voluntary organisations, and community and grass-roots projects that target the prevention and reduction of crime within overrepresented groups in the Criminal Justice System
20. Set up DIVERT programme to promote universal services with partners, including the community sector, for those arrested where no further action is taken.
21. Croydon Health Services NHS Trust Learning Disability Team will develop links with neighbourhood policing to ensure crisis plans are in place.
22. Police schools officers to offer early engagement to divert individuals from involvement in the Criminal Justice System.
23. Police Child Sexual Exploitation and Child Criminal Exploitation teams to divert those exploited who may also be involved in criminality themselves through the Complex Adolescents Panel.

STRENGTHEN *community resilience through a universal approach*

24. Arrange and encourage training in cultural competency, unconscious bias and disproportionality awareness for members of partnership organisations as well as programme boards
25. Strengthen and support schools to reduce fixed and permanent exclusions of BAME children. Continue monitoring exclusion rates and taking action to address over-representation, by working with schools, local health services, and the community to reduce the need to exclude pupils
26. Continue monitoring exclusion rates and taking action to address over-representation, by working with schools, local health services, and the community to reduce the need to exclude pupils

How we will we know our actions have been effective

- Reduction in the number of young people from BAME backgrounds who enter the criminal justice system for the first time
- Reduction in the number of young people from BAME backgrounds who reoffend
- Improved identification and support of people from BAME backgrounds involved in gang activity so they are provided opportunities and support to exit gangs
- Increase in the numbers of people from BAME backgrounds in the Criminal Justice System who gain access to education, employment and training
- Reduction in school exclusions and truancy
- Feedback from the Youth Offending Service, Police, and Courts
- Staff are fully trained in cultural competency and have full awareness of anti-discriminatory practice
- Services/interventions are culturally in tune with service users.

8.4 Priority 4 Strengthen community resilience, offer trauma-informed services, focusing on Hate Crime, and build trust in the partnership

What we want to achieve

Individuals benefit from different protective factors, ranging from personal resilience to trust in other people and organisations. We need to understand how to foster the protective factors in individuals and communities.

We will look at how the whole community safety system in Croydon and our services are organised and delivered and consider what steps we should take to help traumatised service users to heal and to avoid, or minimise, adding new stress or reminding them of their past traumas. 'Trauma-informed approaches' are ways of supporting people that recognise specific needs they may have as a result of past or ongoing trauma. A traumatic event is an event, a series of events or a set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening (Substance Abuse Mental Health Services Administration 2014).

Croydon residents' confidence in the police is higher than the London average, but has declined since 2017, according to MOPAC's Public Voice Dashboard. However, in the Violence Reduction Network's recent surveys in Croydon, 79% of women and girls responding, and 66% of young people, stated that they would report a crime to the authorities.

What we are doing

The Council coordinates and takes part in a wide range of regular meetings of relevant partners to strengthen community resilience, offer trauma-informed services and build trust in the authorities. Multi Agency Public Protection Arrangements (MAPPA) meetings manage the most serious offenders and Integrated Offender Management (IOM) meetings manage prolific reoffenders. At the Risk and Vulnerability Management Panel, organisations jointly develop coordinated plans to protect vulnerable residents who are victims, witnesses or perpetrators of crime and ASB. Agencies at the Community Gangs Forum discuss individuals involved or at risk of being involved in gangs to plan a holistic approach to divert them away from gangs.

Through the Young Londoners Fund, the Council coordinates trauma-informed services for young people, including mental health professional and a range of diversionary activities.

Members of the community may use a community trigger to ask the Council, Police or a relevant housing association to review the work they are doing to tackle persistent anti-social behaviour (ASB) after reporting three separate incidents of ASB in the previous six months. When residents in a particular area report concerns about a rise in crime or ASB, the Council may set up a working group to plan a multi-agency response. Using data and community feedback, it tasks appropriate services and monitors progress, amending actions where necessary.

The Croydon Resilience Forum (CRF) ensures an integrated approach to emergency response and management for the borough. It involves emergency planning officers and representatives of sectors with a role in emergency preparedness and response, including local authority, health, police, fire, utility, environment, business, voluntary, community, faith and transport.

There is no place for hatred and intolerance in Croydon's communities: since 2019, 24,000 individuals and organisations have signed Croydon's hate crime pledge. It helps us to identify whether communities understand hate crime issues and the reporting mechanisms in place. We engage signatories about events and training by VCS partners on tackling hate crime. The partnership is committed to targeting offenders, monitoring community tensions, increasing awareness of action to combat hate crime, reducing tolerance of it and undermining any social acceptability of it.

We will develop the work of our partnership to provide an effective response across the borough to tackle violence against women and girls (VAWG). This will include developing a detailed three-year strategy for 2022-2024 to focus the partnership's resources effectively on ending violence against women and girls. It will involve partnership work across national, regional and local boundaries to help victims and provide an effective first response to violence and abuse. It will cover ensuring streets are safer for all women and girls, as well as sex work, trafficking, female genital mutilation and other harmful practices. We are also preparing a more detailed strategy on the Partnership's approach to tackling harmful practices. Croydon's strategy will be in conformity with the government's new VAWG strategy and the Mayor's forthcoming Pan-London VAWG Strategy. Further actions will be developed in Croydon's new VAWG strategy.

The Council's [statement](#) in May 2019 details its approach across all council activity to raise awareness of and identify modern day slavery and respond accordingly.

What we will do

Curtailed violent acts at source, pursuing perpetrators and enforcing action.

1. Develop a detailed three-year strategy to tackle violence against women and girls (VAWG), in conformity with the forthcoming Pan-London VAWG Strategy.
2. Increase the visibility of enforcement and support services, such as the Family Justice Centre, enforcement teams and police, on the street, in bars, and brothels (also supports Priority 5).
3. Develop Croydon's partnership response for addressing modern slavery through a multi-agency case conference to share intelligence, identify victims, offenders and hotspots and coordinate focussed action.
4. Expand partnership working groups across other areas of need in the borough and develop plans involving all agencies.

Treat those who have been exposed to violence, and their trauma, to control the spread

5. Provide frontline staff in partner organisations with trauma and attachment training, enabling them to adopt a trauma-informed approach
6. Increase information sharing by partners to reduce offending in the borough, specifically on mental health, employment, and alcohol and substance misuse.
7. Continue providing trauma-informed support and advocacy to women involved in the criminal justice system to aid their resettlement
8. Deliver training to partners on identifying and responding to modern slavery and supporting victims.
9. Croydon BME Forum's Health and Well-being Space will see a range of trauma-informed services support people with mental health issues and ensure they can access mental health support in their local communities.
10. Improve support and reduce vulnerability for victims of hate crime.

Support those susceptible to violence due to their exposure to risk factors, taking account of their trauma

11. Invite and form a partnership with key agencies who can contribute to addressing the underlying issues of crime in the borough and enforcement through providing opportunities to residents to contribute to addressing the underlying issues of crime and enforcement (Strategic Assessment Recommendation 4)
12. A qualified psychologist will be based in Croydon BME Forum's hub to provide free therapeutic support.
13. Hold a quarterly forum on violence against women and girls to exchange intelligence, share good practice and address challenges and barriers to help VCS partners in delivering support services within their communities.
14. Croydon Health Services NHS Trust Learning Disability Team to re-establish the 'Risk Assessment Forum' to identify and mitigate risks posed more robustly.

Strengthen community resilience through a universal approach and build trust

15. Challenge the deep-rooted social norms, attitudes and behaviours that discriminate against and limit women and girls across all communities by working directly with grassroots organisations in raising awareness
16. Build strong stakeholder relationships and reduce silo working across the Safer Croydon Partnership and Croydon Resilience Forum
17. Facilitate community involvement in Police monitoring of the impact of section 60 'no suspicion' stop and searches for offensive weapons

18. Launch police encounter panels as part of MOPAC promise to improve transparency and accountability of police tactics which are identified by the public as of particular concern (e.g. viral videos on social media)
19. Improve access to Police through ward panels, Safer Neighbourhood Boards and community meetings, focussing on areas of risk with a priority to improve community cooperation, involvement and legitimacy.
20. Develop a Safer Croydon communications plan to increase awareness of the work being done by the council, police and other partners to combat crime; specific communications for local communities to focus on what is being done in specific areas of crime such as:
 - Domestic abuse and sexual violence
 - Serious youth violence
 - local statistical information for community organisations on violence against women and girls
 - Hate Crime
 - PREVENT work
 - Other areas of concern highlighted by the community
21. Engage with the community through surveys on a more regular basis to gauge their concerns in their area.
22. Run programmes of community involvement, capacity building and regular engagement involving Croydon BME Forum and CVA
23. Partnership to support and inform the Police's assessment of community tensions monitoring
24. London Fire Brigade will provide easier community access to local fire stations and build trust and confidence with all stakeholder groups.
25. Develop a Modern-Day Slavery (MDS) action plan which will be implemented by the MDS Forum.

How we will we know our actions have been effective

- Feedback from the voluntary and community sector
- Public Dashboard of the Mayor's Office of Policing and Crime
- Regular surveys, including trust and confidence in services.
- The number of staff receiving trauma training
- We are developing our method for collecting and understanding community feedback. We wish to assess whether there is an increase in people responding to surveys (women, young people and BAME residents in particular) who say that they would report an incident or crime to the authorities.

8.5 Priority 5 Focus on high priority neighbourhoods

What we want to achieve

The strategic assessment identified nine priority areas in the borough which the Safer Croydon Partnership should focus on because they score highly in our 'Priority Localities Index' with regard to crime, anti-social behaviour and the causes of crime.

By focussing our resources on these areas, we will tackle the underlying causes of crime so that these persistent high harm targets no longer generate such serious crimes, reducing overall crime rates and costs in the medium to longer term.

What we are doing

The Council coordinates and participates in multi-agency meetings to reduce crime and ASB in specific areas. Several apply a problem-solving approach, analysing the issues, developing a tailored response, and finally assessing the outcomes. The monthly Joint Action Group (JAG) tackles any crime and ASB problems in the borough requiring a multi-agency approach. Lately, a specific multi-agency working group is set up when a neighbourhood of concern raised at the JAG requires a more intensive partnership approach in the medium-to-long term.

The Council contributes to the local Police Tactical and Tasking Coordination Group (TTCG), where crime and ASB in the previous month is analysed and actions are allocated to officers and partners based on the findings and recommendations. With Probation, it participates in the local Police's daily partnership violence meetings where seriously violent incidents in the previous 24 hours are discussed and appropriate partnership actions agreed in order to reduce harm, safeguard those involved, and reassure the community.

What we will do

Curtail violent acts at source, pursuing perpetrators and enforcing action

1. Focus on the neighbourhoods identified from the Priority Localities Index to collaboratively address the underlying issues linked to crime and ASB
2. Expand the use of data from MPS, London Ambulance Service, London Fire Brigade and A&E and other relevant agencies to identify specific hotspots within those neighbourhoods.
3. Increase micro-patrols focussing on areas with concentrations of high harm crimes involving violence. Other uniformed enforcement strands of the partnership will support this action.
4. Use enforcement resources to target areas of high crime and ASB and offenders, including CCTV, Rapid Deployment Cameras and Enforcement Officers
5. Invite and form a partnership with the British Transport Police to address the underlying issues of crime and enforcement in relevant high priority neighbourhoods.
6. Where possible, conduct Randomised Controlled Trials (RCTs) to determine "what works" in regards to interventions.

Treat those who have been exposed to violence to control the spread

7. Use crime harm as a measure to identify suspects and victims of serious crimes in order to focus resources intensively to reduce further serious risk in the borough.
8. Develop and expand fortnightly working groups to organise a partnership approach in high priority neighbourhoods for tackling issues highlighted by partners' intelligence.

Support those susceptible to violence due to their exposure to risk factors

9. Develop and implement crime and safety prevention initiatives to minimise the frequency and impact of critical and major incidents that require a coordinated emergency response as required by the Civil Contingencies Act 2004 and London Emergency Services Liaison Panel Procedures
10. Focus and maintain the Change Grow Live service for those neighbourhoods that have high rates of alcohol and substance misuse

Strengthen community resilience through a universal approach

11. Engage communities in targeted neighbourhoods with messages that inform them of services that will protect them, help them feel safer, and promote civic pride.
12. Establish ways to improve neighbourhood cohesion in areas identified by the Priority Localities Index where this may have deteriorated.
13. Engage with VCS partners who are delivering programmes in the areas identified

How we will we know our actions have been effective

- Statistics on crime, ASB and other indicators.
- Where working groups have been active in a specific neighbourhood, a comprehensive assessment including a before/after comparison of the treatment area compared to a control area.
- An annual survey provided to the community on crime and ASB and other related issues.

Glossary

Adults Safeguarding Board

The Croydon Safeguarding Adults Board (CSAB) following the Care Act is now a statutory body with the following functions:

- Assure itself that local safeguarding arrangements are in place as defined by the Care Act
- Prevent abuse and neglect where possible
- Provide a timely and proportionate response when abuse or neglect has occurred.
- The SAB must take the lead for adult safeguarding across its locality and oversee and co-ordinate the effectiveness of the safeguarding work of its member and partner agencies. It must also concern itself with a range of matters which can contribute to the prevention of abuse and neglect such as the:
 - Safety of patients in local health services
 - Quality of local care and support services
 - Effectiveness of prisons in safeguarding offenders

The Board fully supports work on such priorities as hate crime and domestic abuse and is a part of the cross-cutting domestic abuse group. Other areas of importance to the Board include work on the Prevent programme, a national counter-radicalisation strategy.

Channel Panel

Channel is an early intervention multi-agency panel designed to safeguard vulnerable individuals from being drawn into extremist or terrorist behaviour.

The Croydon Resilience Forum (CRF)

The Council runs the CRF in order to have an integrated approach to emergency response and management for the borough. Membership includes emergency planning officers and representatives of sectors with a role in emergency preparedness and response, including local authority, health, police, fire, utility, environment, voluntary, community, faith, business, and transport.

Community Trigger

This is a process used by members of the community to ask the Council, the Police or a relevant housing association to tackle persistent anti-social behaviour (ASB). They may do this after reporting three separate incidents of ASB to the Council, the Police or the housing association in the previous six months.

Croydon Safeguarding Children Partnership (CSCP)

The CSCP is responsible for scrutinising safeguarding arrangements across the borough. The CSCP is an independent body and challenges and holds to account the organisations working with children and young people in Croydon. The Children and Families Partnership and the CSCP work together to ensure that children and young people in Croydon are safe.

Complex Adolescents Panel (CAP)

The CAP is a multi-agency panel (incorporating MACE) which hears individual cases for children and young people who have been assessed as having a child exploitation episode to enable practitioners to share information, gather intelligence and help to determine the best way to manage the risk presented.

Domestic Abuse and Sexual Violence Group (DASV)

This group exists to have a strategic oversight of multi-agency responses to domestic abuse within Croydon, working in partnership to provide scrutiny to progress on the delivery of the DASV strategy and ensure the multi-agency management of domestic abuse is victim focused, efficient and effective.

The group brings together managers from key agencies and services whose remit has a direct impact on the domestic abuse and sexual violence strategy. Members are committed to effective partnership working based on trust and open communication and are aware of and understand the organisational frameworks within which colleagues in different agencies work.

Gangs and Serious Youth Violence Group

Oversees the strategic delivery of the multi-agency response to tackling Serious Youth Violence and Gangs. This group also led on the VRU's Local Violence and Vulnerability Action Plans.

Integrated Offender Management Group

A multi-agency response to reduce re-offending; by targeting the most problematic offenders in the borough. The IOM framework helps to address the problems behind an offender's behaviour by effective information sharing across a range of partner agencies and jointly providing the right intervention at the right time.

Joint Action Group (JAG)

The JAG is a multi-agency problem solving group tackling anti-social behaviour. Member agencies include, Police Neighbourhood Cluster Inspectors, Youth Offending Services, Youth Outreach, Substance Misuse Outreach Services (for individuals displaying anti-social behaviour linked to alcohol and/or substance misuse) Croydon Connected (multi-agency gang team) Environmental Health

Teams, Council and Police ASB Team, Safer Transport Teams, Fire Service, UK Border Agency and Neighbourhood Watch.

Each problem location identified is dealt with by a dedicated team responsible for pulling together short term action plans based on problem solving techniques. These are monitored by the JAG and the Police Borough Tasking Group. On-going hot spot areas, for example the Town Centre, remain as core agenda items.

Multi Agency Public Protection Arrangements (MAPPA)

A Multi-agency meeting to manage the most serious offenders

PREVENT Strategy

Prevent is one of the four elements of CONTEST, the government’s counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism. The Home Office works with local authorities and a wide range of government departments, and community organisations to deliver the Prevent Strategy.

The Prevent Strategy:

- responds to the ideological challenge we face from terrorism and aspects of extremism, and the threat we face from those who promote these views
- provides practical help to prevent individuals from being drawn into terrorism and ensure they are given appropriate advice and support
- works with a wide range of institutions (including education, statutory services charities, online and health) where there are risks of radicalisation that we need to deal with.

You can [read the Prevent Duty Guidance for England and Wales on GOV.UK](#).

The Prevent team delivers work including:

- training for frontline staff in recognising, referring and responding to radicalisation
- projects to build capacity, increase resilience and improve understanding of extremism and radicalisation with partners such as schools, colleges, frontline staff, community groups, venues and parents
- Channel, a referral service for concerns, which acts as an early intervention service to safeguard vulnerable individuals from radicalisation.

PREVENT Board

To act as a strategic group in the identification of priorities which are in-line with the national priorities as outlined in the Prevent Strategy:

1. Working with vulnerable individuals,
2. Working with vulnerable institutions;
3. Challenging extremist ideology. This includes being responsible for the governance and scrutiny of Prevent’s Channel panel.

Risk and Vulnerability Management Panel (RVMP)

The RVMP is a meeting where information is shared on complex/high risk cases between various stakeholders. The purpose of the meeting is to work together to take appropriate action to prevent people with vulnerabilities being a victim and or perpetrator of crime and or ASB.

Violence against Women and Girls Forum

Quarterly forums to support VCS and grassroots organisations that provide support for victim/survivors of domestic abuse. Support with access to funding, share practice/trends. Organisations: Anos, BCWA, Lioness Circle, ARC, Hersana, Anima Youth, Cassandra Learning Centre, BME Forum, Encouraging Her, Walk With Me, Hestia

Youth Crime Board

The Youth Crime and Safety Board has a dual role in acting as the statutory governance board for the Youth Offending Service as well as the strategic board overseeing the delivery of the Youth Crime prevention Plan requires a partnership approach to ensure preventative measures are put into place across all partner agencies. It includes key statutory partners with a number of different council teams involved as well as representation from the voluntary and community sector.

REPORT TO:	Cabinet 15 November 2021
SUBJECT:	Governance of Brick By Brick Croydon Ltd.
LEAD OFFICER:	Peter Mitchell - Interim Director of Commercial Investment Richard Ennis - Interim Corporate Director Resources
CABINET MEMBER:	Councillor Hamida Ali - Leader of the Council
WARDS:	All
CORPORATE PRIORITIES 2020-2024	
This report is produced in the context of the Report in the Public Interest and the Croydon Renewal Plan and addresses the requirement for improved governance	
FINANCIAL IMPACT	
There is no direct financial impact arising from the recommendations of this report.	
FORWARD PLAN KEY DECISION REFERENCE NO.: This is not a Key Decision	

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

1. RECOMMENDATIONS

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

- 1.1 Approve the establishment of the Brick by Brick Shareholder Cabinet Advisory Board (the "Advisory Board") for the purposes and with the responsibilities described in this report.
- 1.2 Approve the appointment of the Leader (Chair), Cabinet Member for Resources & Financial Governance and Cabinet Member for Croydon Renewal to the Advisory Board, with other invited attendees as described in this report.
- 1.3 Approve the Terms of Reference for the Advisory Board set out at Appendix 1 to this report.
- 1.4 Approve the process for appointment and removal of directors from the Brick By Brick board of Directors in accordance with paragraph 3.14 of this report; and delegate authority to Corporate Director of Resources & Deputy Chief Executive in consultation with the Leader of the Council, Cabinet Member for Croydon Renewal and Chief Executive on appointments and removals of Directors of the board of Brick by Brick Croydon Ltd, who shall have authority to exercise shareholder functions on behalf of the Council to approve such appointments

and removals (any such appointments or removals shall be notified as part of the next scheduled report to Cabinet).

- 1.5 Delegate to the members of the Advisory Board the authority to exercise limited shareholder functions on behalf of the Council when making recommendations to Brick By Brick relating to risk in accordance with paragraph 3.8 (recognising, however, that Brick By Brick shall make its own independent decisions).

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to make recommendations for strategic oversight, supervision and monitoring to ensure good governance practice in relation to the Council's wholly owned company, Brick By Brick Croydon Ltd.
- 2.2 Good governance of Brick By Brick is an integral part of the governance arrangements of the Council, as the Council's investment in this company involves large amounts of public money and the stewardship of public resources.
- 2.3 Recommendation 20 of the Report in the Public Interest suggests that: 'The Cabinet and Council should review its arrangements to govern its interest in subsidiaries, how the subsidiaries are linked, the long-term impact of the subsidiaries on the Council's financial position and how the Council's and taxpayers interest is safeguarded.
- 2.4 As part of the on-going and wider measures that have been implemented and are ongoing concerning internal control measures. These have included reviewing those groups that meet as officers, providing technical expertise and guidance, how members are briefed and appraised to enable monitoring and challenge as well as member only bodies with decision making processes.
- 2.5 Aligned to this work there requires an advisory body which can regularly monitor, review and appraise the evolving matters of Brick by Brick, whilst maintaining Cabinets ultimate decision making authority, or delegating to this group or Officers with appropriate remit under the terms of the Councils scheme of delegation.
- 2.6 Cabinet on 26th July 2016 approved the governance arrangements for the Council's other Group companies, where it was agreed to establish the Croydon Companies' Supervision and Monitoring Panel ("CCSMP"). Brick by Brick has been considered separately to the Group governance arrangements because of the special attention required to supervise and monitor the Council's interest in Brick By Brick, which is currently being monitored by the Shareholder & Investment Board ("S&IB") along with regular reporting to Cabinet, currently on a quarterly basis.

3. DETAIL

- 3.1 As a result of the Report in the Public Interest and the Council issuing a Section 114 notice, the future of Brick By Brick had been under review. Cabinet decided on 12th July 2021 to proceed with a modified build out scenario of 23 Brick By Brick sites and rejected an offer to sell the company. Given the Council will continue to have an ongoing relationship with Brick By Brick, the arrangements to monitor the Council's interest in Brick By Brick has therefore been considered further.
- 3.2 Previously, monitoring of Brick By Brick was undertaken by the S&IB and annual reporting to Cabinet. The S&IB was originally a hybrid Member and officer group with a wider remit, which included Croydon Affordable Homes. Some shareholder decisions were also made by Cabinet Members. The previous terms of reference for this group is included at Appendix 2.
- 3.3 Whilst the future of Brick By Brick was being considered by Cabinet, the S&IB became a de facto Member consultation group with officers and Brick By Brick Directors attending in an advisory capacity and it convened more regularly. Shareholder decisions were also no longer made by Cabinet Members of the S&IB but were all referred to Cabinet for Cabinet to either decide or agree a specific delegation with appropriate consultation requirements.
- 3.4 Following Cabinet's decision on 12th July 2021, the ongoing need to monitor Brick By Brick in response to recommendations made by the Report in the Public Interest has been considered further to ensure that the Council implements appropriately open and transparent accountability of Brick By Brick's performance and that the Council's role as shareholder gives visibility to Cabinet and Council.
- 3.5 In order to address this, it is recommended that the Brick By Brick Shareholder Cabinet Advisory Board be set up, replacing the S&IB taking over the Brick By Brick functions, with the Croydon Affordable Homes element being monitored via oversight in the Capital Board and reporting via existing and current Cabinet members and governance routes (including CCSMP). This Advisory Board will be similar to the S&IB, which will cease, with some additional key differences, which will ensure greater scrutiny and oversight along with a Clienting function.

3.6 Role and remit:

The role of the new Advisory Board will be to help enable the Council to actively supervise and monitor its investment and relationship with Brick by Brick, including all financial and other transactions, particularly lending arrangements. The Advisory Board is recommended to only consider Brick By Brick in order to give this company the special attention required to supervise and monitor the Council's interest. Whereas the S&IB was originally intended to also cover Croydon Affordable Homes.

3.7 Membership:

The new Advisory Board is recommended to be Member only, to allow greater

Member oversight. Any officer attendance will be in an advisory capacity only. This is a change from the S&IB, which was originally a hybrid Member and officer group and this arrangement had the potential to blur the boundaries between the Member's role and the Officer's role.

3.8 Decision making and shareholder functions:

The new Advisory Board is recommended not to have any decision making powers and to dispense with any pre-existing delegations to Cabinet Members under the previous S&IB terms of reference and, instead, refer all decisions to Cabinet (or seek specific delegations from Cabinet). Although the Advisory Board is not intended to exercise shareholder reserved matters (as defined in the Articles of Association of Brick By Brick), it is recommended that, where appropriate, the Advisory Board (in the Council's capacity as Shareholder) should have the ability to highlight issues to Brick By Brick where doing so will promote the values of Brick By Brick and does not interfere with the legitimate rights of the Directors of Brick By Brick to exercise their general authority. Therefore a specific delegation to the members of the Advisory Board is recommended in order to carry out this function (recommendation 1.5). In exercising this function the members shall recognise that Brick By Brick will make its own independent decisions.

3.9 Client function:

The S&IB terms of reference envisaged that there would be a clienting group, however this does not appear to have been fully implemented, it is noted that one did commence in Autumn 2018 as a monitoring group but was not effective and this group evolved into the S&IB. The terms of reference for the new Advisory Board recommend a new client representative, the Director of Commercial Investment & Capital (new role), to allow a single point of contact for Brick By Brick and to facilitate regular reporting to the Brick By Brick Advisory Board. They shall also regularly brief the Cabinet Member for Resources & Financial Governance. Additionally, it is recommended that a new Brick By Brick Client Supervision & Monitoring Panel is implemented to enable consultation between the Director of Commercial Investment & Capital and relevant officers regarding the quarterly reporting to Cabinet.

3.10 Reporting:

In accordance with the Cabinet report of 12th July, Brick By Brick shall provide monthly reports to the Council, which shall be presented to Cabinet on a quarterly basis. These reports will also be presented to the Advisory Board when it meets, along with reports from the Director of Commercial Investment & Capital, which shall be prepared in consultation with relevant officers at the Brick By Brick Client Supervision & Monitoring Panel. This shall be in addition to regular briefings between the Director of Commercial Investment & Capital and the Cabinet Member for Resources & Financial Governance. A flowchart of meetings and reporting has been included at Schedule 3 of the draft terms of reference.

3.11 Transparency:

To demonstrate openness and transparency (but subject to any overriding legislative requirements, confidentiality or commercial sensitivity) the minutes of the Advisory Board shall be made available as part of the quarterly Cabinet reports. Any commercially sensitive items can be set out in a Part B of any Cabinet reports.

3.12 Good governance principles:

The good governance principles, as set out in the Governance paper presented to Cabinet on 26th July 2021, have also been included in the terms of reference for the Advisory Board.

3.13 Meetings of the Advisory Board shall:

It is proposed that the Advisory Board meet on a six week rotation or as otherwise required and that its first meeting will be held within two months of Cabinet approval of this report's recommendations. The meetings shall be chaired by the Leader and be attended by the Directors of Brick By Brick and other officers as may be invited from time to time. The meetings shall operate according to the terms of reference as set out at Appendix 1.

3.14 Director appointments and removals:

3.14.1 At present, there are only two non-executive Directors of Brick By Brick. In accordance with the Articles of Association of Brick By Brick (as amended), this is the minimum number of Directors and there can be a maximum of four Directors (though this can be changed by ordinary resolution). The Board of Directors may comprise of an Executive Director (if appointed), Finance Director (if appointed) and Non-Executive Director(s).

3.14.2 It is likely that additional Directors will need to be considered in future, particularly given the minimum number of Directors are currently appointed. As such, it is recommended that Cabinet approve a process to appoint Directors. Given the minimum number of Directors are currently appointed, it would also be prudent to ensure any urgent appointments can be made and it is therefore recommended that authority in such circumstances should be delegated to the Director of Commercial Investment & Capital, in consultation with the Chief Executive and the Leader with any such appointments or removals being notified as part of the next scheduled report to Cabinet.

3.14.3 The process for the appointment of Directors is recommended to be:

- Brick By Brick Directors and the Director of Commercial Investment & Capital, consult to consider what expertise and skills are required;
- Brick By Brick draft a role description, to be approved by the Director of Commercial Investment & Capital;
- The Director of Commercial Investment & Capital shall approve any proposed remuneration (in a shareholder representative capacity);

- Brick By Brick advertise the role and run a recruitment process;
- Brick By Brick consult the Director of Commercial Investment & Capital regarding candidates and shortlisting;
- The Director of Commercial Investment & Capital shall be included on interview panels on behalf of the Council (in a shareholder representative capacity);
- Brick By Brick and the Director of Commercial Investment & Capital agree any offer;
- Appointment of Director following articles of association (by ordinary resolution of the shareholder) and the Cabinet delegation (as set out in this report, if approved)
- Outcome reported to Cabinet at its next scheduled Brick By Brick quarterly reporting

This recommended process ensures that there is a rigorous selection procedure and that both the Council and Brick By Brick collaborate. As part of this process, the Director of Commercial Investment & Capital may, where relevant, exercise shareholder functions on behalf of the Council.

3.15 Although CCSMP will have separate reporting and governance arrangements to Brick By Brick, when the Chief Executive reports to Cabinet in respect of Brick By Brick, Cabinet will also be asked to note the reports presented separately by the Chair of CCSMP on the Group companies to ensure holistic consideration of the Council's Group entities.

4. CONSULTATION

4.1 The Leader, Cabinet Member for Resources & Financial Governance and Cabinet Member for Croydon Renewal have been consulted as part of the Shareholder and Investment Board along with the Directors of Brick By Brick.

5 PRE-DECISION SCRUTINY

5.1 This report has not been referred to Overview and Scrutiny Committee prior to being presented to Cabinet.

6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

6.1 There are no immediate or additional financial consequences arising directly from the report. The costs of the new Advisory Board will be met from existing budgets.

The proposals should enable the Council to act more dynamically and strategically in response to issues or concerns affecting Brick By Brick, preventing or mitigating against procedural or financial failures.

6.2 Approved by: Nish Popat, Head of Finance (Corporate & Treasury Management).

7. LEGAL CONSIDERATIONS

7.1 The Head of Commercial and Property Law comments on behalf of the Director of Law and Governance that the recommendations in this report seek to address Recommendation 20 of the Report in the Public Interest in respect of its interest in Brick By Brick Croydon Ltd and complement the supervision and monitoring group already established for the wider Group companies (CCSMP).

7.2 Approved by Nigel Channer, Interim Head of Commercial and Property Law on behalf of the Interim Director of Law and Governance

8. HUMAN RESOURCES IMPACT

8.1 There are no immediate HR considerations arising from this report for Croydon Council employees or staff. If any should arise, these will be managed under the Council's policies and procedures.

8.2 Approved by: Gillian Bevan, Head of Human Resources (Resources & ACE).

9. EQUALITIES IMPACT

9.1 The proposed changes reflected in the recommendations are designed to improve the Council's internal processes for governance of Brick By Brick in which it has an ownership interest. The nature of such proposals will be neutral in terms of impact on groups that share protected characteristics

9.2 Approved by: Denise McCausland, Equalities Programme Manager.

10. ENVIRONMENTAL IMPACT

10.1 There are no environmental impacts arising from this report

11. CRIME AND DISORDER REDUCTION IMPACT

11.1 There are no crime and disorder impacts arising from this report

12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

12.1 The report makes recommendations for good Council governance practice in relation to Brick By Brick, the Council's wholly owned company.

13. OPTIONS CONSIDERED AND REJECTED

13.1 Options considered:

Do Nothing – this will not address the findings and recommendations of the Report in the Public Interest and fails to implement improved governance practice - Not recommended

Include Brick By Brick within CCSMP's remit

Advantage: holistic oversight of all Group companies.

Disadvantage: Risks the majority of CCSMP's time being spent on Brick By Brick, given the special attention required and therefore not applying adequate resource to monitoring other Group companies

Not recommended. The advantage of holistic oversight can be achieved by Cabinet as they will be asked to note the reports regarding Brick By Brick when considering reports from CCSMP and vice versa.

Officer only (ELT/ Senior Officers) group

Advantages:

- Allows the Group to be more operational and task focused
- Preserves the role of the Member with regards to strategy setting and agreeing and not inadvertently becoming responsible for operational implementation.
- Can be more flexible and responsive than a Board involving Members where urgent recommendations are required to be made to Cabinet or urgent matters need to be considered.

Disadvantages:

- Members not feeling sighted enough prior to formal reports being presented to Cabinet
- Risk of officer's formulating recommendations not then agreed by the Executive
- Need to arrange and ensure key Members / relevant portfolio holders are sighted in some form and have opportunity to comment prior to Cabinet recommendations being finalised.

Not recommended. The advantage of a more operational and task focused matters can still be achieved in an officer forum i.e. the Brick By Brick Client Supervision & Monitoring Panel

Member & Officer group

Advantages:

- Ensures through joint development of recommendations that those are more likely to be approved when presented for final decision
- Same advantages as a Member group:
 - Ensures full Member oversight and involvement from an early stage and ensure Member accountability for decisions made

- Enables Members to account wider Policy and corporate priorities in formulating recommendations for Cabinet

Disadvantage:

- Confuses and blurs the boundaries between the Members role and the Officer's role & potentially causes confusion as to responsibility

Not recommended. This arrangement would be the same as the previous governance. Officer input can be achieved in an advisory capacity at a Member board, which makes the roles and responsibilities clear.

14. DATA PROTECTION IMPLICATIONS

14.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

NO

14.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

NO - The Interim Director of Commercial Investment and Capital comments that the implementation of proposals does not involve processing of personal data.

14.3 Approved by: Peter Mitchell, Interim Director of Commercial Investment and Capital

CONTACT OFFICER:

Peter Mitchell, Interim Director of Commercial Investment.

APPENDICES TO THIS REPORT

Appendix 1 - Terms of reference

Appendix 2 – previous terms of reference

BACKGROUND PAPERS

None.

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1. Overview
2. Membership
3. Purpose
4. Operation of the Board

1. Overview

- 1.1 The Brick By Brick Shareholder Cabinet Advisory Board (the Board) is constituted as a Member group to help enable the Council to actively supervise and monitor its investment and relationship with its wholly owned company Brick by Brick Croydon Limited ('BBB'), including all financial and other transactions it has with BBB, particularly lending arrangements.
- 1.2 The Board is not a decision making body and decisions shall continue to be recommended to Cabinet by the Chief Executive or decided under specific delegated authority from Cabinet where relevant. This includes recommendations in relation to those matters set out at Schedule 1 (the Shareholder Reserved Matters) of these Terms of Reference and all other residual rights that the Council has as shareholder under the Articles of Association of BBB or as a matter of law.
- 1.3 These Terms of Reference shall be adopted following Cabinet approval.

2. Membership

- 2.1 The Board is constituted of the following Members:-

- Leader (Chair)
- Cabinet Member for Resources & Financial Governance
- Cabinet Member for Croydon Renewal

The following officers, or their deputies where necessary, will attend the Board in an advisory capacity but are not members:

- Chief Executive
- Corporate Director Resources (S151 & Deputy CEO)
- Corporate Director Sustainable Communities, Regeneration & Economic Recovery
- Director of Commercial Investment & Capital (the BBB Client representative)
- Director of Legal Services (Monitoring Officer)

- 2.2 The Board will also be supported by advisors representing the following disciplines within the Council: Finance, Legal, Housing & Assets. The Board will also receive regular update reports from the Council's Brick By Brick Client Supervision & Monitoring Panel alongside monthly reports from BBB. The Board will also call on external expertise as and when required.
- 2.3 BBB will be invited to report to the Board as and when required but is not a member of the Board. To enable full and frank discussion and advice between elected Members, officers of the Council and advisors, BBB may be excluded from attendance and taking part in certain discussions. The Agenda will indicate where this is likely to be required and any exclusion will be reflected in the minutes of that meeting.
- 2.4 The Board's business is part of the private business of the Council and it is envisaged that commercially sensitive information will be discussed. However in the spirit of openness and transparency (but subject to any overriding legislative requirements, confidentiality or commercial sensitivity) the minutes of the Board shall be made available in the public domain as part of the quarterly Cabinet reports by the Chief Executive. Any external advisors to the Board are to be reminded of this prior to attendance at the Board.
- 2.5 Where a Board Member or other attendee has an actual or potential conflict of interest arising in relation to the business to be conducted at the Board, that Board Member or attendee will make nature and extent of the conflict known to the Board in advance of any planned meeting and prior to any business being conducted at a meeting. The Chair, taking advice from the Director of Law and Governance, will decide whether the conflict is prejudicial (so as to preclude that individual from taking part in the meeting or discussion of the relevant item). This does not override the obligation on Members to have full regard to the Council's Code of Conduct and exercise their own judgement as to whether they have a disclosable pecuniary interest or other interest that should prevent them from taking part in discussions. Details of conflicts, related advice and considerations shall be recorded within the minutes of the relevant meeting. In the event that the Chair is unable to take part in a discussion or meeting due to a conflict of interest, the meeting will be Chaired by one of the two remaining Cabinet Members.

3. Purpose of the BBB Supervision & Monitoring Board

Shareholder Reserved Matters

- 3.1 The Board has been established to provide a formal mechanism and structure to facilitate discussions concerning BBB, its performance and delivery. The Board assists with recommendations being presented to Cabinet to make such decisions as are required or appropriate to make in its capacity as sole shareholder of BBB. The Board also facilitates consultation requirements of any specific delegated authority from Cabinet to make decisions regarding BBB where relevant. Decisions in respect of the Shareholder Reserved Matters at Schedule 1 of these Terms of Reference are for recommendation from the Chief Executive to Cabinet or under specific delegated authority from Cabinet where relevant.

- 3.2 Any residual matters not specifically captured by Schedule 1 (Shareholder Reserved Matters) but considered to be a matter for the Shareholder to decide, either within the Articles of Association of BBB, as a matter of good governance or as a matter of law, will also be for recommendation from the Chief Executive to Cabinet (unless otherwise specifically delegated by Cabinet).

Appointment and Removal of Directors

- 3.3 In addition to the above, and not specifically referred to under Shareholder Reserved Matters but covered under Article 19 of the Company's Articles of Association, the Council as shareholder has the power to remove Directors from BBB and appoint Directors to BBB (subject to the proviso that there can be no fewer than 2 Directors and no more than 4 Directors under the Articles of Association as presently constituted). The Corporate Director of Resources & Deputy Chief Executive in consultation with the Leader of the Council, Cabinet Member for Croydon Renewal and Chief Executive has delegated authority (including authority to exercise shareholder functions on behalf of the Council) to appoint or remove Directors of BBB in accordance with Cabinet's approved process, where relevant (decision of 15th November 2021). Any such appointments or removals being notified as part of the next scheduled quarterly report to Cabinet.

Monitoring the Council's Investment

- 3.4 Whilst acknowledging the operational and commercial independence of BBB from the Council, the Council nevertheless has an interest and a duty to monitor the performance and success of its investment as Shareholder of BBB and as lender. The Board will therefore carry out that function, and assist with reporting to Cabinet on a quarterly basis. In particular, the Board will monitor the development and implementation of BBB's Business Plan and will consider any proposed variations to the Business Plan put forward by BBB. The Board will also monitor any risks associated with the operations and performance of BBB. In that regard, the Board will not only review BBB's Annual Report but will also receive reports from the Council itself in the Council's role as lender, purchaser of properties and seller of land.
- 3.5 Where appropriate, and again whilst acknowledging the operational and commercial independence of BBB, the Board shall ensure that any recommendations to Cabinet (or decisions under delegated authority) have evaluated the return and the benefits of its investment against the values of the Council and intended outcomes of their investment and any wider impact on the Council and its residents. Where appropriate, the Board (in the Council's capacity as Shareholder) may highlight issues to BBB where doing so will promote the values of BBB and does not interfere in the legitimate rights of the Directors of BBB to exercise their general authority. The Board may make any recommendations it considers appropriate in that regard, however, the Board recognises BBB shall make its own independent decisions.

Governance

- 3.6 The Board shall seek to uphold the principles of good governance set out at Schedule 2 (Good Governance Principles) when conducting meetings and assisting with recommendations to Cabinet.

4. Operation of the Board

- 4.1 The Board shall meet on a six week rotation or as otherwise required (to align with quarterly Cabinet meetings). Meetings shall be convened and administered by the Leader's office and shall be chaired by the Leader.
- 4.2 The quorum of the meeting shall be a minimum of two Board members and one of whom must be the Chair or in the Chair's absence a deputy appointed by the Chair.
- 4.3 The Board will consider any of the matters under its purview as set out elsewhere in this paper and recommendations shall be made by the Chief Executive to Cabinet (or under specific delegated authority, where relevant). Where the Board is unable to reach consensus on a proposed recommendation to be made, a summary of the differing views shall be presented to Cabinet.
- 4.4 Any recommendations, if specifically requested by the Board, be reported to a General Meeting of BBB by any person authorised by the Board to attend the General Meeting on behalf of the Board and to represent the Council as Shareholder but such person will normally be the Chair of the Board.
- 4.5 The Board will invite a report from the Director of Commercial Investment & Capital (the BBB Client representative), prepared in consultation with relevant Council officers as part of the Brick By Brick Client Supervision & Monitoring Panel, which shall typically cover each of the following subjects at each meeting:-
 - a. Finance: The status of loans made to BBB including outstanding loan amounts, accrued interest, draw down requests (and their status), breaches of covenants, recycled sales receipts, payments received in the last quarter and any loan agreement modifications
 - b. Assets: Progress of sales of land, progress with the Council's purchase of units from BBB and updates on the Option Agreements
 - c. Housing: Progress with regards to the delivery of HRA housing
 - d. Law & Governance: Highlighting any legal issues with particular regard to any decision making & general compliance issues including completion of any necessary legal documentation arising out of the relationship with BBB.
- 4.6 In addition the Board will receive for information and consider at each of its meetings the monthly reports providing updates on BBB's financial position, progress with development of sites, sales, any key contractual issues and any other relevant matter (as needed), which shall further be presented to Cabinet on a quarterly basis. Such reports may include any relevant BBB board papers, minutes and reports as well as any other reports required by the Board to enable it to carry out its function of considering shareholder related matters.
- 4.7 A flowchart setting out the overall reporting lines and various meetings is included at Schedule 3 (BBB Meetings & Reporting Flowchart).
- 4.8 The Board will also invite BBB to present regular updates on the implementation of its Business Plan and to submit to the Board for review and comment the proposed

final Annual Report, the draft Annual Business Plan and any proposed amendments to the existing Business Plan. BBB will also report on any other matters directly relevant to the Shareholder Reserved Matters in respect of which the Council needs to make a decision.

- 4.9 The Chair will approve the agenda for each meeting. The agenda and papers for each meeting will be circulated at least 5 working days prior to the meeting. The meeting will be minuted by an Executive Officer or Executive Support Officer and the Leader will oversee the convening of the meeting.
- 4.10 In the event of urgency, a meeting may be convened at short notice on the recommendation of the Leader or, if an urgent recommendation is required to be made by the Chief Executive, this can be done by means of email communication. Where these urgency provisions are required to be used, the Leader's office shall seek to make any arrangements necessary to either convene the meeting or obtain email approvals to a proposed recommendation.
- 4.11 The Terms of Reference of this Board shall be reviewed annually or when required. It is envisaged that when BBB begins the process of winding up, these Terms of Reference for this Board shall be reviewed. Any changes to these Terms of Reference shall be unanimously approved by the Members of the Board and notified as part of the next scheduled report to Cabinet.

SCHEDULE 1 - SHAREHOLDER RESERVED MATTERS

- 1 Approval and adoption of each Business Plan (and any amendments/variations).
- 2 Alteration in the nature/scope of the Business, closing down/commencing any new business which is not ancillary or otherwise incidental to the business of the Company.
- 3 Declaring or paying any distribution in respect of profits, assets or reserves of the Company or in any other way reducing the reserves of the Company.
- 4 Forming any Company subsidiary or associated undertaking, acquiring shares in any other company or entity (subscription or transfer) such that the Company becomes a Subsidiary, entering into joint ventures or partnerships.
- 5 Alteration of authorised or issued partnership capital, or classification thereof, allotment of partnership capital or securities, granting options or rights to subscribe to the Company; issuing loan capital of the Company.
- 6 Waiving or delaying the rights of the Company and/or those of the Company to be exercised by the Company under any agreement to which the Company is a party.
- 7 Making any petition or passing any resolution to wind up the Company or making any application for an administration or winding up order or any order having similar effect in relation to the Company or giving notice of intention to appoint an administrator or file a notice of appointment of an administrator.
- 8 Changing the name of the Company.
- 9 Change in status of the Company.
- 10 The admission of a new Shareholder to the Company or the expulsion of any then existing Shareholder.
- 11 Entering into (or agreeing to enter into) any borrowing arrangement on behalf of the Company and giving any security in respect of any such borrowing (including creating any encumbrance over the whole or any part of the undertaking or assets of the Company or over any capital of the Company.¹
- 12 Taking any action outside the parameters of the Business Plans including but not limited to contract expenditure or increasing any indebtedness of the Company outside the parameters of the Business Plan.

¹ No Shareholder Board approval is needed in respect of such arrangements where they have already been the subject of a Council governance process and been formally approved by Cabinet.

- 13 Taking any action which constitutes a variation to the costs set out in the budget section of the Business Plan.
- 14 Acquiring, disposing or agreeing to acquire or dispose of any Company asset, any interest in any Company asset (including the exercise of an option) or any other land or buildings outside of the Business Plan.
- 15 Granting or entering into any license agreement or arrangement concerning the trading names of the Company and goodwill attached thereto.
- 16 Entry by the Company into any partnership or other profit share arrangement outside of the Business Plan
- 17 Contracting and/or entering into a commitment to contract expenditure outside the parameters of activity (as set out in the budget) contemplated by the Business Plans.
- 18 Giving a guarantee, suretyship or indemnity to secure the liabilities of any person or assume the obligations of any person.
- 19 Any other matters not covered within the Company's usual day-to-day business and within the scope of the Business Plans.

SCHEDULE 2 - Principles of Good Governance

- ❖ BBB will be provided with the freedoms to achieve its commercial and operational objectives.
- ❖ The Council will retain controls which enable it to protect its investment and ensure that its objectives are met.
- ❖ Appropriate business ethics will be enforced so that decisions are taken for the benefit of BBB and the Council, taking into account the Council's group of company entities, with directors acting for BBB, and the Board acting for the Council. Any interests (including competing interests between the Council and BBB, or between other Council companies) will be formally recognised and controlled
- ❖ Information will flow between the Council and BBB to ensure that mutual understanding and shareholder / company objectives are maintained. In particular the Council should:
 - set out its objectives and priorities at the outset and keep these under review – any changes will be timely, proportionate, commercially realistic and part of the annual review;
 - define and communicate clear roles for its representatives who meet with BBB and these meetings will have an agenda and be minuted;
 - engage with BBB to understand, record and analyse the unit costs of the entity's deliverables as key performance indicators (KPIs) and its effect on Council and other Council companies' KPIs (incorporating factors such as interest payments, tax savings, business rates, savings/contributions on connected council activities and effect on the economy), companies will be reviewed annually – these reviews together with triennial reviews will be a mechanism for considering change in investment and funding;
 - engage with the other Council company entities to understand and support it in relation to resourcing, including staffing, working capital, the investment cycle, cashflow, and retained profits;
 - maintain a joint risk register to ensure risks are managed across the Council companies, and engage with the entity to plan assurance requirements.
 - set out clear and consistent processes with commercial timescales for key decisions such as loans;
 - ensure that commercial confidentiality of sensitive information is maintained and agree a non-disclosure agreement where appropriate.

BBB shall be required to:

- engage with the Council in a timely fashion, keeping it well informed, where it requires funding or other support from the Council
 - communicate any commercial timescales and sensitivities
 - provide the information required in its agreements with the Council as part of its normal reporting cycle
 - engage effectively with the Council's assurance providers
-
- ❖ Directors of BBB must act for the entity, declaring and avoiding any actual or apparent conflict of interest. BBB should have skills appropriate to the sector and roles. To ensure this is achieved the Board of Directors should have mandatory training including induction, an annual training programme and guidance notes. An

annual skills audit and triennial independent review should be used to support the BBB Board of Directors and identify appropriate external expertise

- ❖ Council nominated directors and member representatives to receive mandatory training on an annual basis and appropriate indemnity arrangements to be ensured

When Financing a Company

The Council, when financing a company, will set in place controls to enable it to protect its investment and achieve its objectives.

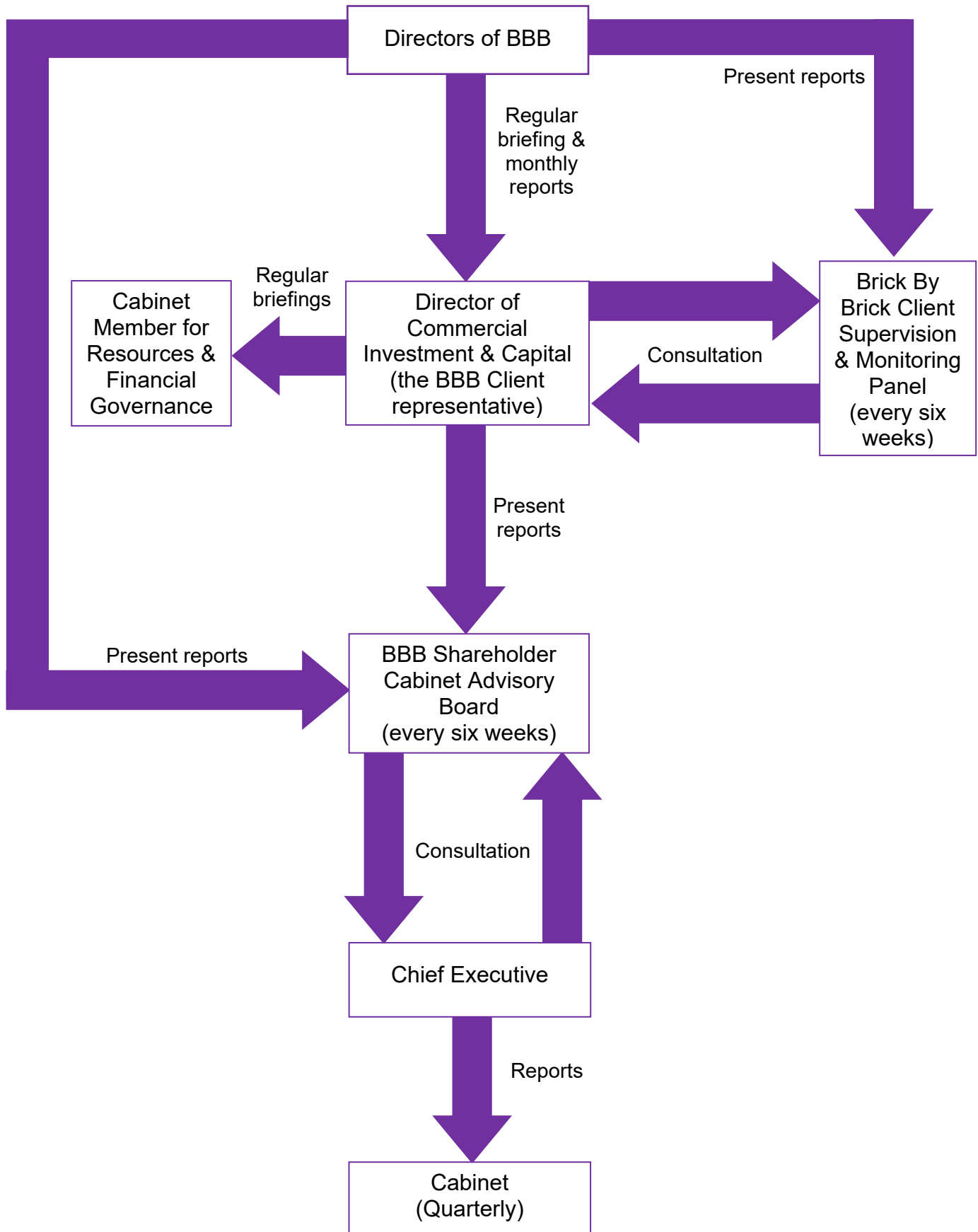
Initially:

- The Council is required to consider a business case and risk analysis in deciding whether the entity should proceed to trade.
- The Council has the right to appoint board members.
- Participation in any legal entity will require approval by Cabinet
- A shareholder's or member's agreement can be used to set out decisions which the company directors can only make with approval or oversight of the Council.

These might include:

- the right to approve substantial changes in the company's business plan;
- monitoring and evaluation of company reporting (there is a need to ensure that that 'advice' does not extend to any form of management of the company);
- Access to information, financial reporting and monitoring provision is required eg to ensure that commercial agreements such as loans and service contracts are adhered to.

SCHEDULE 3 – BBB MEETINGS & REPORTING FLOWCHART



Shareholder and Investment Board

Terms of reference

OUR
ORGANISATION

1. Overview
2. Membership
3. Purpose
4. Organisation of Shareholder Board

1. Overview

1.1 The Shareholder and Investment Board is constituted as an advisory steering group to help enable the Council to carry out its role as shareholder in relation to Brick by Brick Croydon Limited ('the Company') and in particular to monitor the Council's investment as shareholder of the Company and to recommend to Cabinet those matters set out at Schedule 1 of these Terms of Reference and to recommend to the Cabinet Member for Homes and Gateway Services the exercising of those matters set out at Schedule 2 to these Terms of Reference any and all other residual rights that the Council has as shareholder under the Articles of Association of the Company or as a matter of law.

1.2 The Shareholder and Investment Board is effective from the 14th of October 2019.

2. Membership

2.1 The Shareholder and Investment Board is constituted of the following Members:-

- Cabinet Member for Homes & Gateway Services (Chair)
- Cabinet Member for Finance & Resources
- Cabinet Member for Environment, Transportation and Regeneration (the Lead Cabinet Member for Planning & Regeneration)
- Executive Director Resources & Monitoring Officer
- Director of Finance and Section 151 Officer
- Director of Law & Governance

2.2 The Board will also be supported by advisors representing the following disciplines within the Council; Finance, Legal, Housing & Assets. The Board will also receive regular update reports from the Council's 'BBB/Croydon Affordable Homes' monitoring group established by the Executive Director Gateway. The Board will also call on external expertise as and when required.

- 2.3 BBB will be invited to report to the Board as and when required but is not a Member of the Board. To enable full and frank discussion and advice between officers of the Council, advisers and elected Members, BBB may be excluded from attendance and taking part in certain discussions. The Agenda will indicate where this is likely to be required.
- 2.4 The Board's business is part of the private business of the Council in its capacity as shareholder and Members, officers and advisers are subject, to any overriding legislative requirements, to treat the business of the Board as confidential and commercially sensitive. Any external advisers to the Board are to be reminded of this prior to attendance at the Board.
- 2.5 Where a Board member or other attendee has a conflict of interest arising in relation to the business to be conducted at the Board, that Board member or attendee will make the conflict known to the group and the Chair, taking advice from the Director of Law and Governance, will decide whether the conflict is trivial (so as not to preclude that individual from taking part in the item) or non-trivial (so as to preclude that individual from taking part on the item).
- 2.6 In so far as the Vice Chair of the Council's Planning Committee is a Board Member through being the lead Cabinet Member for Planning & Regeneration) that of itself is not considered to be a conflict of interest and will not require declaration at the meeting. In the unlikely event that specific planning application related issues do arise at the Board for discussion, the lead Cabinet Member for Planning & Regeneration will consider whether it is appropriate to take part in the discussions (bearing in mind the Planning Code of Good Practice). The Director of Law & Governance may be called upon to give advice where necessary.

3 Purpose of the Shareholder and Investment Board

Shareholder Reserved Matters

- 3.1 The Board has been established to provide a formal mechanism and structure to facilitate and enable the Council to make such decisions as are required or appropriate to make in its capacity as shareholder of the Company. In particular, the Board is established so as to make recommendations to either Cabinet or the Cabinet Member for Homes and Gateway Services depending on the nature of the proposed decision. Those Shareholder Reserved Matters at Schedule 1 of these Terms of Reference are for recommendation from the Board to Cabinet. Those Shareholder Reserved Matters at Schedule 2 of these Terms of Reference are for recommendation from the Board to the Cabinet Member for Homes and Gateway Services.
- 3.2 Any residual matters not specifically captured by Schedule 1 or Schedule 2 but considered to be a Shareholder decision matters either within the Articles of Association or as a matter of law, will be for recommendation from the Board to the Cabinet Member for Homes and Gateway Services.

Appointment and Removal of Directors

- 3.3 In addition to the above, and not specifically referred to under Shareholder Reserved Matters but covered under Article 19 of the Company's Articles of Association, the Council as shareholder has the power to remove Directors from the Company and appoint Directors to the Company (subject to the proviso that

there can be no fewer than 2 Directors and no more than 4 Directors under the Articles of Association as presently constituted). The Board shall therefore recommend to the Cabinet Member for Homes and Gateway Services the appointment and removal of Directors to the Company.

Monitoring the Council's Investment

3.4 Whilst acknowledging the operational and commercial independence of the Company from the Council, the Council nevertheless has an interest and a duty to monitor the performance and success of its investment as shareholder in the Company and the Board will carry out that function. In particular, the Board will monitor the development and implementation of the Company's Business Plan and will consider any proposed variations to the Business Plan put forward by the Company. The Board will also monitor any risks associated with the operations and performance of the Company. In that regard, the Board will not only review the Company's Annual Report but will also receive reports from the Council itself in the Council's role as lender, purchaser of properties, supplier of services and seller of land.

3.5 Where appropriate, and again whilst acknowledging the operational and commercial independence of the Company, the Council will evaluate the return and the benefits of its investment against the values of the Council and where appropriate highlight issues to the Company where doing so will promote the values of the Council and does not interfere in the legitimate rights of the Directors of the Company to exercise their general authority. The Board will make any recommendations it considers appropriate in that regard.

4. Operation of the Board

4.1 The Board shall meet on a six week rotation or as otherwise required.

Meetings shall be convened and administered by the Director of Law and Governance and shall be chaired by the Cabinet Member for Homes and Gateway Services

4.2 The quorum of the meeting shall be a minimum of three Board members at least two of whom must be Cabinet Members and one of whom must be the Chair or in the Chair's absence a deputy appointed by the Chair.

4.3 The Board will make recommendations on any of the matters under its purview as set out elsewhere in this paper and shall make those recommendations to the Cabinet Member for Homes and Gateway Services (the Chair). Where the Board is unable to reach consensus on a recommendation to be made, a summary of the differing views shall be presented to the Leader and political Cabinet

4.4 Any recommendations made by the Board can, if specifically requested by the Board, be reported to a General Meeting of the Company by any person authorised by the Board to attend the General Meeting on behalf of the Board and to represent the Council as Shareholder but such person will normally be the Chair of the Board.

4.5 The Board will invite papers from relevant Council officers but will typically receive a report on each of the following subjects at each meeting:-

- a. Finance: The status of loans made to the Company including outstanding loan amounts, accrued interest and payments received in the last quarter
 - b. Assets: Proposed sales of land to the Company including updates on exercise of Option Agreements and any matters/relevant discussion arising out of the Asset Acquisition Group activities
 - c. Housing: Progress with regards to the delivery of Affordable rented housing being held through the Croydon Affordable Homes vehicle (including associated vehicles) and progress with regards to the delivery of HRA housing. Any matters/relevant discussions arising out of the BBB/Croydon Affordable Homes Clienting Group
 - d. Law & Governance: Highlight report with particular regards to any decision making & general compliance issues including completion of any necessary legal documentation arising out of the relationship with the Company.
- 4.6 In addition the Board will receive for information and consider at each of its meetings any relevant BBB board papers and reports as well as any other reports required by the Board to enable it to carry out its function of considering shareholder related matters.
- 4.6 The Board will also invite the Company to present regular updates on the implementation of its Business Plan and to submit to the Board for review and comment the proposed final Annual Report, the draft Annual Business Plan and any proposed amendments to the existing Business Plan. The Company will also report on any other matters directly relevant to the Shareholder Reserved Matters in respect of which the Council needs to make a decision.
- 4.7 The Chair will approve the agenda for each meeting. The agenda and papers for each meeting will be circulated at least 5 working days prior to the meeting. The meeting will be minuted by an Executive Officer or Executive Support Officer and the Director of Law & Governance will oversee the convening of the meeting.
- 4.7 In the event of urgency, a meeting may be convened at short notice on the recommendation of the Cabinet Member for Homes and Gateway Services or, if an urgent recommendation is required to be made by the Board, this can be done by means of email communication. Where these urgency provisions are required to be used, the Cabinet Member for Homes and Gateway Services will request the Director of Law and Governance to make any arrangements necessary to either convene the meeting or obtain email approvals to a proposed recommendation.
- 4.8 The Terms of Reference of this Board will be reviewed at least annually and future consideration will be given to expanding the remit of the Board to include oversight of other Council owned companies and/or Limited Liability Partnerships of which the Council is a member.

(Approved by Shareholder and Investment Board on 25 November 2019)

SCHEDULE 1

SHAREHOLDER RESERVED MATTERS

- 1 Approval and adoption of each Business Plan (and any amendments/variations).
- 2 Alteration in the nature/scope of the Business, closing down/commencing any new business which is not ancillary or otherwise incidental to the business of the Company.
- 3 Declaring or paying any distribution in respect of profits, assets or reserves of the Company or in any other way reducing the reserves of the Company.
- 4 Forming any Company subsidiary or associated undertaking, acquiring shares in any other company or entity (subscription or transfer) such that the Company becomes a Subsidiary, entering into joint ventures or partnerships.
- 5 Alteration of authorised or issued partnership capital, or classification thereof, allotment of partnership capital or securities, granting options or rights to subscribe to the Company; issuing loan capital of the Company.
- 6 Waiving or delaying the rights of the Company and/or those of the Company to be exercised by the Company under any agreement to which the Company is a party.
- 7 Making any petition or passing any resolution to wind up the Company or making any application for an administration or winding up order or any order having similar effect in relation to the Company or giving notice of intention to appoint an administrator or file a notice of appointment of an administrator.
- 8 Changing the name of the Company.
- 9 Change in status of the Company.
- 10 The admission of a new Shareholder to the Company or the expulsion of any then existing Shareholder.
- 11 Entering into (or agreeing to enter into) any borrowing arrangement on behalf of the Company and giving any security in respect of any such borrowing (including creating any encumbrance over the whole or any part of the undertaking or assets of the Company or over any capital of the Company).¹

¹ No Shareholder Board approval is needed in respect of such arrangements where they have already been the subject of a Council governance process and been formally approved by Cabinet.

SCHEDULE 2

SHAREHOLDER RESERVED MATTERS

- 12 Taking any action outside the parameters of the Business Plans including but not limited to contract expenditure or increasing any indebtedness of the Company outside the parameters of the Business Plan.
- 13 Taking any action which constitutes a variation to the costs set out in the budget section of the Business Plan.
- 14 Acquiring, disposing or agreeing to acquire or dispose of any Company asset, any interest in any Company asset (including the exercise of an option) or any other land or buildings outside of the Business Plan.
- 15 Granting or entering into any license agreement or arrangement concerning the trading names of the Company and goodwill attached thereto.
- 16 Entry by the Company into any partnership or other profit share arrangement outside of the Business Plan
- 17 Contracting and/or entering into a commitment to contract expenditure outside the parameters of activity (as set out in the budget) contemplated by the Business Plans.
- 18 Giving a guarantee, suretyship or indemnity to secure the liabilities of any person or assume the obligations of any person.
- 19 Any other matters not covered within the Company's usual day-to-day business and within the scope of the Business Plans.

REPORT TO:	Cabinet 15 November 2021
SUBJECT:	1st Quarterly update on progress of performance for Brick by Brick Croydon Ltd.
LEAD OFFICER:	Katherine Kerswell - Chief Executive Richard Ennis – Interim Corporate Director of Resources
CABINET MEMBER:	Councillor Hamida Ali - Leader of the Council Councillor Stuart King - Cabinet Member for Croydon Renewal
COUNCIL PRIORITIES 2020-2024	
Delivery of the Croydon Renewal plan, to minimise the financial impact to the Council of Brick by Brick Croydon Ltd and to report on progress on delivery of actions previously identified.	
FINANCIAL IMPACT	
This report provides a progress update on Brick by Brick Croydon Limited (Brick by Brick/ BBB) on the various decisions the Cabinet took in February 21, May 21 and July 21 Cabinet reports on the company.	
The report also provides an update on the financial performance of the Company for 2021/22 including progress being made on the repayment of the loan the Council has with the Company.	
FORWARD PLAN KEY DECISION REFERENCE NO.: This is not a Key Decision.	
1. CABINET RECOMMENDATIONS	
Cabinet is recommended (acting, where relevant, on behalf of the Council exercising its functions as sole shareholder of Brick by Brick Croydon Ltd) to:	
1.1 Note that BBB has not needed to call upon the additional £10m working capital facility that was requested within July 2021 Cabinet Report	
1.2 Note that the Council has now shared a draft Protocol with Brick by Brick on the disposal of 5 out of 6 sites that were approved for disposal in the July 2021 Brick by Brick Cabinet report and this is close to being finalised so that the assets can be progressed to be marketed. Details are provided within section 4.	
1.3 Note the change in consideration on the Belgrave & Grosvenor site, as detailed in Section 4 in order that a detailed due diligence and assessment of regeneration opportunities for the site can be carried out for the benefit of the Council. Further approval will be sought from Cabinet in the event that the outcome of the assessment favours development rather than disposing the site.	
1.4 Note the progress being made on repayment of the loan as advised within the confidential Part B, Appendix 1, of this report. As at end of August 2021, it is	

envisaged that the Company will pay £139m back to the Council against an outstanding loan balance of £161m.

- 1.5 Note that, in accordance with the February and July Cabinet reports, sales receipts have been recycled by Brick by Brick and to total of £17.18m
- 1.6 Note that (if approved) the Governance and Performance monitoring of Brick by Brick will be carried out under Brick by Brick Shareholder Cabinet Advisory Board (the “Advisory Board”) as advised by the Governance of Brick By Brick Croydon Ltd report also being presented at the same Cabinet as this report.

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to provide Cabinet with a progress update on various decisions that the Cabinet made within the February, May and July 2021 Cabinet reports on Brick by Brick. Cabinet will note that previous reports highlighted some of the key challenges faced by the Company along with options the Council has been considering overcoming the challenges.
- 2.2 Previous reports on Brick by Brick have allowed the Council to inaugurate a clear strategy on the future of the company and this report seeks to provide the first holistic progress update on the actions and recommendations agreed by Cabinet.
- 2.3 The key areas of update this report details are:
 - 2.3.1 Progress on Disposal of 6 Sites that had not entered into contracts as agreed within the July 2021 Cabinet report
 - 2.3.2 Progress on delivery of the remaining 23 sites currently in contract
 - 2.3.3 Update to Cabinet as advised within the July Cabinet Report on the financial position of the Company and its ability to pay back the outstanding loan balance of £161.56m.
 - 2.3.4 Update on the amount of Capital Receipts generated by the Company and the amount that has been recycled since the start of the financial year
 - 2.3.5 Update on the drawdown of the additional working capital facility that was awarded as part of the May 2021 Cabinet report
 - 2.3.6 Update on the Council’s acquisition of 104 residential units from Brick by Brick
- 2.4 It is important that the Council as the shareholder and the lender to Brick by Brick continue to focus on the corrective actions that have been identified through various external advisor engagements. This mainly includes the recommendations as advised within the original PwC findings on Council Companies presented to Cabinet in February and the RIPI Recommendations as advised by the Council’s external auditor, Grant Thornton.
- 2.5 The Council has implemented regular Brick by Brick Shareholder and Investment meetings, which meet on a monthly basis. These meetings will now (if approved) become the Brick by Brick Shareholder Cabinet Advisory Board (the “Advisory

Board”) with the purposes and responsibilities described within the Governance of Brick By Brick Croydon Ltd report, being presented alongside this report as a separate Agenda item

- 2.6 The shareholder and investment board meetings has consisted a joint meeting between Senior Council Members & Officers with Brick by Brick Directors and representatives enabling a platform to track progress on performance of the company during this transition period.

3. Brick by Brick Resourcing

- 3.1 Consultation commenced on 9th September 2021 on restructuring staff resources within Brick By Brick to align roles with the reduced level of the development programme work available. There are 7 roles at risk in Phase 1, which concludes in January 2022, and a further 13 roles at risk in Phase 2, which will be in spring 2023. Action has been taken to secure the services of key staff so to reduce delivery risks for the company.
- 3.2 The company is also taking action to strengthen capacity by securing support from external companies, and has been engaging with the market in relation to ongoing development and sales support. Full HR considerations will be applied to the further support and ensuring this does not result in long-term costs to the company.
- 3.3 The company is working closely with the council to strengthen the board by recruiting additional non-exec directors with relevant development skills and knowledge. With the resignation of the current Chief Executive officer and other resignations, it is important that the Company have the right skills and experience to see through completion of the remaining sites.
- 3.4 The delegation to officers is requested to ensure the Council can appoint the directors before January 2022, as this is when the current Chief Executive will step down. Waiting for the next Cabinet meeting will risk delay and result in management gaps within the Company, which could affect delivery of the business plan.

4. Disposal of 6 Sites

- 4.1 The February 2021 Cabinet agreed that Brick by Brick would be funded to build out 29 sites, the majority of which were expected at that time to be completed by October 2021. At that time, it was assumed that works would commence on all sites. However, as indicated within the July 2021 update report the six sites had not commenced works on site. The 6 Sites are:

Site	No of units	Position as at end of July 2021
Academy	9	Not on site
Belgrave and Grosvenor	102	Not on site
Coombe road	9	Not on site
Eagle Hill	8	Not on site
Malton	9	Not on site
Regina road	19	Not on site

- 4.2 The work carried out by Savill's indicated that under the proposed schemes on these sites there was a higher risk of successful financial delivery, thus recommended the Council instruct Brick by Brick to cease development activity with these sites and a more pragmatic approach would be to dispose of in the open market. The decision not to deliver the full development cycle of these sites would reduce the Council's risk exposure, by disposing of the sites with the pre-construction development activity undertaken the Council may receive a larger receipt enabling Brick by Brick to pay down a larger element of the outstanding loan.
- 4.3 It was agreed by Cabinet that the sites would be marketed for sale on the basis that site ownership will either remain with Brick by Brick or transfer to the Council, whichever is most efficient for maximising value or the efficiency of the sale process.
- 4.4 A protocol has been drafted with Brick by Brick to ensure all parties are clear around the expectations of the process involved in the disposal. BBB will appoint marketing agents, approved by the Council. These will need to be procured in line with BBB's procurement process and governance and approved by the Council.
- 4.5 All proceeds, less direct disposal costs will be ring-fenced for repayment of the loan the Council has with Brick by Brick (in compliance with the Revised Loan Agreement), the funds will not be allowed to be recycled. The brief should enable bids for the freehold purchase of the sites either individually or collectively, whichever secures best receipt from reputable purchasers whom have proven ability to transact.
- 4.6 Of the six sites indicated in paragraph 3.1, Belgrave and Grosvenor, is the largest, likely to generate a significant value. Upon a subsequent review of the site on the grounds of potential future Council regeneration needs, it is best that this site is not sold immediately. It is therefore recommended that further due

diligence is carried out to assess potentially other usage of the site rather than a disposal. Should those options not generate the right level of opportunity the Council will seek to dispose of the site as previously approved.

- 4.7 The Council and Brick by Brick are finalising terms and the protocol to progress with marketing the five sites imminently. The Council has received commercial advice on the valuations of each site, which is commercially sensitive so not to damage the outcome of the marketing process by indicating expectations. These have been disclosed within Part B Appendix 1.

5. Progress update on delivery of 23 sites

- 5.1 Brick by Brick have made good progress on delivering their schemes and as indicated within the July Cabinet Report, 21 of the 23 sites are close to practical completion.
- 5.2 The company remains projected to deliver 752 residential units, 385 expected to be affordable homes.
- 5.3 Original anticipated practical completion for the majority of these sites was October 2021, three of these sites have slipped through to December 2021 for legal and technical reasons (planning, road closures and sub-contractor issues) which are all being managed effectively and have no current detrimental impact on the unit sales process, which continues in line with the performance management plan.
- 5.4 Brick by Brick have progressed well with their sales plan and have not experienced significant issues going to market with their completed units. This has provided the company with consistent cash flow, which has resulted in not needing extra Council funding.

6. Council's acquisition of 104 units from Brick by Brick

- 6.1 The transactional terms for the proposal for the Council to acquire 104 units (44 1-bedroom, 57 2-bedroom; 3 3-bedroom units) is progressing well.
- 6.2 Legal due diligence continues, with some planning matters remaining to be resolved (final signing of s106 agreements), land registration (application made and in progress) and GLA funding support issues being the outstanding issues to the commercial closure. The latter may have a minor financial impact on three units being acquired, but commercially this provides a satisfactory outcome for all parties and would be within parameters of the previous Cabinet report.

7. Financial Update

- 7.1 The July Cabinet report advised to Cabinet that a regular financial quarterly update will be provided and a large part of this update has been provided within the confidential Part B at Appendix 1.

- 7.2 It is important to note that whilst in the May Cabinet report Cabinet approved that the Council enter into an additional £10m working capital loan facility, that facility has not been entered into as Brick by Brick have felt comfortable managing their cash position from existing receipts. The Council and Brick by Brick will continue the work to enter into that additional working capital loan agreement as it felt that having the facility in place will provide the company with the cashflow needs should delays occur within the development cycle.
- 7.3 The Council has been receiving monthly financial information from Brick by Brick as required under the Revised Loan Agreement and in order for the company to fulfil its duties to the shareholder function; progress on the finances will be presented to the Brick by Brick Shareholder Cabinet Advisory Board on a monthly basis.
- 7.4 The July 2021 Cabinet report delegated approval to the Council's Section 151 Officer to recycle capital receipts generated by Brick by Brick into delivering the remaining sites. This was done to ensure that no further funding would be needed directly from the Council. As at the end of August 2021 Brick by Brick had recycled a total of £17.18m of receipts to cover ongoing development costs of the remaining sites.
- 7.5 There continue to be risks involved with the company within its development programme as well as company operations. The economic climate currently indicates significant challenges for the construction sector in terms of staff and building resources. This could impact on the delivery programme and timing of the capital receipts which could create further cash flow pressures. The development and operational challenges will be monitored through the Council's regular Shareholder and Investment Board meetings.

8. CONSULTATION

- 8.1 No formal consultation has been made on this report, other than factual accuracy checks with external third parties including with the Directors of Brick by Brick.

9. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 9.1 There are no direct costs associated with this report. However, as indicated within the confidential Part B appendix 1, in the event that not all debt held with Brick by Brick is paid off the Council will need to carry that debt for a period of 40 years and pay for it using the Minimum Revenue Provision. This will be an opportunity cost for the revenue budget as revenue resources will be used to pay down the debt rather than used for services.
- 9.2 The key financial exposure for the Council in relation to Brick by Brick is the £161million of loans that it has provided to the company, which includes accrued interest income. As of 2021/22, the Council started to provide for Minimum Revenue provision (MRP) within its General Fund revenue budget for the amount that the Council assessed to be at risk of non-payback.

- 9.3 The sale of the five unbuilt sites will result in receipts being returned to the Council, which will be used to pay back the outstanding debt and therefore help the Council's MTFS by reducing the need for MRP and bring down the Council's interest costs. The Council's 2022/23 MTFS has factored in the risks based on the financial position presented within Confidential Part B Appendix 1.
- 9.4 Approved by: Richard Ennis, Interim Corporate Director of Resources.

10. LEGAL CONSIDERATIONS

- 10.1 The Interim Head of Commercial and Property Law comments on behalf of the Interim Director of Law & Governance that the contents of this report are for Cabinet to note and no decisions have therefore been requested from Cabinet as part of this report.
- 10.2 Approved by: Nigel Channer, Interim Head of Commercial and Property Law on behalf of the Interim Director of Legal Services.

11. HUMAN RESOURCES IMPACT

- 11.1 There are no immediate HR considerations in this report for Council employees or staff. If any should arise these will be managed under the Council's policies and procedures.
- 11.2 Approved by: Gillian Bevan, Head of Human Resources (Resources & ACE).

12. EQUALITIES IMPACT

- 12.1 There are no equalities impacts arising from this report. However, the implications of the issues raised and how they are addressed may have an effect on the medium term financial plan. Any subsequent savings plans that have a staffing impact or impact on vulnerable and/or groups that share a protected characteristic will be subject to agreed HR procedures, formal consultation and equality analysis.
- 12.2 Any subsequent recruitment to Non-Executive Director roles will be in line with the fair recruitment policy of the Council and the interview panels will be diverse in accordance with the equality strategy.
- 12.3 Approved by: Denise McCausland, Equality Programme Manager

13. ENVIRONMENTAL IMPACT

- 13.1 There are no environmental impacts arising from this report

14. CRIME AND DISORDER REDUCTION IMPACT

14.1 There are no Crime and disorder reduction impacts arising from this report

15. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

15.1 The reasons for the decision are embedded within the report. The Council needs to ensure that it receives value for money on its assets and that the assets are made available for future needs whilst also reducing the council's financial exposure.

16. OPTIONS CONSIDERED AND REJECTED

16.1 The July 2021 Cabinet report indicated that the larger site should be disposed, however whilst that option is still possible the Council needs to consider other broader opportunities with the site to ensure it also meets future Council needs.

17. DATA PROTECTION IMPLICATIONS

17.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

17.2 **HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

NO

17.3 Approved by: Nish Popat, Head of Finance (Corporate & Treasury Management).

CONTACT OFFICER:

Peter Mitchell, Interim Director of Commercial Investment
Nish Popat, Interim Head of Corporate Finance.

APPENDICES TO THIS REPORT: All on restricted agenda

Appendix 1 – Confidential (Part B) Financial Analysis on Brick by Brick

BACKGROUND DOCUMENTS:

None.

Agenda Item 8

REPORT TO:	Cabinet 15 November 2021
SUBJECT:	Financial Performance Report – Month 6 (September 2021)
LEAD OFFICER:	Richard Ennis - Interim Corporate Director of Resources (Section 151) and Deputy Chief Executive
CABINET MEMBER:	Councillor Callton Young OBE Cabinet Member for Resources and Financial Governance Councillor Stuart King Cabinet Member for Croydon Renewal

SUMMARY OF REPORT:

This report provides the Council's annual forecast as at Month 6 (September 2021) for the Council's General Fund (GF), Housing Revenue Account (HRA) and the capital programme. The report forms part of the Council's financial management process of publically reporting financial performance against its budgets on a monthly basis.

FINANCIAL IMPACT

The Month 6 position is currently indicating a net overspend of £0.599m against budget – this represents a £0.685m adverse movement against the Period 5 forecast. This is before taking into account further risks and risk mitigations. In total, £10.464m (Month 5 £7.900m) of further risks (of which £0.874m relates to approved savings risks) are identified against which £11.866m (Month 5 £11.435m) of potential opportunities are identified and set out in the body of the report. Section 3 details these risks and risk mitigations and further discusses the impact on the General Fund if these were to materialise.

The HRA is indicating an overspend of £0.733m (Month 4 £0.742m) against budget. This overspend is further detailed within Section 5 of the report.

1. RECOMMENDATIONS

- 1.1 Cabinet are asked to note the General Fund is projecting a net adverse movement of £0.685m from Period 5. Service departments are indicating a £4.050m overspend (Month 5 £3.365m) with this being netted of as in the past five months against release of a one off Covid Grant (£3.451m released = 31% of the grant) confirmed to Croydon Council for 21/22 by MHCLG as part of the Local Government Finance Settlement;
- 1.2 Note that a further number of risks and compensating opportunities may materialise which would see the forecast year-end variance change and these are reported within Section 3 of this report. Should these risks materialise or the

mitigations not be effective the Council could overspend by £11.063m (Month 5 £7.814m);

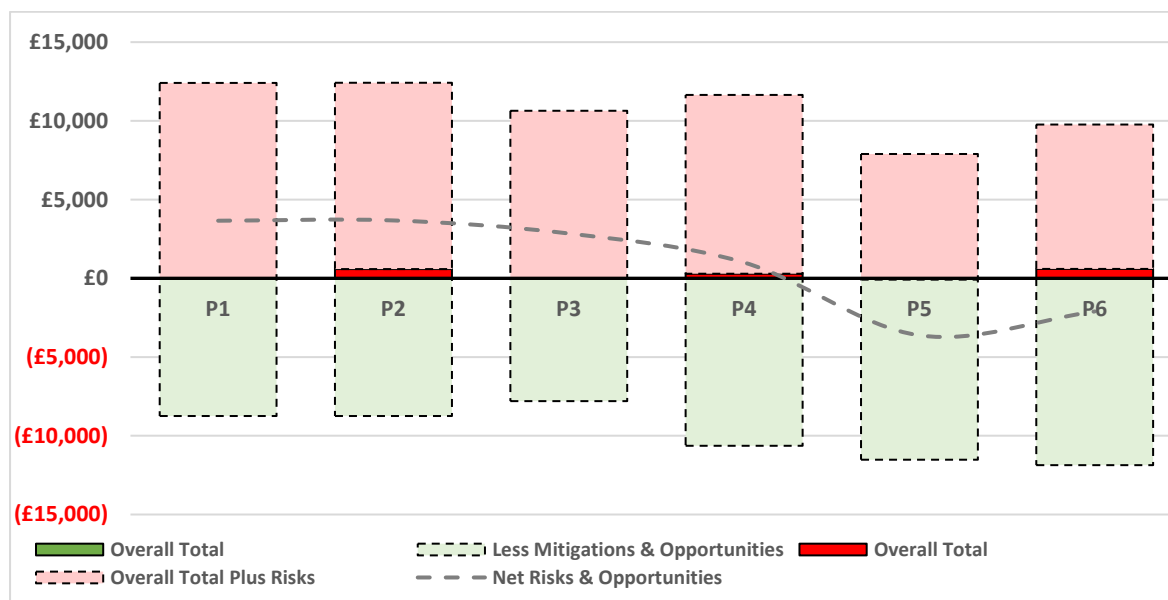
- 1.3 Note the Housing Revenue Account (HRA) is projecting a £0.733m (Month 5 £0.742m) overspend for 2021/22. If no further mitigations are found to reduce this overspend the HRA will need to drawdown reserves from HRA balances which at the moment there are sufficient balances to cover this;
- 1.4 Note the capital spend to date for the General Fund of £11.402m (against a budget of £138.688m) and for the HRA of £7.633m (against a budget of £183.209m), with a projected forecast variance of £48.758m on the general fund against budget and £86.220m forecast variance against budget for the housing revenue account;
- 1.5 Note, the above figures are predicated on forecasts from Month 7 to the year end and therefore could be subject to change as forecasts are refined and new and updated information is provided on a monthly basis. Forecasts are made based on the best available information at this time; and
- 1.6 Note that whilst the Section 114 notice has formally been lifted, the internal controls established as part of the S114, such as the Spend Control Panel remain. However, restrictions have been lifted for ring-fenced accounts such as the Pensions Fund, Housing Revenue Account and Coroner's Costs as these do not directly impact on the financial position of the General Fund. The Spending Control Panel which was set up at the beginning of November 2020 continues to meet on a twice daily basis.
- 1.7 Note that the Council has received a one off financial support of £2.36m from Government to help cover the pressures related to Unaccompanied Asylum seeking Children (UASC) and care leavers, which means the Council still funds £1.615m of pressures post the Grant support.
- 1.8 Note that in addition to the UASC pressures, Croydon Borough has taken on c1000 asylum seekers who have been placed in eight hotels by the Home Office. The hotel costs are funded by the Home Office, however the Council will be responsible for further ancillary services particularly around safeguarding, public health, children & youth provision and broader community support. These additional costs, which are being worked out and have been flagged within unquantified risks, could result in further pressures for the Council.
- 1.9 Note the Council has been advised it will receive £1.517m one off Homelessness Prevention Grant (Covid winter pressures) this year to support local authorities to help vulnerable households with rent arrears to reduce the risk of them being evicted and becoming homeless. This is not included in the forecast as the grant condition details are being worked through and will be included in next months report.
- 1.10 Note that until recently the Borough also housed a number of Afghanistan Asylum seekers citizens and their families as part of the Government's Afghan citizens

resettlement scheme. The Home Office decommissioned this hotel and relocated the residents on 27th October 2021.

2. EXECUTIVE SUMMARY

- 2.1. This reports sets out the Council's current General Fund revenue budget projected outturn for the full year as at Month 6, September 2021.
- 2.2. The forecast General Fund revenue forecast has worsened by £0.685m from an underspend of £0.086m in Month 5. It is required that services formulate plans to address these overspends over the coming month. Appendix 3 gives details of the financial performance report as at month 6 with a month 5 comparator, month 5 being the last financial performance report that was submitted to cabinet due to no Cabinet meeting in September.
- 2.3. Further risks and opportunities not yet sufficiently developed to be included in the forecast itself net to (£1.402m) have been identified (risks £10.464m and opportunities of £11.866m).
- 2.4. The chart below illustrates the trend in monthly monitoring reports and shows both the forecast as well as quantum of risks and opportunities together with the impact should all risks and opportunities fully materialise (dashed line)

Monthly Forecast, Risk & Opportunity Tracker



- 2.5. The Housing Revenue Account is forecasting an overspend of £0.733m (a decrease of £0.009m on the Month 5 forecast of £0.742m). This projected variance impacts on HRA balances rather than GF reserves.

- 2.6. The capital programme for both the General Fund and HRA is reporting a spend to date of £19.035m against overall budget of £321.897m, with a forecast underspend of £134.978m.
- 2.7. The Financial Performance Report (FPR) which will continue to be presented to each Cabinet meeting provides a detailed breakdown of the Council's financial position and the challenges it faces. It covers the GF, HRA and capital programme and ensures there is transparency in our financial position, enables scrutiny by both members and the public, and offers reassurance as regards the commitment by chief officers to more effective financial management and disciplines.
- 2.8. The 2020/21 financial year was a very difficult year for the Council. The former Director for Finance, Risk and Insurance (Section 151 Officer) had to issue the Council's very first S114 notice in November 2020. A further S114 notice was issued on the 2 December 2020 as the Council continued to overspend significantly without having sufficient resources to cover the overspends. Since 8th March 2021 the S114 notice has been lifted as the Council received confirmation of a Capitalisation Direction from MHCLG of up to £70m for 2020/21 and MHCLG were minded to fund £50m for 2021/22. The latter allowed the 2021/22 budget to be set.
- 2.9. The Council has had the benefit of a number of recommendations from various stakeholders and scrutiny panels such as the external auditor's Report in the Public Interest. These recommendations have been taken on board and the Croydon Renewal Plan has been developed which will over the medium term financial strategy period restore the Council's finances to balance and develop a more effective system of internal control.
- 2.10. This report forms part of the reporting framework on the delivery of the Croydon Renewal Plan by ensuring the delivery of the council's budget is reported monthly and transparently.
- 2.11. The Council is still working with the external auditors on finalising the 2019/20 audit of accounts however the 20/21 Outturn has now been presented to Cabinet on 12th July 2021 based around their findings and the accounts have also been published for 20/21.

3. FINANCIAL POSITION

- 3.1. The FPR shows that the Council is forecast to have a General Fund net overspend variance of £0.599m (after drawing down on £3.451m of covid-related grant reserves) – an adverse of £0.685m on the net forecast reported at Month 5 (after additional risks and mitigations), whilst the HRA is projecting a £0.733m overspend before risks mitigations. The current financial forecast is based on the known position at the time of writing this report. It is important that cabinet is aware of the much higher profile that the process has within the Council with iterations of the report going through a range of formal officer

meetings including directorate meetings, Executive Leadership team and informal meetings with lead members.

- 3.2. Work is ongoing in departments to review the forecast position for each area and MTFs savings and risks to reduce any overspends and identify further options to mitigate these. Further details and options identified will form part of the monthly Finance Performance Reports.
- 3.3. In 2020/21 the monitoring forecasts presented details of Covid funding that the Council had received from Central Government, however the Government has not provided any further indication that it seeks to continue to fund Local Government in relation to Covid pressures and thus this section has been removed from 2021/22.
- 3.4. A detailed review of the Corporate Budgets is also being carried out that will feed into the MTFs and also inform any opportunities that may arise as a result of the review. This will be further detailed within the period 6 report.
- 3.5. The position of the General Fund is shown below in Table 1.

Table 1 – Month 6 Projection per Directorate

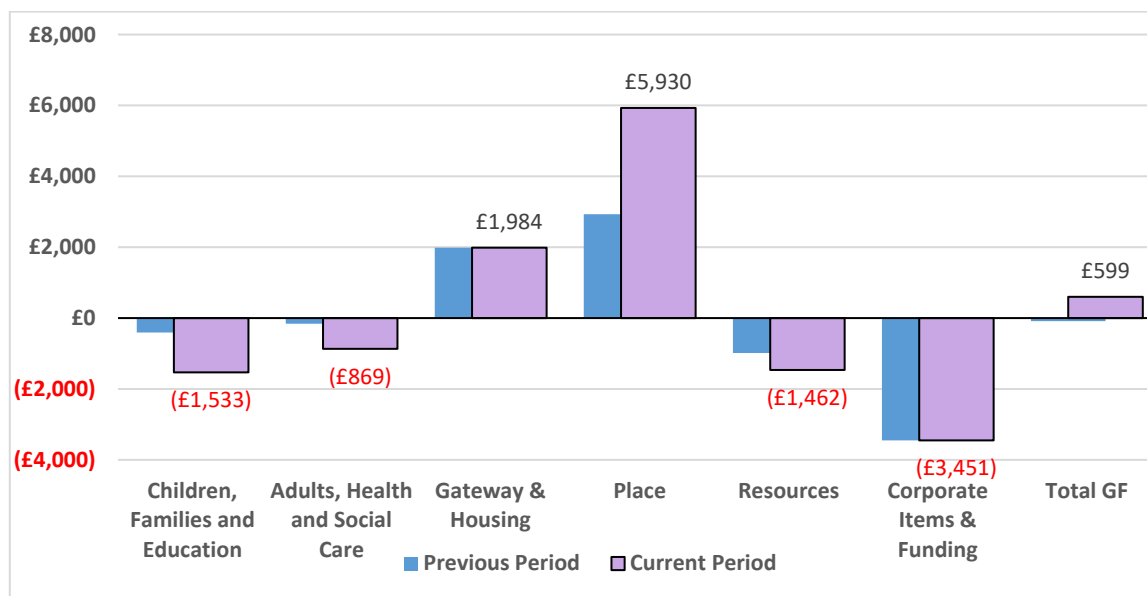
	Month 6	Month 5				
	Forecast Variance	Forecast Variance From Previous month		Change from previous month	Savings Non-Delivery	Other Pressures
	(£,000's)	(£,000's)		(£,000's)	(£,000's)	(£,000's)
Children, Families and Education	(3,148)	(2,608)		(540)	-	(3,148)
UASC	1,615	2,200		(585)	-	1,615
Adults, Health and Social Care	(869)	(160)		(709)	-	(869)
Housing	1,984	1,988		(4)	-	1,984
Place	5,930	2,930		3,000	-	5,930
Resources	(1,462)	(985)		(477)	-	(1,462)
Departmental Total	4,050	3,365		685	-	4,050
Corporate	(3,451)	(3,451)		-	-	(3,451)
Total General Fund	599	(86)		685	-	599

- 3.6. Net overspends and underspends within the services budgets are presented as forecast variance (as per Table 1), and are additionally classified as either non-delivery of agreed savings or other pressures. Non-delivery of savings relates to non-achievement of the approved MTFs savings whilst other pressures are as a result of new and external pressures not previously provided for within the

Council's 21/22 Budget. Further explanations of these overspends are provided within Section 4 of this report.

3.7. The chart below shows the forecast by service department for both the current and previous month:

Change in forecast position month 6



3.8. The main areas of movement from Month 6 are as follows:

- Adults, Health and Social Care £0.709m favourable movement due to a underspend on reablement costs due to the continuation of the NHS Hospital Discharge Programme for covid (£0.513m) and underspends due to vacancies;
- Place adverse movement of £3.000m in relation to parking services due to less than expected income from pay and display and Low Traffic Neighbourhoods (LTN).
- Resources £0.477m **favourable** movement, principally related to staffing savings / vacancies not being filled.
- Housing and Gateway £0.004m favourable movement.
- Children's Families and Education indicating an overall £1.125m **favourable** movement due to further reductions within the placement spend as part of the ongoing work to reduce costs without impacting on service delivery to clients.
- Unaccompanied Asylum seeking Children (UASC) – The Council will face £1.61m of UASC pressures due to significant demand within the Borough. The original pressure was £4.5m however the Council has been able to secure one off grant funding of £2.36m from Central Government.

Further details can be found in section 4 of this report.

Risks and Risk mitigations

- 3.9. As mentioned within paragraph 3.1 the forecast has been reported excluding further potential risks and risk mitigations. Risks and Risk mitigations are split into quantified and unquantified items.
- 3.10. As with the forecast set out in Table 1 risks are separately reported for those elements that relate to potential under-delivery of approved savings, and those that are new and not directly related to agreed savings plans.
- 3.11. Table 2a below provides for details of MTFs savings at risk with a brief commentary of the projects that are at risk of delivery and Table 2b provides a list of quantified and unquantified other risks. The savings are subject to a separate assurance process involving both the Chief executive and the Section 151 officer meeting with the directorates and the director of policy and programmes, the most recent of these was in early September. This identifies savings at risk and mitigations for both the current and future years. Where risks are quantified currently, these are based on high level information and departmental experiences of the service. At this stage, services are sufficiently confident in being able to manage or mitigate these risks that they are not included as part of the present forecast year-end position. However, the figure has been provided to indicate to Cabinet the likely financial impact on the budget and therefore the need to take action to deal with the risk should they materialise.

Table 2a – MTFS Savings Risk

MTFS Savings Ref	MTFS Savings Description	Savings at risk P6	Savings at risk P5	Change From Prior Month
		(£,000's)	(£,000's)	(£,000's)
CFE Sav 07	Improve Practice System Efficiency	0	534	(534)
Children, Families and Education Total		0	534	(534)
Adults, Health and Social Care Total		0	0	0
Gateway & Housing Total		0	0	0
PLA Sav 24	Parking charges increase 30p/30min	874	874	0
Place Total		874	874	0
Resources Total		0	0	0
Total Savings at Risk		874	1,408	(534)

Data above taken from Savings Tracker 19th October 2021

- 3.12. Table 2a indicates that there are potential £0.874m worth of savings (£1.408m in Month 5) that may not be achieved, however services are currently carrying out further work to ensure these can be delivered or otherwise be mitigated. So far no specific mitigations have been fully identified. The £0.874m relates to non-achievement of additional parking income due to demand for parking spaces still being impacted by nervousness around Covid-19. However, the Council had a target of £44.6m of savings to deliver in 2021/22 and it is assuring that only £0.874m is at risk at the end of the first half of the year.
- 3.13. These savings are reviewed on a monthly basis. If these savings are deemed to be definitely non-deliverable they will be factored into the monthly forecast and incorporated into the forecast outturn position provided in Table 1. The services have been instructed to find mitigations for all savings that cannot be delivered to meet their budgetary total per directorate.

3.14. Section 4 gives details of all the movements between month 5 and month 4 and identifies and movements in delivery of MTFs savings, risks and mitigating items that are factored into the forecast assumptions.

Table 2b – Other quantifiable and unquantifiable risks

Quantified Risks	P6 £'000	P5 £'000	Details of Risk
Children, Families and Education	160	2,062	£160k - Education service for schools (Covid impact on income generation)
Adults, Health and Social Care	3,200	700	£700k - Transitions - value of late prior year payments based on 20/21
			£2.5m - Adult social care operational risks.
Housing	430	430	£130k - Demand for Emergency/Temporary Accommodation likely to increase.
			£300k Bad debt costs - Current arrears are increasing in 2020/21 due to lower collection rates in the first part of the year (Covid related). When this debt becomes 'former' as tenants move on then recovery rates drop to between 5% and 30%. Potential additional debt costs of £300k-£800k beyond total presented based on current calculation methods.
			£23k Risk of saving on contact centre MTFs saving not being met due to delays to deselection process
Place	5,400	2,900	£5m - Additional risk to income due to compliance in high ticket yield areas has increased and so put more income at risk than previously stated. A new Parking Model has been devised which has highlighted this issue and the service is using this improved model to explore any mitigation factors that can be implemented to keep the financial risk to a minimum. Failures in implementation of the delivery of the LTN's will further impact on projected income.
			£240k - Food Safety Team have an establishment gap budget, this has resulted in no recruitment to these roles and a pressure on the work they perform. This could result in action from the Food Standard Agency so needs to be carefully monitored maximum exposure if staff need to be recruited £240k.

			£160k - Potential payment to BoxPark for an additional 6th year of contract that was agreed last year. The 5yr contract ended in 20/21. This is being negotiated with BoxPark as part of a wider discussion regarding outstanding loan repayments.
Resources	400	400	£400k - Insurance and Risk – current claims lodged could potentially result in further costs to the Council, however the likelihood of these claims materialising at the levels lodged is uncertain at the moment. - risk is currently up to £400k
Total Quantified Risks	9,590	6,492	
Un-Quantified Risks	P6 £'000	P5 £'000	Details of Risk
Children, Families and Education	-	-	TBC - In addition to the UASC pressures, Croydon Borough has taken on c1000 asylum seekers who have been placed in eight hotels by the Home Office. The hotel costs are funded by the Home Office, however the Council will be responsible for further ancillary services particularly around safeguarding, public health, children & youth provision and broader community support. These additional costs, which are being worked out and have been flagged within unquantified risks, could result in further pressures for the Council. The Council is modelling the potential impact and will report the position in P7.
Adults, Health and Social Care	-	-	TBC - Impact of long Covid - not quantifiable at this stage
	-	-	TBC - Potential for further NHS funding for Covid depending on 3rd wave impact - not known at this stage
Housing	-	-	NRPF (No Recourse to Public Funds) Service is demand led. Brexit - EA Nationals in Croydon need to confirm their status and apply for the correct legislation to continue to receive benefit payments, if this is not actioned they will revert to NRPF
	-	-	NRPF (No Recourse to Public Funds) Service is demand led. Mental Health/CCG - expensive care placements, due to some cases having a criminal element it takes longer for the HO to make a decision resulting in a longer placement

	-	-	Bad debt provision to cover risks of non-payment of outstanding rents is included within the current forecast for Temporary accommodation however COVID impact may increase the % levels of bad debt
Place	-	-	SEN PRESSURE - Some routes split due to Covid social distancing role, No Travel Training occurring over the last 12 months, this potentially has an impact of around £1million/year, Addington Valley Academy additional students, Single students attending schools, Changes to contractors providing services in year, due to performance issues.
	-	-	TBC - Waste Collection and Street Cleansing Contract - Income Risk to Commercial Waste Income Collection in 20/21 due to COVID & 21/22 - under commercial dialogue with Veolia
	-	-	TBC - Further commercial tenants are not able to pay rental income and will need to be written off, or will give notice on leases
Resources	-	-	Insurance and Risk - forecast to budget on basis that schools income pressure can be mitigated by reduction in premiums and claims.
	-	-	CDS - There is the risk of increased contract cost when actual invoices are received and there are also outstanding contractual queries around End user service volumes as they are not reducing as anticipated.
	-	-	Revs and Ben Income - There are streams of income budget across this service such as Land charges, Court cost and Bailiff - current forecast are based on the assumption that the trend of income received to date continues or in the case of Land charges that it's income which is mostly based on the number of new build registered with the council etc. continue as it is in the last 2 months. There is the possibility that these trends could change there by resulting in risk/ opportunities.
	-	-	Legal Recharges. Risk that legal internal recharges forecast is too high which may cause financial pressure for services that have commissioned legal support. This risk has been downgraded as it is expected that most costs should be contained within available budget, however further review is being done to confirm.
	-	-	Unreconciled holding accounts for BIDS, HR Staff Loans and P-Cards. Risk that holding accounts will not be able to be

			reconciled and some balances transferred as pressures into forecast
Corporate			None
Total Un-Quantified Risks			

3.15. Table 3 provide a list of quantified and unquantified risk mitigations. These are potential risk mitigations that will require further assurance to be included within the forecast. Services managers have identified these as potential mitigations to the risks identified Tables 2a and 2b. Any additional risk mitigations also help the overall financial position of the Council as these would help generate a larger underspend that can be put away into reserves to support future MTFS gaps.

Table 3 - Quantifiable and unquantifiable opportunities

Quantified Opportunities	P6 £'000	P5 £'000	Details of Opportunities
Children, Families and Education	(607)	(1,107)	<p>Opportunities arising due to Transformation funding approved for a number of upfront costs to support MTFS savings programme projects. These include: –</p> <ul style="list-style-type: none"> - Reconfiguration of Early Help Services - Review of Children with Disabilities Care Packages - Reduction in the Numbers of Children in Care - Upfront investment for Improve Practice System Efficiency MTFS saving now being capitalised rather than paid from revenue. <p>Further opportunities arising as result of reduced Placement Costs due to a review of accruals which could result in further savings.</p> <p>In P6 c£1.5m of unused accruals have been released as part of the Period 6 forecast and are included within the forecast and therefore this opportunity has moved to</p> <p>Update for P6: Staffing establishment Review - There is an overall underspend on staffing of £1.134m in Period 6</p>

Adults, Health and Social Care	(2,000)	(1,519)	The impact of health funding / Scheme 3 funding on care packages: (Lower £207k, Upper £830k) . (Average of upper and lower) Currently NHSE is taking views on the impact of this funding ending. We have input with SWLCCG requesting that funding continue to the end of the financial year.
Housing	(1,010)	(1,010)	Homelessness debt collection team currently protected from staff cuts - mitigate risk of debt costs (projected as £300k) being at top end of scenario (£800k) . Property acquisition coming into HRA portfolio will allow tenants in nightly paid accommodation to move onto Assured Shorthold Tenancies and reduce the impact of rising demand. This addresses the £210k of risk from homelessness demand shown but will be unlikely to impact the forecast as shown.
Place	-	-	
Resources	(450)	-	£250k - CDS - Opportunity of greater income from Digital Advertising Income upon further review of the contract. £200k - FIR - There is the probability that the court cost income raised could be higher than what is currently being forecast.
Corporate	(7,799)	(7,799)	Potential reduced spend against the Covid Grant. Whilst most services have indicated their Covid pressures within their respective forecasts, therefore covered within the reported position, the Council could further release the Covid funding. However, this will only be known towards the end of the financial year when forecasts are more certain.
Total Quantified Opportunities	(11,866)	(11,435)	

Un-Quantified Opportunities	P6 £'000	P5 £'000	Details of Opportunities
Children, Families and Education	-	-	TBC - Corporate distribution of contact inflation and staffing budget deficits for 0.75% 2020/21 pay award and pension employer contribution WIP - Placement costs – validation of growth approved currently being completed WIP - CSC establishment review coming to a conclusion and is expected to realise sufficient savings to mitigate against savings at risk due to delay in completion of the respective MTFs delivery plans WIP - Transformation funding approved for a number of MTFs savings programme projects

Adults, Health and Social Care	-	-	None
Housing	-	-	<p>TBC - Leases – renegotiate the lease. Need to confirm the numbers due to expire this financial year</p> <p>TBC - Review of under occupied tenancy</p> <p>TBC – The Council has received a further £1.5m of Homelessness Prevention Grant which we expect will further support Council's costs on rent arrears and providing additional support to ensure homelessness does not arise.</p>
Place	-	-	None
Resources	-	-	None
Corporate	-	-	None
Total Un-Quantified Opportunities			

- 3.16. As at Month 6, if all risks and risk mitigations were to materialise, along with the forecast reported in Table 1 the General Fund would underspend by £2.1m (Table 4), however some of the risks and mitigations will need further refining and validating to confirm the likelihood of them materialising. The situation will be clarified as the year progresses and the monthly budget reports show more detail on the patterns of income and expenditure and the longer term impact of Covid on Council services becomes clearer. Service managers have been instructed to identify and implement mitigations to spend within their approved funding envelopes. As such compensating measures are developed the impact of the net risks is expected to decline. Successful examples of this are the reduced risks and increased opportunities.
- 3.17. A number of the projected variances or risks relate to the continued impact of the Covid pandemic and would not be expected to continue for the whole year or over future years. In particular parking and traffic income continues to be affected for which part grant compensation is only receivable for the first quarter of 2021/22. Other pressures such as SEN costs (with no grant funding) have been impacted in delays in delivering travel training impacting on transport cost pressures.
- 3.18. There are however areas where budgets will need to be reviewed with a view to being rebased as they were not adjusted as part of the right sizing of budgets in the 2021/22 budget setting. Two significant areas that will need to be reviewed before budget setting in 2022/23 are SEN transport costs, and costs relating to Emergency and Temporary accommodation. Additional costs arising will need to be funded from within the existing Council wide budget envelope.

4. SERVICE VARIANCE DETAIL

4.1. Children, Families and Education (CFE)

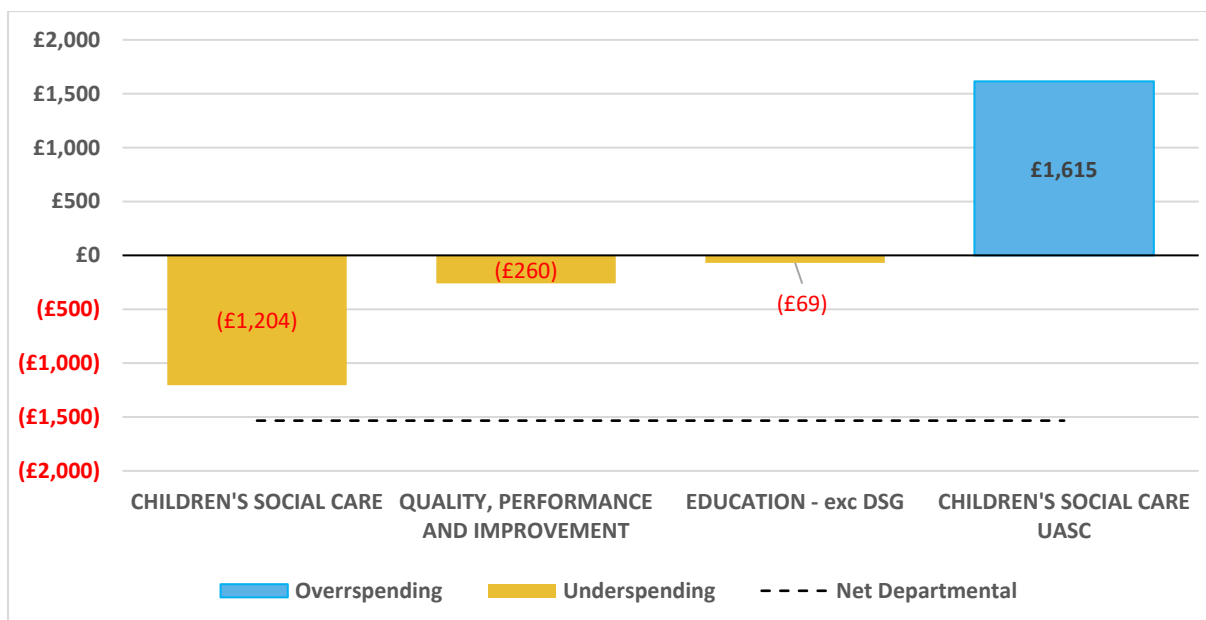
The CFE directorate is forecasting a £1.533m underspend for Month 5 (favorable movement of £1.125m from Month 5) within the directorate.

The main cause of this is due to underspends in relation to under 18 placements and 18+ leaving care placement which have been realised as part of the recent review.

There are no MTFs savings at risk of delivery or other risks identified as at month 6. There are opportunities identified of £0.607m.

The following chart illustrates the divisional forecast variances within Children's, Families and Education:

Divisional View of Children's, Families & Education Forecasts



4.2 Adults, Health and Social Care

The HWA directorate are forecasting an underspend of £0.869m (a favourable movement of £0.709m from Period 5).

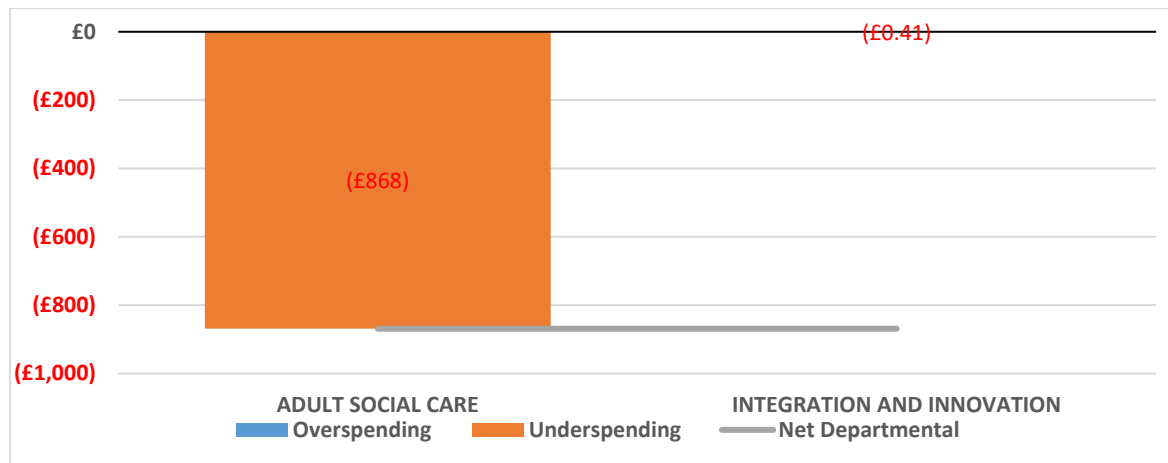
The main cause of this favourable movement is due to a underspend on reablement costs due to the continuation of the NHS Hospital Discharge Programme for covid (£0.513m) and underspends due to vacancies.

Whilst the department is showing an underspend, table 2b identifies a further £3.200m of potential additional risks. Of the risks identified £0.700m that relate to transitions of children social care clients to adult services have not moved since the last report and still remain the same and new risks of Adult social care operational risks have also been identified.

There are no MTFS savings at risk of delivery, however further unquantified risks due to long Covid have been identified at month 6. There are opportunities identified of £2.000m.

The following chart illustrates the divisional service forecast variances within Health, Wellbeing and Adults:

Divisional View of Health, Wellbeing & Adults Forecasts



4.3 Housing

Housing Directorate is forecasting an overspend of £1.988m. This is an adverse movement of £0.010m to the projection reported at Month 4.

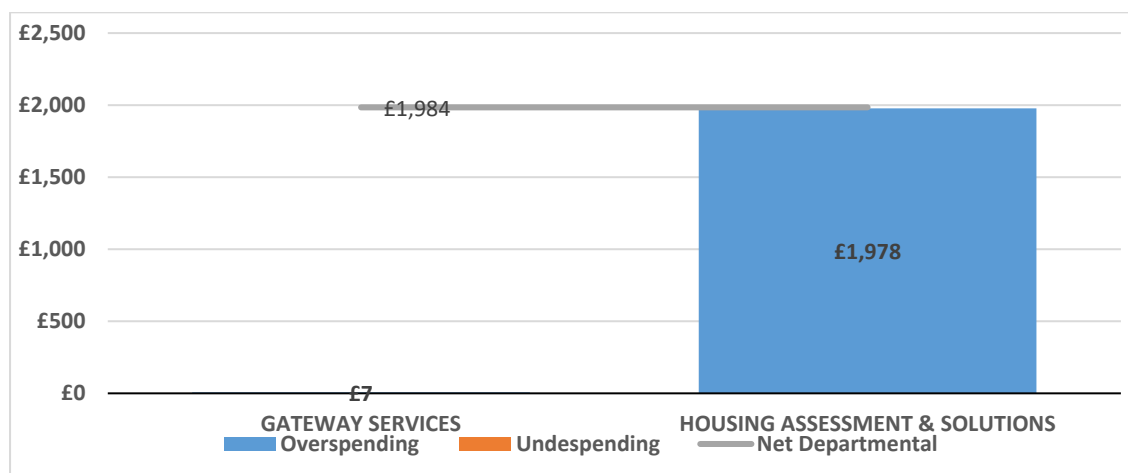
The main cause of this movement relates to cost and demand increases within the Emergency and Temporary Accommodation services. Demand for Emergency Accommodation is assumed to increase due to the negative economic after effects of Covid-19. Furthermore, this is also likely to impact the need to maintain a sufficient level of bad debt provision to cover risks of non-payment of outstanding rents.

Furthermore the service has identified £0.130m of other risk relating to potential further temporary accommodation pressures emerging. Further work will be done to ensure the bad debt risks are minimised and that risk does not materialise.

There are no MTFS savings at risk of delivery, however further unquantified risks due to housing demand pressures and income collections risks have been identified. There are opportunities identified of £1.010m and the Council is currently working through the allocation of a further £1.51m in Homelessness Grant funding that has been received and it is expected to further improve the Housing forecast in period 7.

The following chart illustrates the divisional forecasts within the department:

Divisional View of Gateway & Housing Forecast for Current Month



4.4 Place

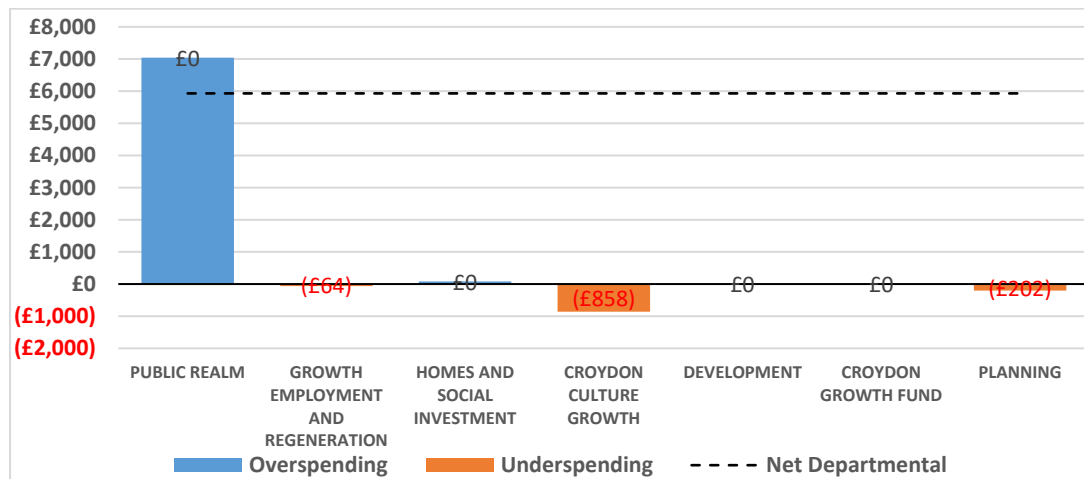
The Place directorate is forecasting a net overspend of £5.930m (£2.930m at Month 5) – an increase of £3m. The pressures continue to be around Highways, SEN Transport and Environmental services with the movement of £3.000m as a result of loss of income in relation to pay and display and non-implementation of the low traffic neighbourhoods.

In addition to the forecasted overspend the Place directorate, as indicated in Table 2a and 2b, have provided for additional risks due to non-delivery of MTFS savings of £0.874m and £5.400m for other risks. Non delivery of MTFS savings relate to the fall in P&D parking income, and risks have been identified mainly around the level of penalty charge notices.

There are no further opportunities identified by the Place directorate.

The following chart illustrates the nature of the overall Place Department forecast position by Division:

Divisional View of Place Forecasts



4.5 Resources

The Resources directorate is forecasting a improved underspend position of £1.462m (overspend £0.985m in Month 5). This is a net position after factoring all budgeted income and expenditure within the directorate.

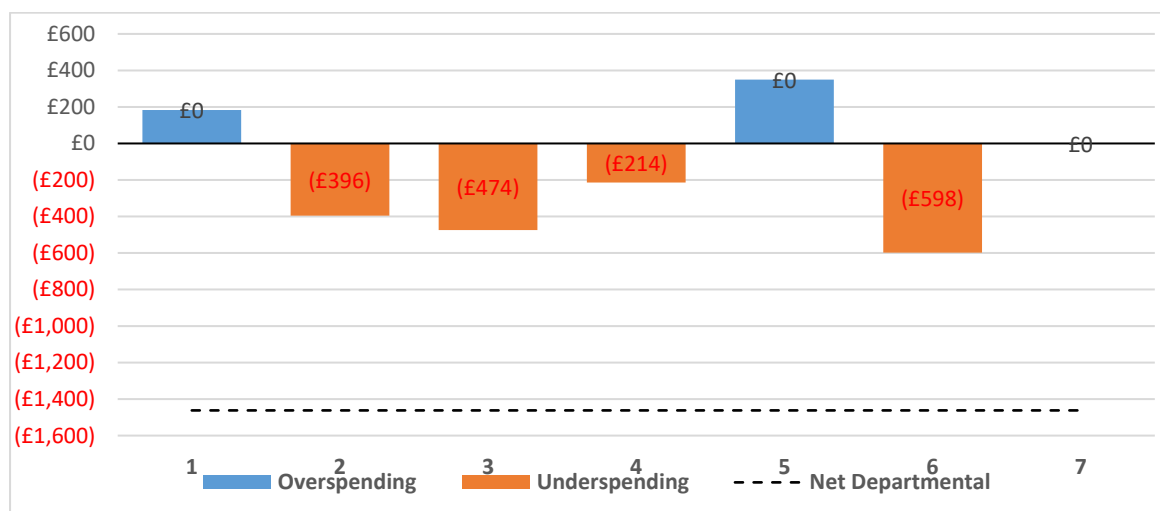
The main reasons for this underspend relate to better than projected collection of court cost income in relation to Revenue & Benefits activities and various staffing related underspends. Main causes of staff related underspends are for vacancies not being filled, and savings on contracts.

Further work on unquantified risks that had been identified is ongoing and whilst they may still materialize work is ongoing to try and work to mitigate these as we progress through the financial year.

Resources have identified further £0.450m of opportunities which would arise from increased income from digital advertising and further recoupage of court costs in relation to our Revenues and Benefits service.

The following illustrates the split of the overall departmental forecast at a divisional level:

Divisional View of Resources Forecasts



4.6 Corporate

4.7 The Council received a non-fenced grant of £11.250m from Central Government in relation to additional costs that may be incurred in the current financial year as a result of Covid 19 and was announced in the December Local Government Finance Settlement. Any costs incurred by departments are expected to be met from existing service budgets and the grant is available to meet any additional service costs over expenditure. Where practicable additional costs including lost income arising from Covid will be identified and reported separately in future reports. The forecast General Fund variance of £3.365m is currently offset by utilizing £3.451m of this grant.

4.8 Currently all pressures within services have been identified within the forecast and Risks and therefore we believe that the remaining of the £11.250m of Covid funding, which is £7.79m will be used to offset the additional risks.

4.9 The cost of financing the capital programme is retained corporately, this is still being reviewed and an updated position will be provided in Month 6, however we do not anticipate any pressures to arise from these budgets.

4.10 Table 4 below summaries the overall positions

Table 4 – Summary – Month 6 with Month 5 Comparator

	Month 6	Month 5	Variance
	(£,000's)	(£,000's)	(£,000's)
Table 1 - Forecast	599	(86)	685
Table 2a - MTFs Savings Risk	874	1,408	(534)
Table 2b - Quantifiable Risks	9,590	6,492	3,098
Table 3 - Quantifiable Opportunities	(11,866)	(11,435)	(431)
Total	(803)	(3,621)	2,818

5 Housing Revenue Account (HRA)

5.1 Table 4 provides a summary of the HRA Month 6 monitor, which is currently indicating a £0.733m overspend (Month 5 £0.742m). The HRA is a self-financing ring-fenced account and will need to ensure it remains within the resources available, taking into account levels of HRA reserves. The improvement from the month 5 forecast is due to the fact that there are a number of service that have identified further underspends in the main due to staff costs and legal fees.

5.2 The forecast overspend reported in Table 5 can be contained within HRA reserves provisionally forecast at £27.6m as at 31st March 2021.

Table 5 – Housing Revenue Account (HRA) at Month 6

SERVICES	Projected Variance For Month 6	Variance For Previous Month 5	Change From Previous Month	Explanation of Variations
	£'000	£'000	£'000	
Responsive Repairs	776	776	(0)	Increase in average costs due to state of repair when vacated & the delayed prior years repairs
Asset Management & Involvement	(383)	(383)	(0)	
Homes & Schools Improvement	(260)	(260)	(0)	
Regeneration Growth	(233)	(233)	0	
Neighbourhood Operations	(110)	(122)	12	Minor Vacancies within the service

Housing Renewal	(19)	(19)	(0)	Lower demand in home safety equipment
Housing Solutions	186	209	(23)	Overspend on costs combined with a high level of voids based on 20/21 outturn
People Centralised	0	0	0	
Service Development	(100)	(100)	0	Legal commitments increase is offset by other departmental underspend
Income & Lettings	120	120	0	Charges that are incurred when tenants make payment using debit/credit cards & at local points. £50k - Income budget no longer achievable
Neighbourhood & Tenancy Service	123	123	(0)	Commitments have been reviewed & released
Emergency Accommodation	3	0	3	
Leaseholder Services	60	60	0	Increase in Leaseholder's premium for 2021-22
Tenants Income	(0)	0	(0)	
Garage and Commercial Properties	245	245	0	Loss of garage income due to voids & loss of court income
Directorate & Centralised costs	327	327	(0)	Unbudgeted Executive Director/Corporate Director posts plus support costs
Total HRA	733	742	(9)	

6 Capital Programme as Month 6

6.1 The General Fund and HRA capital programmes have currently spent a gross £19.035m to the end of the sixth month against approved budgets of £321.897m. Forecast spend is £186.919m resulting in a forecast variance of £134.978m. Actuals to date are still impacted by accruals brought forward from 2020/21 which have yet to be invoiced and do not take into account accruals for works so far completed.

6.2 The table below summarises the capital spend to date by department with further details of individual schemes provided in Appendix 2.

Table 6 – Capital Programme

Department	Revised Budget 2021/22 (including approved slippage from 2020/21)	Actuals 2021/22 as at Month 6	Forecasts 2021/22 as at Month 6	Variance
	£'000	£'000	£'000	£'000
Adult Social Care and Health	788	4	788	-
Housing	7,422	251	4,057	(3,365)
Children, Families and Education	26,078	7,668	16,594	(9,484)
Place	78,055	2,320	54,202	(23,853)
Resources	26,345	1,159	14,289	(12,056)
General Fund Total	138,688	11,402	89,930	(48,758)
Housing Revenue Account	183,209	7,633	96,989	(86,220)
LBC CAPITAL PROGRAMME TOTAL	321,897	19,035	186,919	(134,978)

6.3 The Variance column is projected to be slipped into the new financial year, subject to Cabinet approval. Further work will be done over the coming months to review the budget provision for 21/22 and the review will focus on ensuring the capital budgets are properly profiled to reflect the actual delivery of various projects.

7 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

7.1 Finance comments have been provided throughout this report.

Approved: Matthew Davis, Interim Director of Finance.

8 LEGAL CONSIDERATIONS

8.1 The Council is under a statutory duty to ensure that it maintains a balanced budget and to take any remedial action as required in year.

8.2 The Council is required by section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs. The Council's Chief Finance Officer has established financial procedures to ensure the Council's proper financial administration. These include procedures for budgetary control. It is consistent with these arrangements for Cabinet to receive information about the revenue and capital budgets as set out in this report

8.3 The monitoring of financial information is also a significant contributor to meeting the Council's Best Value legal duty and therefore this report also complies with that legal duty.

Approved by: Doutimi Aseh, Interim Director of Legal Services.

9 HUMAN RESOURCES IMPACT

- 9.1 There are no immediate workforce implications as a result of the recommendations in this report. Any mitigation on budget implications that may have effect on direct staffing will be managed in accordance with relevant human resources policies and where necessary consultation with recognised trade unions.

Approved by: Gillian Bevan, Head of Human Resources (Resources and ACE).

10 EQUALITIES IMPACT

- 10.1 There are no specific equalities issues set out in this report.
- 10.2 In setting the Council's budget for 2021/22, all savings proposals were required to complete an Equality Impact Assessment. As Officers deliver against the approved budget, including the savings within it, they will continue to monitor for any unanticipated equality impacts.

Approved by: Gavin Handford, Director of Policy, Programmes and Performance.

11 ENVIRONMENTAL IMPACT

- 11.1 There are no specific environmental impacts set out in this report

12 CRIME AND DISORDER REDUCTION IMPACT

- 12.1 There are no specific crime and disorder impacts set out in this report

13 DATA PROTECTION IMPLICATIONS

- 13.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

- 13.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

NO - as the report contains no sensitive/personal data

Approved by Richard Ennis; Interim Corporate Director of Resources (Section 151).

REPORT AUTHOR:

Nish Popat, Interim Head of Finance (Corporate & Treasury Management).

APPENDICES:

Appendix 1 – Service Budgets and Forecasts Month 5

Appendix 2 – Capital Programme Month 5

BACKGROUND DOCUMENTS:

None.

Appendix 1 – Service Budgets And Forecasts Month 6

	Approved Budget (£,000's)	Current Actuals (£,000's)	(%age) (%age)	Full-Yr Forecast (£,000's)	Projected Variance (£,000's)
C1410P : ADULT SOCIAL CARE AND ALL-AGE DISABILITY	122,347	49,706	41%	121,479	(868)
C1415P : INTEGRATION AND INNOVATION	1,803	(2,133)	(118%)	1,803	(0)
C1662P : PUBLIC HEALTH	-	(6,534)	0%	-	-
TOTAL HWA	124,150	41,040	(1)	123,281	(869)
C1250P : GATEWAY SERVICES	23,047	8,871	0	23,054	7
C1420P - Housing Assessment & Solutions	5,979	(2,509)	(0)	7,957	1,978
TOTAL GATEWAY AND HOUSING	29,026	6,362	(0)	31,010	1,984
C1120P : PLANNING	896	633	1	694	(202)
C1160P : GROWTH EMPLOYMENT AND REGENERATION	1,454	4,059	3	1,390	(64)
C1114P : CROYDON CULTURE GROWTH	11,213	1,143	0	10,355	(858)
C1110P : PUBLIC REALM	36,346	25,238	1	43,389	7,043
C1130P : VIOLENCE REDUCTION NETWORK	1,931	460	0	1,903	(28)
C1100P : PLACE DIRECTORATE SUMMARY	(167)	510	(3)	(207)	(40)
C1116P : CROYDON GROWTH FUND	40	156	4	40	-
C1150P : HOMES AND SOCIAL INVESTMENT	10,105	3,035	0	10,184	79
C1140P : PLACE HOLDING AND SUSPENSE ACCOUNTS	-	(143)	-	-	-
C1115P : DEVELOPMENT	-	18	-	-	-
C1135P : PLACE BALANCE SHEET SUMMARY	-	0	-	-	-
TOTAL PLACE	61,818	35,110	6	67,748	5,930
C1245P : CHILDREN, FAMILIES AND EDUCATION DIRECTORATE SUMMARY	10,732	438	0	10,732	-
C1205P : QUALITY, PERFORMANCE AND IMPROVEMENT	1,493	541	0	1,233	(260)
C1210P : CHILDREN'S SOCIAL CARE DIRECTORATE (exc UASC)	81,153	28,841	0	79,132	(2,021)
C1210P : CHILDREN'S SOCIAL CARE - UASC only	795	4,888	-	1,612	817
C1220P : EDUCATION	12,087	20,132	2	12,018	(69)

TOTAL CHILDRENS, FAMILIES AND EDUCATION	106,260	54,840	2	104,727	(1,533)
C1900P : STRATEGY AND PARTNERSHIPS	3,578	1,889	1	3,182	(396)
C1610P : DIRECTOR OF COMMISSIONING AND PROCUREMENT	8,082	(1,855)	(0)	7,608	(474)
C1620P : DIRECTOR OF HUMAN RESOURCES	191	2,699	14	(23)	(214)
C1655P : RESOURCES DIRECTORATE SUMMARY	(173)	(12,058)	70	177	350
C1665P : DIRECTOR OF FINANCE INVESTMENT AND RISK	11,885	73,046	6	11,287	(598)
C1670P : CROYDON DIGITAL SERVICE	406	6,696	16	92	(314)
C1675P : DIRECTOR OF LAW AND GOVERNANCE	7,147	2,558	0	7,331	184
C1605P : DIRECTOR OF FM AND SUPPORT SERVICES	258	-	-	258	-
C1650P : RESOURCES SUSPENSE AND HOLDING ACCOUNTS	-	1,155	-	-	-
TOTAL RESOURCES	31,374	74,132	107	29,912	(1,462)

Appendix 2 – Capital Programme Month 6

CAPITAL BUDGETS, MONITORING AND FORECASTS - PERIOD 6	Approved Budget	Actual to Date	Forecast for Year	Variance for Year
Scheme Name	2021/22	2021/22	2021/22	2021/22
	(£,000's)	(£,000's)	(£,000's)	(£,000's)
Adults ICT	284		284	-
Adult Social Care Provision	4	4	4	-
Provider Services - Extra Care	500		500	-
Adults Health and Social Care Sub Total	788	4	788	-
Disabled Facilities Grant	4,373	506	3,057	(1,316)
Empty Homes Grants	400	(279)	400	-
Bereavement Services	1,711	24	600	(1,111)
Sheltered Housing	938		-	(938)
Gateway and Housing Sub Total	7,422	251	4,057	(3,365)
Education – Fire Safety Works	2,057		1,052	(1,005)
Education - Fixed Term Expansions	2,124	210	368	(1,756)
Education - Major Maintenance	7,523	2,169	2,945	(4,578)
Education - Miscellaneous	821	126	366	(455)
Education - Permanent Expansion	403	117	425	22
Education - Secondary Estate	134	36	88	(46)
Education - SEN	13,016	5,010	11,350	(1,666)
Children, Families and Education Sub Total	26,078	7,668	16,594	(9,484)
Allotments	309		200	(109)
Asset management ICT database	-		-	-
Brick by Brick programme	20,000		10,000	(10,000)
Brick by Brick - Fairfield			5,000	5,000
CALAT Transformtion	396	1	-	(396)
Community Ward Budgets	1,616		1,616	-
Devolution initiatives	-		-	-
Electric Vehicle Charging Points	1,700		-	(1,700)
Feasibility Fund	505	13	200	(305)
Fieldway Cluster (Timebridge Community Centre)	3,023	114	1,000	(2,023)
Growth Zone	8,210	270	3,000	(5,210)
Grounds Maintenance Insourced Equipment	1,200		1,200	-
Highways - maintenance programme	17,531	2,063	12,340	(5,191)
Highways - maintenance programme (staff recharges)	567		567	-
Highways – flood water management	286	85	1,076	790
Highways – bridges and highways structures	141	216	1,139	998

Highways - Tree works	-	7	-	-
Measures to mitigate travellers in parks and open spaces	73		73	-
Leisure centres equipment upgrade	628	7	596	(32)
Libraries Investment - General	1,914	14	300	(1,614)
Libraries investment – South Norwood library	512		250	(262)
Museum Archives	100		50	(50)
Neighbourhood Support Safety Measures	50		50	-
New Addington wellbeing centre	979		-	(979)
Parking	3,401		4,305	904
Park Life	381		-	(381)
Play Equipment	1,522		400	(1,122)
Safety - digital upgrade of CCTV	1,559		1,559	-
Section 106 Schemes	4,674	30	4,674	-
SEN Transport	1,289	-	14	(1,275)
Signage	137		137	-
South Norwood	5	32	812	807
Kenley Good Growth	-		607	607
Sustainability Programme	625		-	(625)
TFL - LIP	392	(532)	-	(392)
Unsuitable Housing Fund	14		14	-
Walking and cycling strategy	-		875	875
Waste and Recycling Investment	3,116		1,558	(1,558)
Waste and Recycling – Don't Mess with Croydon	1,358		590	(768)
Schemes with completion date prior to 2020/21	(158)		-	158
Place Sub Total	78,055	2,320	54,202	(23,853)
Asset Strategy - Stubbs Mead	3,298		700	(2,598)
Asset Strategy Programme	770		25	(745)
Asset Acquisition Fund	415		154	(261)
Clocktower Chillers	462		462	-
Corporate Property Programme	4,248	87	2,450	(1,798)
Crossfield (relocation of CES)	(146)	8	-	146
Emergency Generator (Data Centre)	-		-	-
Finance and HR system	598	239	433	(165)
ICT Refresh & Transformation	9,185	190	6,425	(2,760)
People ICT	7,515	632	3,500	(4,015)
Uniform ICT Upgrade	-	3	140	140
MHCLG Code Sharing Project	-	-	-	-
Resources Sub Total	26,345	1,159	14,289	(12,056)
NET GENERAL FUND TOTAL	138,688	11,402	89,930	(48,758)
Asset management ICT database	155	65	155	-

Fire safety programme	5,555	411	3,000	(2,555)
Larger Homes	1,339		1,339	-
Major Repairs and Improvements Programme	35,306	7,090	29,361	(5,945)
Affordable Housing Programme	31,932	15	31,932	-
BBB Properties part funded by GLA and HRA RTB	108,120		30,400	(77,720)
Special Transfer Payments	802	52	802	-
Contribution From Revenue				-
Contribution From Reserves				-
HOUSING NET REVENUE ACCOUNT TOTAL	183,209	7,633	96,989	(86,220)

TOTAL CAPITAL PROGRAMME	321,897	19,035	186,919	(134,978)
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Agenda Item 9

REPORT TO:	Cabinet 15 November 2021
SUBJECT:	Finance, Performance & Risk performance report (Croydon Renewal and Improvement Plan) -
LEAD OFFICER:	Gavin Handford - Director of Policy & Partnership Caroline Bruce - Head of Business Intelligence & Performance
CABINET MEMBER:	Councillor Hamida Ali - Leader of the Council
WARDS:	All

SUMMARY OF REPORT

The Finance Performance & Risk report in Appendix A, provides timely and accurate performance data on

- programme / project status
- performance against Corporate Renewal Plan measures
- progress against the delivery of financial savings
- risks associated with these deliverables, as well as the impact to corporate risks.

In addition, it reports progress and issues related to the delivery of the Croydon Renewal Plan, and associated performance reports as agreed at Cabinet on the 12 April 2021. The latest iteration of the report, in appendix A of this report, reviews performance based on latest available data as of 30 September 2021. It should be noted that the 30 September is a snapshot in time and that not all data will actually relate to this time period due to time lags on data availability etc.

This report is produced and presented a monthly basis to Departmental and Corporate Leadership, and Cabinet Members to allow check and challenge of performance.

As agreed at the 12 April Cabinet meeting the frequency of reporting to Cabinet is to be reviewed at this meeting.

FINANCIAL IMPACT

There are no direct financial implications arising from this report.

FORWARD PLAN KEY DECISION REFERENCE NO.: This is not a Key Decision.

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

1.RECOMMENDATIONS

- 1.1 Review the Finance, Performance & Risk report (appendix A) as of 30 September 2021 with regard to overall performance against the Croydon Renewal Plan. Note areas of good performance and those of concern.
- 1.2 Note the progress made, and areas of concern, against programmes and projects in relation to milestones, deliverables and issues.
- 1.3 Note the progress made against savings and growth targets as identified in the Croydon Renewal Plan. More detail on this area can be found in Table 2a of the Financial Monitoring Report also being presented at this Cabinet meeting.
- 1.4 That Cabinet identify areas of performance within the FPR report (appendix A) where they require deeper analysis to be presented at a future Cabinet for discussion and action.
- 1.5 That Cabinet note the recommendations of the LGA as to the content of future reports.
- 1.6 That Cabinet agree to the reporting frequency of this report to Cabinet be moved from monthly to quarterly
- 1.7 That Cabinet review the request for the amendment / deletion of three performance measures within the framework.

2. EXECUTIVE SUMMARY

- 2.1 The Croydon Renewal Plan, sets out how the Council will respond to the various reviews and recommendations that have highlighted substantial need for improvements. The Improvement Plan has also identified key areas of focus which are essential to changing the overall culture of the Council to one that is evidence led, manages resources well, and is open and transparent with stakeholders.
- 2.2 The Finance, Performance & Risk report detailed in appendix A of this report, reviews the areas of project and programme delivery, and the measures used to monitor delivery of the actions detailed within the CRP plan, as well as monitoring the performance of the organisation as a whole. The report reviews the period up to and including 30 September 2021. It should be noted that where measures are subject to a reporting time lag the latest available data has been included; this may not correspond with the reported time period.

3. Background

- 3.1 Cabinet and Council agreed in September 2020 to the development of the Croydon Renewal and Improvement Plan (CRP) which incorporates a financial recovery plan, the submission to MHCLG to secure the necessary capitalisation direction as part of that financial recovery, a corporate

Improvement Plan to deliver the required changes to ensure the financial investment and rebalancing of the budget is sustainable.

- 3.2 On 12 April 2021 a report was presented to, and approved by cabinet, detailing a suite of indicators and a range of actions to create a corporate performance framework. This reporting mechanism ensures that what the data is telling us is visible to everyone and open to challenge.

4. Corporate Finance, Performance & Risk (FPR) report (appendix A)

- 4.1 This report reviews our performance against the delivery of the actions within the CRP providing Members, the Executive Leadership Team, Directors, Overview & Scrutiny and Residents with information on the status of major programmes and projects, delivery of financial savings, progress of against performance indicators and risks associated to non delivery.

- 4.2 **Performance Indicators (PI's)** - Regular review and monitoring against the agreed performance measures. Impact performance will have against finance, risk and programme deliverables.

4.2.1 There are currently 119 PI's which form the framework for the CRP. The performance report in appendix A, gives an overview of current performance, areas doing well and those which require more attention. In addition, for reference, the back of the report details all 119 measures within the framework. These are listed by department and division for ease of reference. PI's which are at, or above target will receive a green status, those within 10% of target an amber status and those which are operating below target a red status. Where a measure has no target, either because it is not appropriate to set one or we are still benchmarking the measures, the RAG status will be shown as grey. Where a measure has no data or target at the moment, the RAG status will be shown as black.

4.2.2 **Project & Programmes** - Monitoring of milestones, deliverables and issues

4.2.3 Details of each individual project are collated within "LBC Delivery Tracker", with corresponding MS Teams cards to track progress at a granular task level. The tracker allows for centralised, regular, monitoring of both progress and confidence in delivering the projects that make up the programmes of the CRP.

4.2.4 **Three year Croydon Renewal Plan - April 2021 to March 2023**
Within the tracker, there are now 476 actions, representing the three year plan, this includes the nine recommendations from the ARK report linked to Croydon's Housing Improvement Plan.

4.2.5 **Action status across full three year programme as of 14 October 2021:**

To date 154 Renewing Croydon Programme actions are marked as complete, 116 relate to the medium term Financial Strategy Programme. Please refer to the Financial Performance Report also presented at this Cabinet.

- 80.8% of all actions are in progress (385 of 476)
- Actions not yet underway have defined start dates across the full three years of the programme.

4.2.6 Appendix A of this report provides an overview update against each of the programmes.

4.2.7 **Financial savings** - Savings and growth targets, as identified within the MTFS project of the Croydon Renewal Plan, are £72.45m and £122.45m respectively. Breakdown of the savings and risk were previously provided to Cabinet in March 2021 under Appendix A.

4.2.8 The Financial Monitoring Report for period six of the 2021/22 financial year, being presented to Cabinet on 15 November, details projects that are at risk of delivery. Table 2a of the Financial Monitoring Report provides full details of MTFS savings risks with a brief commentary of the projects that are at risk of delivery. To date, there are potential £0.874m worth of savings (£1.408m in Month 5) that may not be achieved. Services are currently carrying out further work to ensure these can be delivered or otherwise mitigated. So far no specific mitigations have been fully identified. Directorates are working up proposals to bring these savings at risk back on track. This represents 3% of the total savings (£44.6m) that had been identified as part of the 2021/22 budget setting exercise. If these savings are deemed to be definitely non-deliverable they will be factored into the monthly forecast and incorporated into the forecast outturn position.

4.2.9 **Risk** - This report will monitor the risk to the delivery of the CRP actions and savings and the potential impact against corporate risks and mitigation in place. There are currently 137 risks on the strategic risk register. These are cross referenced monthly against the PMO risk register monitoring the risk to delivery of projects and the impact against these strategic risks.

4.2.10 **Analysis and Benchmarking** - As detailed in previous reports to Cabinet, the FPR report will seek to provide further analysis and benchmarking into areas where Cabinet requires more focus on areas within the report noted as underperforming in order to allow the necessary check and challenge. Cabinet is asked to review the report and identify the area/s they wish to review as part of the September FPR report which will be presented to Cabinet.

5. Departmental and statutory performance reporting – These reports continue to be presented to all Departmental Leadership Team meetings with the latest review taking place on the 20 October 2021. This process continues on a monthly basis. Executive Directors / Directors are responsible for discussing the contents of departmental and statutory performance reports with the relevant Cabinet Member to ensure line of sight and accountability.

6. Local Government Association (LGA) review of report

6.1 The latest version of this FPR report has been reviewed by the Local Government Authority as part of the iterative process in creating the reporting framework, and the reports produced. Detailed analysis has been provided and we will ensure that those recommendations are applied to future versions of the report, ensuring that we continue to be open and transparent and that we are reporting the things that clearly matter to our residents.

6.2 The key points from the review are detailed below and we will give an update on how these actions have progressed to Cabinet in the next reporting cycle.

- At present the volume of the report is appropriate however it will be important to keep this under constant review to continue to report in line with the Council's improvement journey.
- Over the medium term, once sufficient reassurance has been provided, the report should aim to reduce the number of measures within the report to enable more focus on the 'right things'.
- Quarterly is the appropriate frequency for the report to come to Cabinet and is in line with other councils. Some performance information will be available and shared with Cabinet Members in the interim, particularly where there are emerging issues.
- Corporate Directors will need to think about how this emerging information is shared with Cabinet as a whole.
- Awareness of the work on priorities should inform which key areas for improvement are highlighted in the covering report and should prompt a check on whether the right indicators are being tracked.

7. Frequency of reporting

7.1 As agreed at the 12 April Cabinet meeting, performance reporting will take place at different frequencies as deemed appropriate (monthly, quarterly, annually) depending on the type of report and audience. To date, this performance report has been presented to Cabinet on a monthly basis, with frequency of reporting being reviewed in November 2021.

7.2 It is recommended that the frequency of reporting be amended to quarterly, as reflected in the reporting timetable below. This will allow for further analysis of the data to take place and for changes in performance to be reported in more detail and context. This is also in line with the frequency of reporting to Cabinet in other London Boroughs, and as recommended by the LGA.

- 7.3 Cabinet Members will continue to be sighted of performance within their relevant portfolio on a monthly basis by directors and corporate directors.

Reporting period	Reported to Cabinet
October 2021	February 2022
November 2021	
December 2021	
January 2022	May 2022
February 2022	
March 2022	

8. Change Control – Performance Measures

- 8.1 The children, families and education department have requested that the following measures be replace / removed from the framework, due to the measures having no comparative data available. These measures are useful at operation level, where they are reported as local measures within the department.
- **CFE CSC 19** Number of young people who have Appeals Rights Exhausted – this will be replaced with a new measure which will be detailed in the next performance report. These measures will be replaced and reported within the next reporting cycle.
 - **CFE CSC 26** Rate of adolescents entering care per 10,000 (13-17 years) population excluding UASC year to date – to be removed
 - **CFE CSC 27** Rate of adolescents leaving care per 10,000 (13-17 years) population excluding UASC year to date – to be removed

9. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 9.1 It is essential that the Council takes steps to ensure that a robust performance management plan and framework are in place, alongside the work of the Programme Management Office, Finance and Risk. Delivery against the actions in the CRIP and sustainable improvements in services are unlikely to happen without it.

10. OPTIONS CONSIDERED AND REJECTED

- 10.1 None.

11. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 11.1 There are no direct financial implications arising from this report. There will be financial implications associated with the delivery of the projects and actions within the Croydon Renewal and Improvement Plan which have been factored into the Medium Term Financial Strategy. The delivery of these projects and

actions, and the resulting savings is essential. It is therefore critical that effective monitoring and reporting is in place.

11.2 Approved by: Matthew Davis, Director of Finance.

12. LEGAL CONSIDERATIONS

12.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that section 3(1) of the Local Government Act 1999 requires the council as a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. Monitoring of performance information and acting on the findings are an important way in which that obligation can be supported.

12.2 For the purpose of deciding how to fulfil the duty arising under subsection (1) an authority must consult—

- (a) representatives of persons liable to pay any tax, precept, or levy to or in respect of the authority,
- (b) representatives of persons liable to pay non-domestic rates in respect of any area within which the authority carries out functions,
- (c) representatives of persons who use or are likely to use services provided by the authority, and
- (d) representatives of persons appearing to the authority to have an interest in any area within which the authority carries out functions.

12.3 In deciding how to fulfil the duty arising under section 3 (1), who to consult under section 3 (2), or the form, content, and timing of consultations under that subsection, an authority must have regard to any guidance issued by the Secretary of State. The most recent version of this guidance was published in March 2015:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418505/Revised_Best_Value_Statutory_Guidance_final.pdf

12.4 Any legal implications arising in relation to individual actions will need to be dealt with as projects and decisions come forward for approval.

12.5 Approved by: Sandra Herbert, Head of Litigation and Corporate Law for and on behalf of the Interim Director of Legal Services.

13. HUMAN RESOURCES IMPACT

13.1 Key to delivery of the Croydon renewal and Improvement Plan will be to retain and invest in a skilled workforce, who are enabled and engaged through a positive organisational culture. The council's workforce strategy is aligned to the Croydon Renewal & Improvement Plan and supports building the workforce skills and capacity for the future.

- 13.2 Any planned service changes through informed review, will be subject to the council's organisational change procedure and consultation with staff and trade unions.
- 13.3 Approved by: Elaine Jackson, Interim Assistant Chief Executive.

14. EQUALITIES IMPACT

- 14.1 In April 2011 the Equality Act (2010) introduced the public sector duty which Extends the protected characteristics covered by the public sector equality duty to include age, sexual orientation, pregnancy and maternity, and religion or belief.
- 14.2 Section 149 Equality Act 2010 requires public bodies to have due regard to the need to:
- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - foster good relations between people who share a protected characteristic and people who do not share it.
- 14.3 Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that decision makers must be able to evidence that they have taken into account any impact of the proposals under consideration on people who share the protected characteristics before decisions are taken. Equalities impact assessments will be a key part of our governance framework for the Improvement Board, with direct input from the Council's Equality & inclusion Manager.
- Approved by: Gavin Handford, Director of Policy & Partnership.

15. DATA PROTECTION IMPLICATIONS - WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

- 15.1 **NO** - The Director of Policy & Partnership comments that there are no data protection implications arising from the contents of this report
- 15.2 Approved by: Gavin Handford, Director of Policy, Programmes & Performance.

16. REASONS FOR RECOMMENDATIONS/ PROPOSED DECISION

- 16.1 It is essential that the Council takes steps to address the necessary improvements required to enable Croydon Council to be a financially sustainable council delivering value for money efficient and effective services.

CONTACT OFFICERS:

Caroline Bruce, Head of Business Intelligence, Performance and Improvement.
Craig Ferguson, Business Insight Manager.

APPENDICES TO THIS REPORT

Appendix A – Finance Performance and Risk report – Latest available data as of 30 September 2021

BACKGROUND PAPERS

Croydon Renewal and Improvement Plan.

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Appendix A

Finance, Performance & Risk report

Better information

Better understanding

Better decisions

Better outcomes

Contents

1. Report summary
2. Croydon Renewal Plan – *performance measures*
3. Croydon Renewal Plan – *projects & programmes*
4. Croydon Renewal Plan – *savings*
5. Organisational Health
6. Risk
7. Statutory return analysis
8. Data Publication
9. Croydon renewal plan performance measures – All (*for reference in departmental order*)

1. Report summary

- Overall performance of corporate renewal plan indicators shows that 61% of measures monitored are on track (green) or just below (amber). This is a drop of 5% since the last reporting period. Performance continues to be reviewed, checked and challenged by the Corporate and Departmental leadership teams on a monthly basis.
- Medium Term Financial Strategy Savings programmes have seen in an increase in programmes at risk. The risks sit within Place and Children, Families and Education and this amounts to £1.953m which is an increase on the £1.64m reported in the previous month however this must be read in context of an overall programme of £44m savings.
- Cultural Transformation programme remains on hold pending confirmation of scope, governance, and measurable outcomes.
- Revised Landlord Licensing scheme: Secretary of State declined the scheme in July 2021, this decision will also have a financial impact on the council.
- The average time taken (days) to complete void repairs is under performing, as is electrical testing. Further investigation into performance is recommended.

Report summary cont.

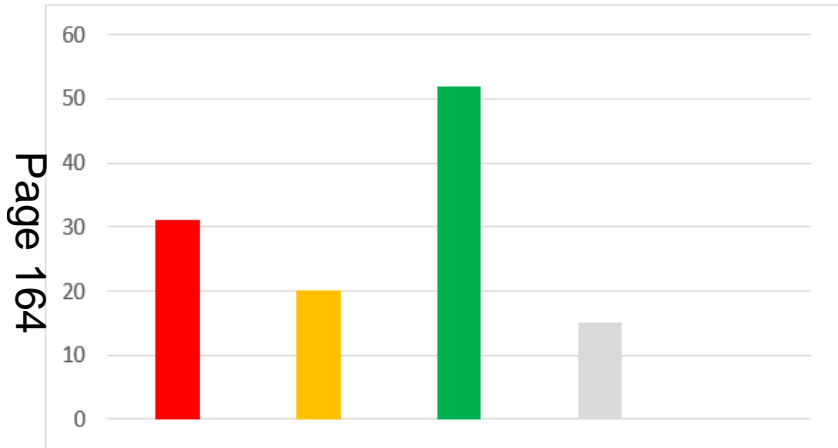
- The number of FTE sick days has continued to rise each month. The numbers of FTE staff increased within the last month, the number of sick days per FTE has continued to rise. Current performance has seen an increase from 6.1 to 6.8 days moving further away from the 5.6 day target. The London average position is currently 7.7 days.
- Council tax % collected, collection rates are recovering, while nondomestic collection rates have maintained the trend of being below target with little sign of recovery in the September data.
- Numbers of Freedom of Information requests responded within target have dropped significantly to a low of 24% in August 2021. Approximately 30% of the 168 requests received in July are still open, the vast majority of these are overdue.
- The amount spent on agency staff has increased from August to September. This is lower than the total amount spent in July but the average weekly spend has increased. The numbers of agency staff and those covering permanent roles has also increased.
- All Departmental Leadership Teams were provided with a departmental performance report on 19 October 2021 and Performance Management is now routinely being used to manage services.

2. Croydon Renewal Plan - performance

Performance measures – RAG status all PI's

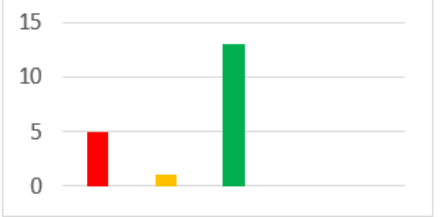
CROYDON CORPORATE PERFORMANCE FRAMEWORK

CROYDON TOTAL



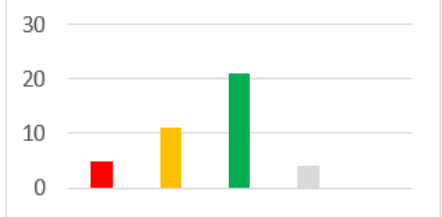
31	20	52	15	0
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PLACE



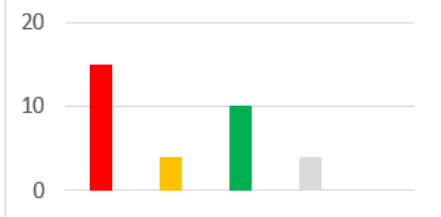
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HOUSING



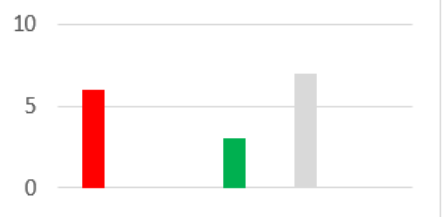
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RESOURCES



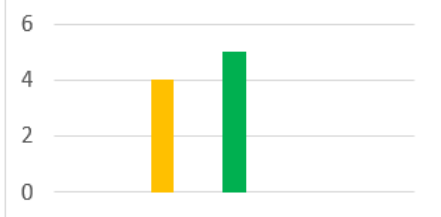
15	4	10	4	0
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CFE



6	0	3	7	0
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HWA



0	4	5	0	0
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RAG Status key

RED (R)	<ul style="list-style-type: none"> Performance has not met target Performance differs from comparators (benchmarking) over 10%
AMBER (A)	<ul style="list-style-type: none"> Performance has not met target but is within 10% of target Performance differs from comparators (benchmarking) within 10%
GREEN (G)	<ul style="list-style-type: none"> Performance has met or exceeded target Performance has matched one or more comparators (benchmarking)
GREY (GY)	<ul style="list-style-type: none"> Data submitted, no target has been set (where required to)
BLACK	<ul style="list-style-type: none"> No data has been submitted

Performance overview – A selection of Green and Amber PI's

GREEN

- Average Caseload per allocated Social Worker in Children's Social Care is below target (15.4 actual target is 17 - smaller is better)
- Amount of cost avoidance on homeless prevention is £2,578.5m This is above the target of £1.667m
- 100% of immediate general building (GB) repairs have been carried out on time
- 100% of immediate, emergency and routine (GAS) repairs have been carried out on time.
- Major planning applications determined in time over a rolling two-year period is at 83.16% and above target of 60%.
- Non-Major planning applications determined in time over a rolling two-year period is at 74.65% and is above target of 70%
- Street light maintenance is above target (99.61% of lights in light against a target of 99%)

AMBER

- Total number of hours of Home care (18-64) – 7,027 with target of 6,586
- 92.7% of rent collected as a % rent due (Inc. arrears brought forward) target 97%
- % calls answered by Axis Contact Centre (housing) is slightly below target of 95% at 93.4%

Performance overview – A selection Red PI's

RED

- Recycling performance 38.8% (London average 32.9%) against a Croydon target of 50%.
- 73% of Children in Need (CiN) have had a review on time (those allocated to Children with Disability team) against a target of 95% (bigger is better)
- 27% of Child Protection Children subject to a plan for a second or subsequent time against a target of 18% (smaller is better)
- Average time taken (days) to complete void repairs is performing at 25 days, against a target of 10 days
- 1 out of 4 (25%) Major planning applications were on time. (Target 60%)
- Minor planning application targets are not being met (50% and target is 65%)
- Other planning application targets are not being met (67.04% and target is 80%)

3. Croydon Renewal Plan – Programmes and Projects

CRP – Programmes & Projects overview

GREEN*

- Medium Term Financial Strategy in Health, Well-being and Adults 21/22 savings are on-track to deliver and the directorate is on budget. This includes transitions which came into HWA with £1.6m overspend and £700k risk. Adult Social Care is behind on some savings but these efficiencies have been found elsewhere across the directorate and ASC remains within budget at this stage.
- Medium Term Financial Strategy Resources, all 21/22 savings on track to deliver full amount. Focus is extending to 22/23 delivery, and identification of further savings.
- Review of Council Companies task and finish has completed its review and submitted its proposal to transition into the Croydon Companies, Supervision and Monitoring Panel (CCSMP).
- Medium Term Financial Strategy Corporate Finance, all 21/22 savings on track to deliver full amount
- Medium Term Financial Strategy Children, Families & Education all 21/22 savings are on track.
- Report in the Public Interest: At 15 October 2021 a total 62 of the 99 tasks identified in the RIPI Action Plan have been completed. Work is progressing to deliver the remaining tasks by Q4 21/22.
- Croydon Finance Review 38/75 recommendations complete and embedded

**Green - Projects that have made an improvement in terms of delivery, compared to past performance*

CRP – Programmes & Projects overview

Amber*

- Medium Term Financial Strategy Place 21/22 savings, total at risk: £873,552 from PLA Sav 24:Pay & Display continues to be significantly affected by the national lock-down, as the easing of lock-down occurs we are expecting to see an increase in pay & display transactions for both on street and off street. Monthly monitoring of transactions in place.
- Medium Term Financial Strategy Health Well-being & Adults 22/23 and 23/24 assurance less well defined but work is being completed to provide this detail at the next Star Chamber on 20th October
- Medium Term Financial Strategy Resources, 22/23 and 23/24 assurance continue to be less well defined due to future unknowns, however focus has now turned to 22/23, and is being discussed at the Resources & ACE Star Chambers.
- Medium Term Financial Strategy CFE, 22/23 and 23/24 assurance continue to be less well defined due to future unknowns, however focus has now turned to 22/23, and is being discussed at the CFE Star Chamber sessions.
- Governance review: Delivery of a range of governance improvement projects arising from the RIPI, governance review and scrutiny is continuing. Establishment of the appropriate internal control board is required to confirm the scope of the improvement programme and number of projects within it.
- Centre for Scrutiny and Governance (CfGS): Scrutiny and Overview Committee on 7 September 2021 agreed a new approach to the management and delivery of scrutiny which will deliver the short term actions recommended by the review.
- Review of Council Companies: (Croydon Affordable Homes projects only) awaiting confirmation of replacement Senior Officer - overdue an update, this has been escalated.

**Amber - Projects from a strong position, performance is beginning to deteriorate, to enable decision makers to make informed choices as to how to manage / improve performance in a timely manner*

CRP – Programmes & Projects overview

Red*

- PLA Sav 12: Revised Landlord Licensing scheme: Secretary of State declined the scheme in July 2021. Report to Cabinet (16th August) to confirm this decision and agreement reached that the council takes steps to review its position to the known issues in respect of conditions and anti-social behaviour in the borough's private rented sector.

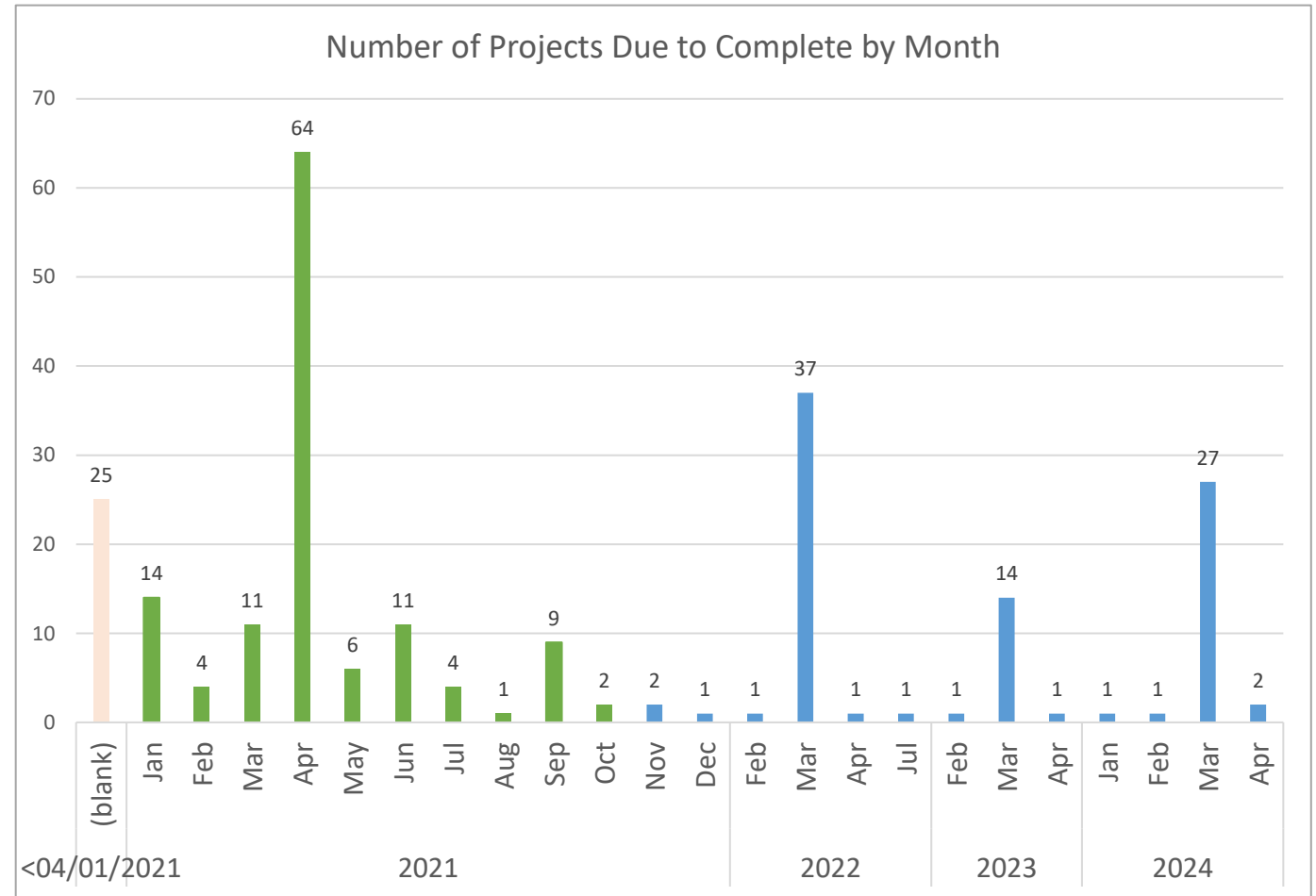
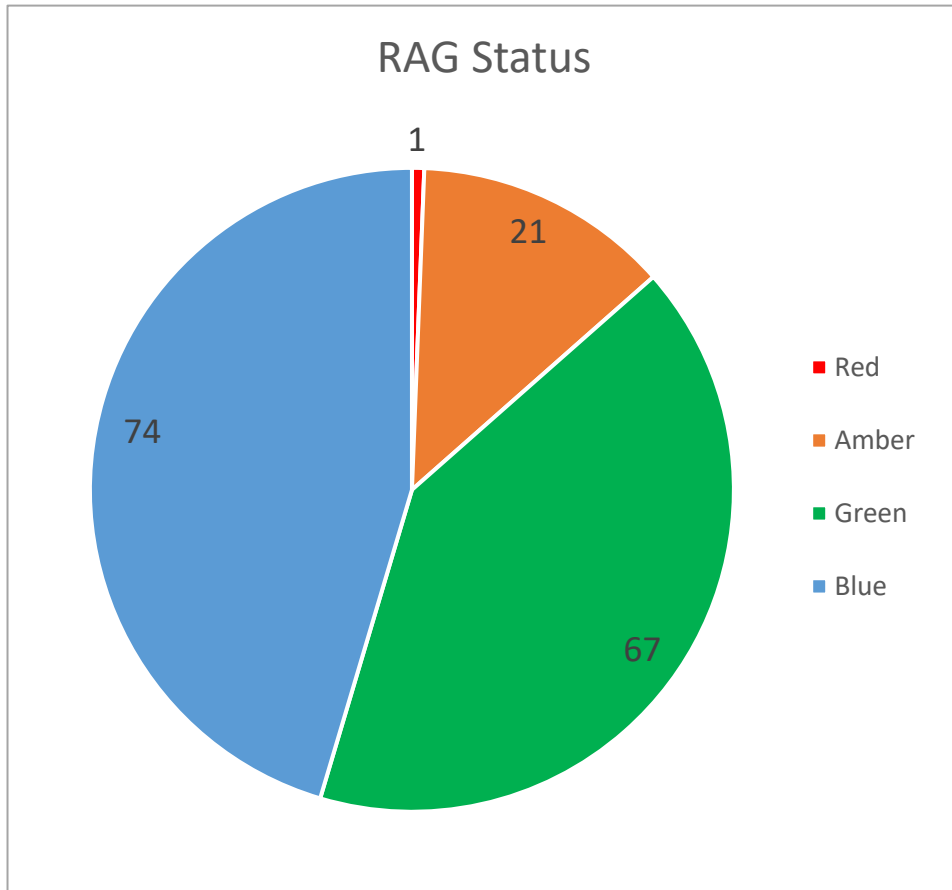
** Red - Projects that are not on target to deliver milestones as and when expected*

CRP – Programmes & Projects overview

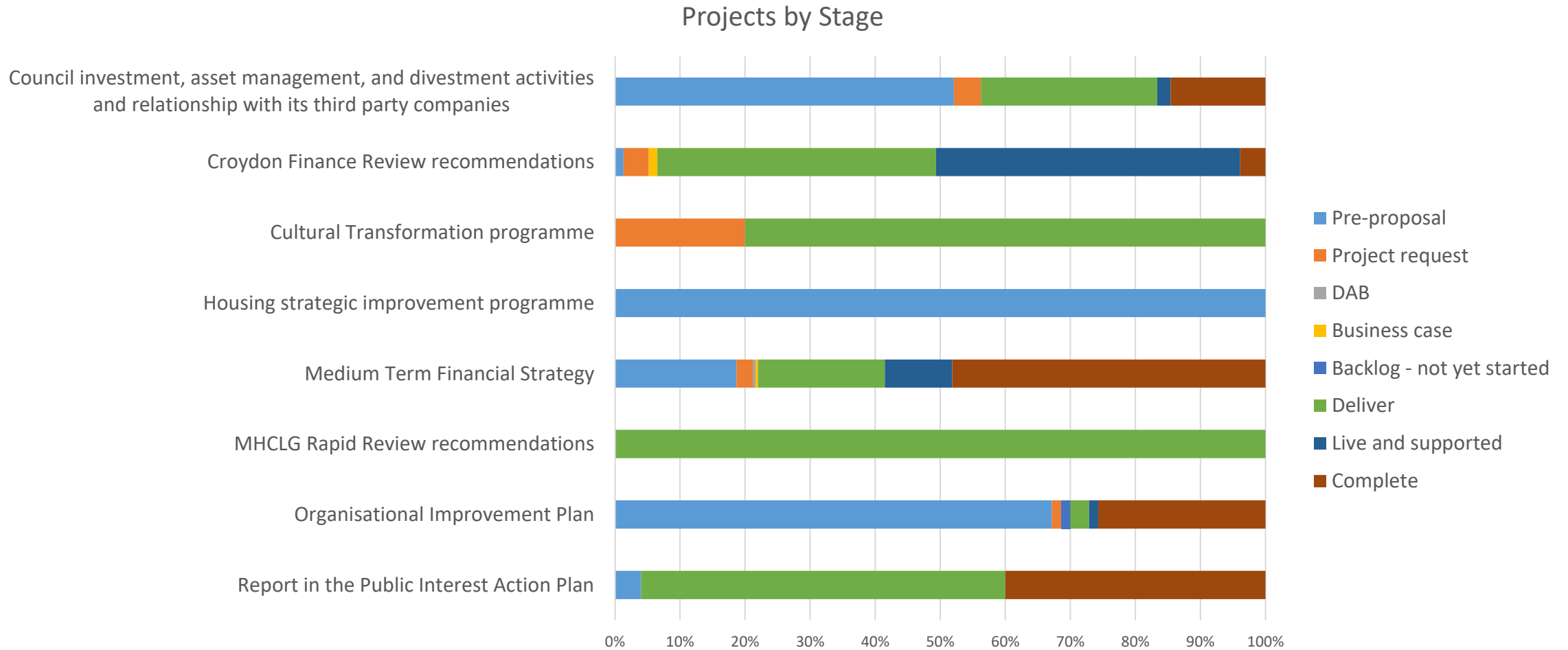
Programme	Update	No. of complete projects
Organisation Improvement Plan	On hold pending results of Ecosystem/Restructure/Transition Plan	TBC
MHCLG Rapid review	The outstanding work across the eleven recommendations is expected to move across to the appropriate Governance Board(s) in late October/November, at this point implementation is anticipated to become BAU and the programme disbanded.	1/1
Croydon Finance Review	Work is ongoing, the S151 has been introduced to the programme of work	38/75
Review of Council Companies	Work is ongoing, the S151 has been introduced to the programme of work, and updated re: the outgoing task and finish group, which has completed it's expansion of the original scope provided by PwC, so that this programme now includes all Council Companies. The new Croydon Companies Monitoring and Supervision Panel will be chaired by the S151 and monthly meetings starting in late October/November are going into the diary within the next week.	9/25
Medium Term Financial Strategy	P5 monitoring was replaced by Star Chamber meetings which included assurance on in year, and challenge to yield robust future year proposals to meet the budget gap. Star Chambers will continue throughout October.	116/241
Cultural Transformation	On hold pending confirmation of scope, governance, and measurable outcomes.	0/5

Programme	Update	No. of complete projects
Governance Review	<p>Delivery of a range of governance improvement projects arising from the RIPI, governance review and scrutiny is continuing. Progress includes:</p> <ul style="list-style-type: none"> • Adoption of Member Code of Conduct by Council 11 October 2021 • Detailed schedule of member development developed and delivery underway, including sessions to build member understanding of council finances • Annual Governance Statement draft to be reviewed by General Purposes and Audit Committee 25 November 2021 <p>Establishment of the appropriate internal control board is required to confirm the scope of the improvement programme and number of projects within it.</p>	TBC
Report in the Public Interest	<p>At 15 October 2021 a total 62 of the 99 tasks identified in the RIPI Action Plan have been completed. Work is progressing to deliver the remaining tasks by the end of March 2022.</p>	10/25
Scrutiny Review (OPGS)	<p>Scrutiny and Overview Committee on 7 September 2021 agreed a new approach to the management and delivery of scrutiny which will deliver the short term actions recommended by the review.</p> <p><u>The new approach is now in operation:</u></p> <ol style="list-style-type: none"> a) Scrutiny Coordination Group has been established and reviewed the prioritised Scrutiny work-plan.. Meetings will continue once the information digest (see (e) below) is available b) Prioritised Scrutiny work-plan agreed, focused on Croydon Renewal Plan c) Introduction to scrutiny session for all members delivered 13 October 2021, budget scrutiny development session delivered 20.10.21 d) Programme of action learning to develop approach for budget scrutiny underway <p><u>In development:</u></p> <ol style="list-style-type: none"> a) Information digest for use by scrutiny chairs in work planning, including regular updates on CRP delivery b) Access to information protocol – for further review by Ethics Committee 17.11.21 	2/13

CRP – MTFS P6 Projects overview



CRP – Programmes & Projects overview



4. Croydon Renewal Plan – savings

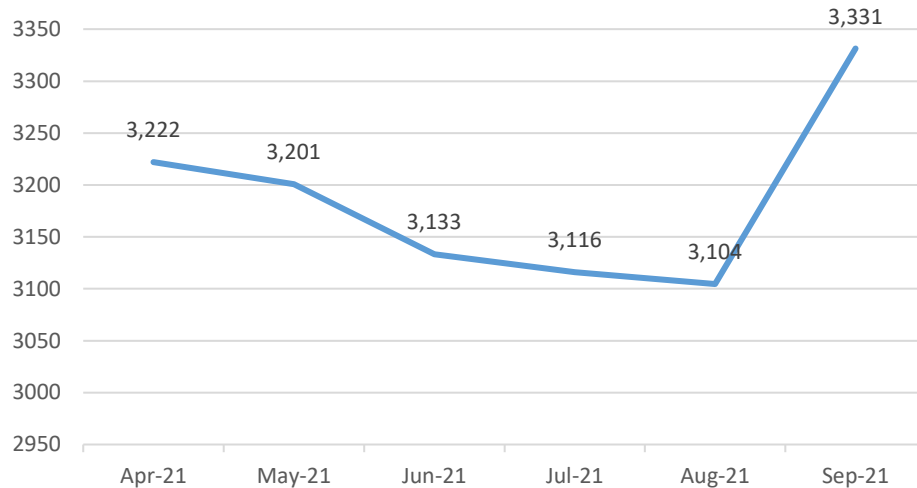
Financial Savings (as at September 2021)

- Savings and growth targets, as identified within the MTFs project of the Croydon Renewal Plan, are £72.45m and £122.45m respectively.
- Total savings at risk are £0.874m. This is a reduction against the £1.408m figure reported as part of the month five reporting presented to the October 2021 Cabinet meeting. If these savings are deemed to be definitely non-deliverable they will be factored into the monthly forecast and incorporated into the forecast outturn position
- Table 2a of the Financial Monitoring Report provides full details of MTFs savings risks with a brief commentary of the projects that are at risk of delivery.

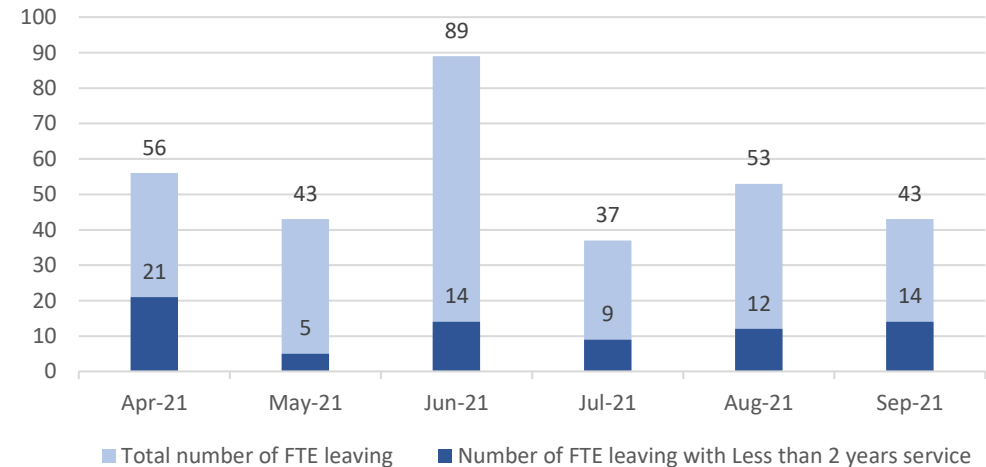
5. Organisational Health

Workforce – staff turnover

Number of permanent FTE



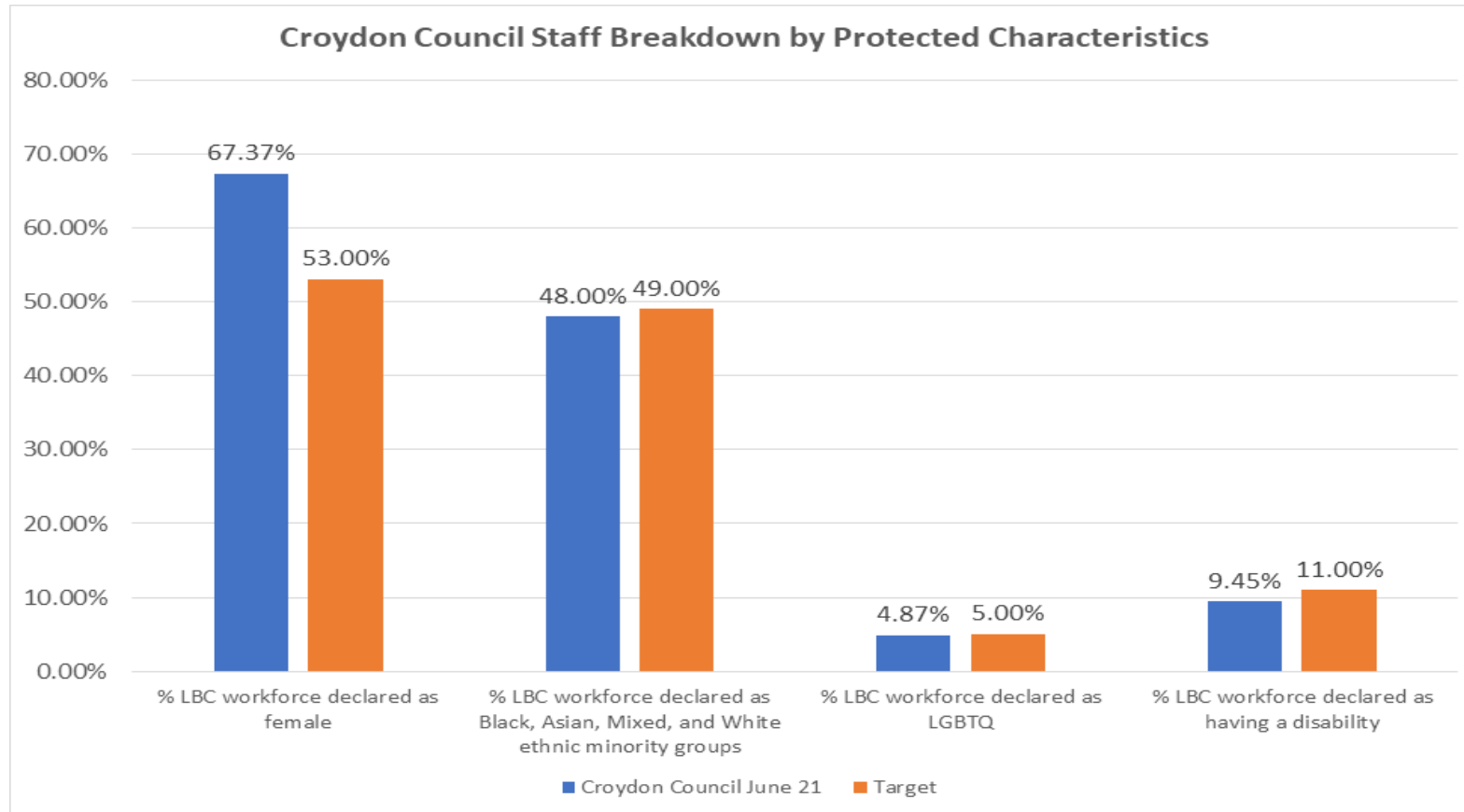
Number of FTE leaving



The number of permanent FTE increased by around 7% between August and September, and reached the highest value for the current financial year. The number of FTE staff leaving has dropped slightly from August to September.

The number of staff leaving with less than 2 years' service is in the minority, although in April it did reach 37.5% of total leavers. This dropped to a low of 12% in May, and has since risen to 32.5% for August.

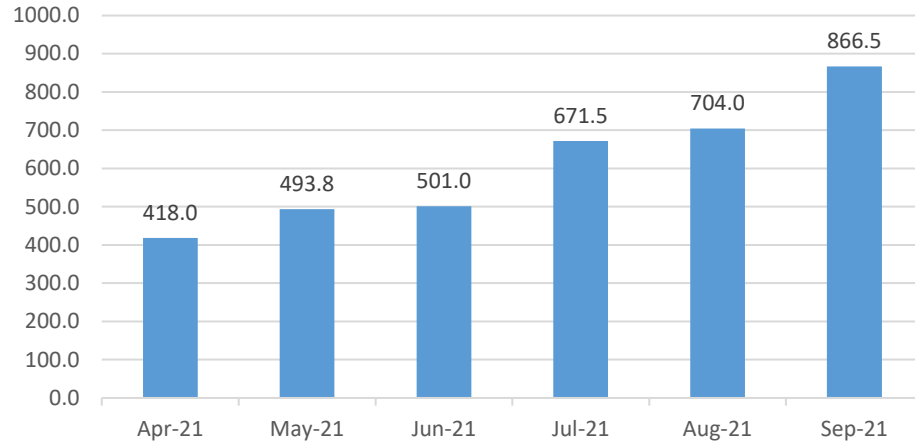
Workforce – protected characteristics



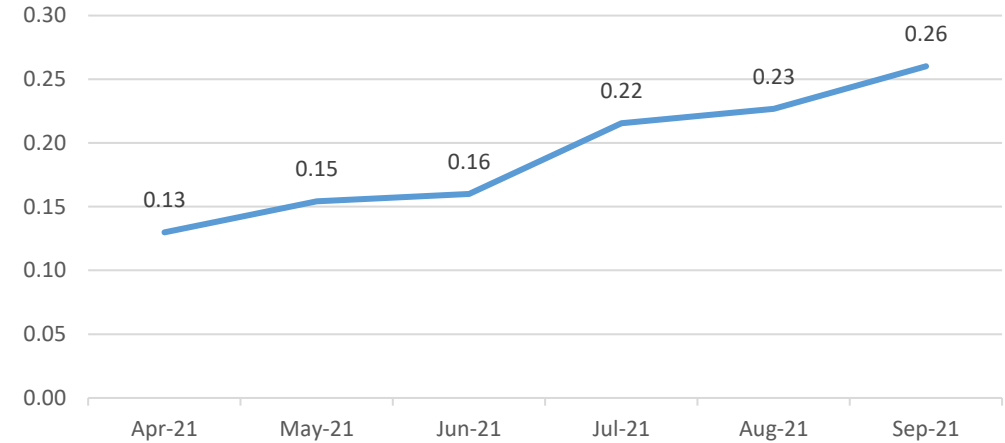
Croydon council staff characteristics strive to be proportionately representative of the Croydon population. 67.37% of Croydon staff are currently female (June 21). This is much higher than Croydon as a whole.

Workforce - sickness

Number of sick days taken



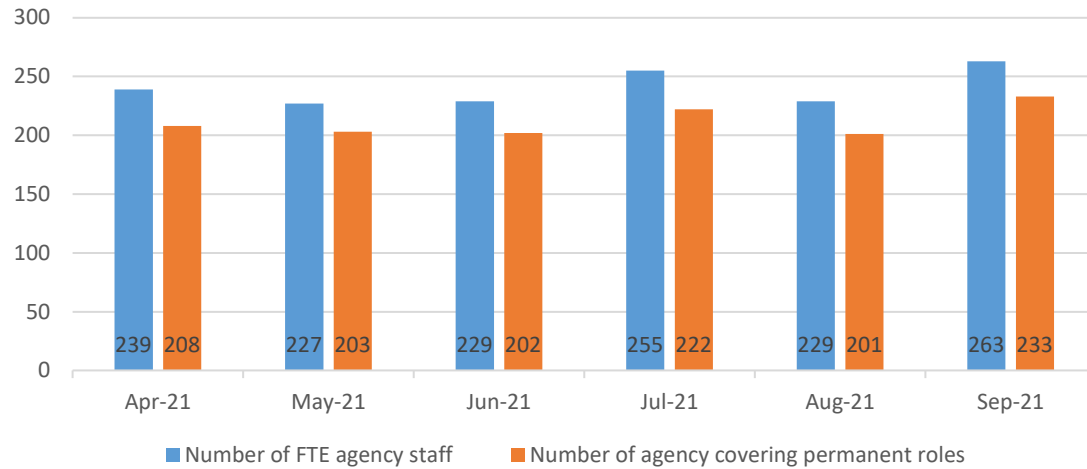
Number of sick days per FTE



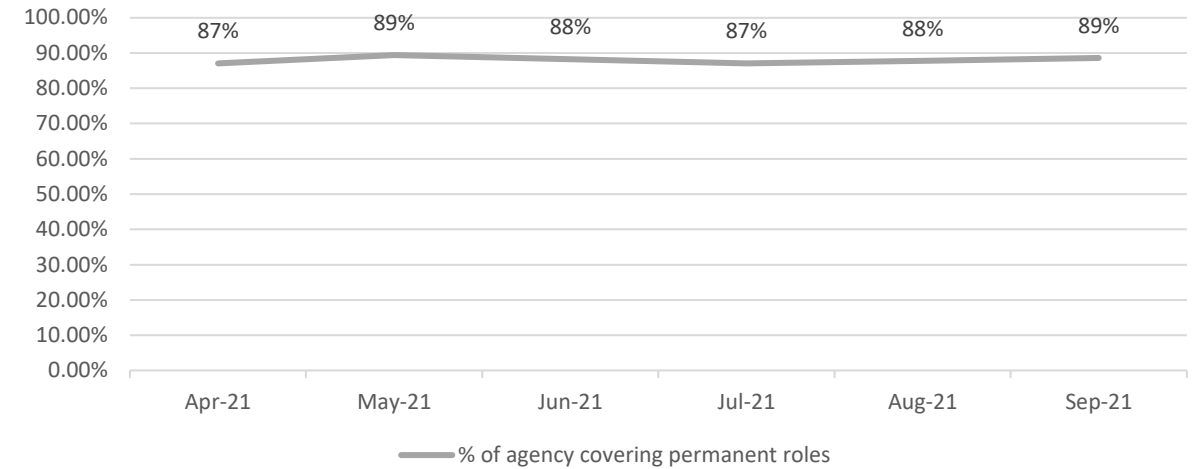
The number of sick days has continued to rise each month from April to September 2021. Although the numbers of FTE staff also increased within the last month, the number of sick days per FTE has continued to rise.

Agency – number of staff

Number of agency staff

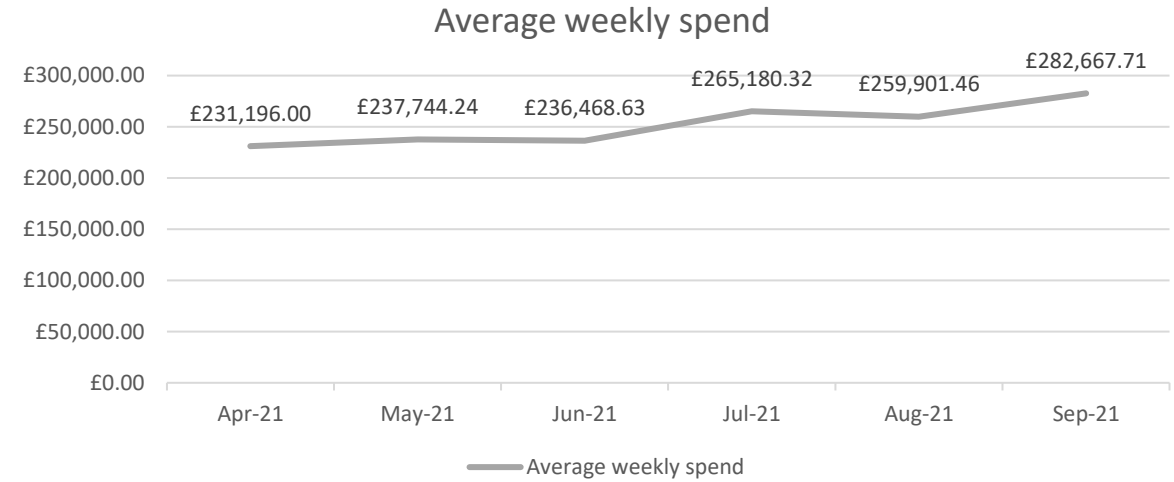
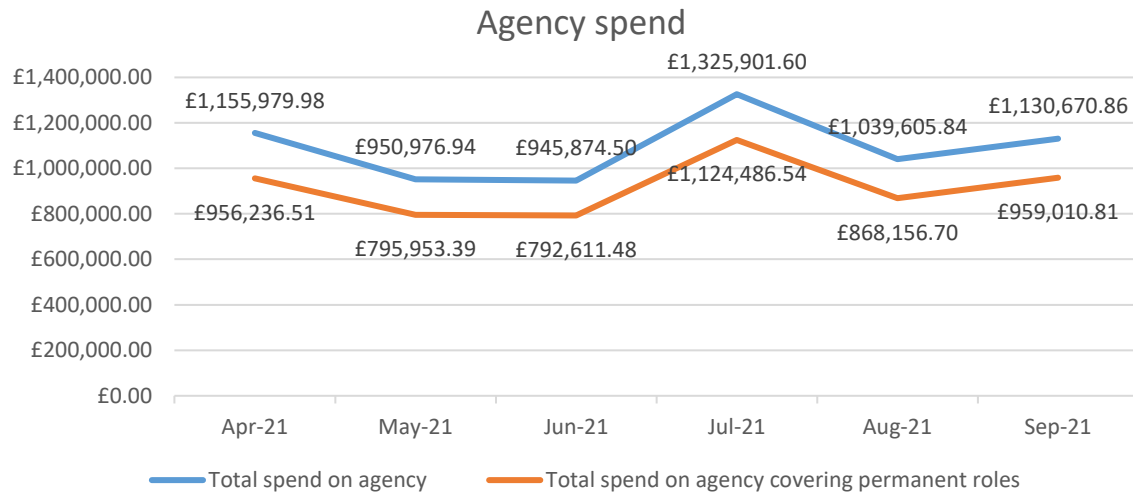


% of agency staff covering permanent roles



The numbers of agency staff and those covering permanent roles has increased from August to the highest numbers since the start of the financial year. The percentage of agency staff covering permanent roles has stayed mostly consistent since the start of the financial year.

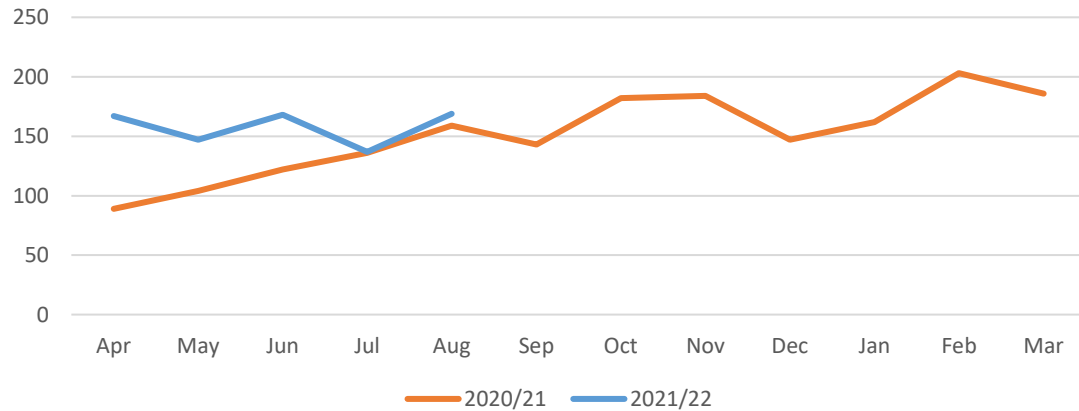
Agency - expenditure



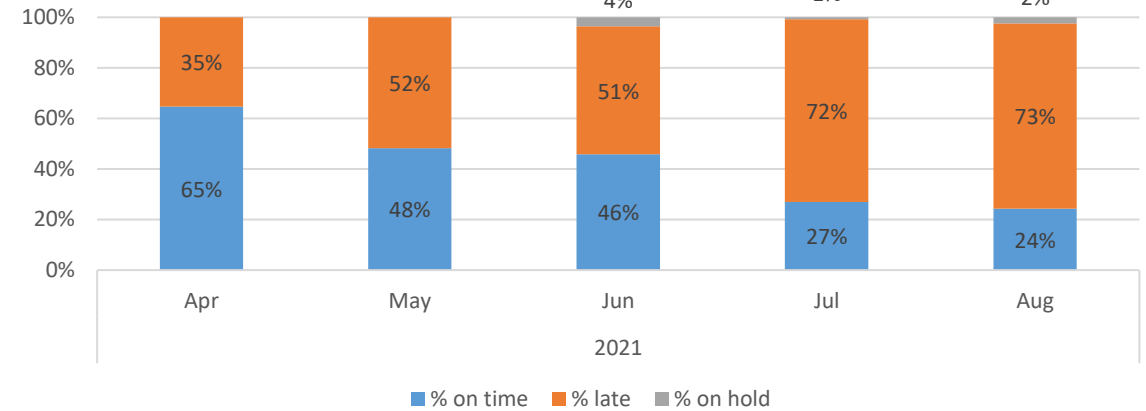
The amount spent on agency staff has increased from August to September. Although lower than the total amount spent in July, the average weekly spend has increased to the highest in the current financial year. Approximately 85% of all agency spend is allocated to staff covering permanent roles. The average spend per agency staff has decreased to £4,300 per member of agency staff for the month of September from a high of £5,200 per member of agency staff for the month of July.

Freedom of Information (FOI) requests

FOIs received year on year comparison



% of FOIs responded on time



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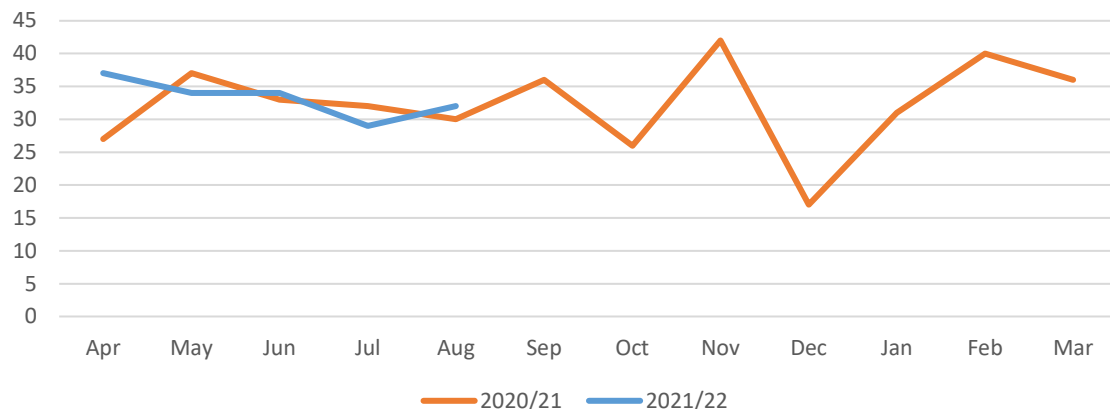
Numbers of FOI requests have been consistently higher for 2021/22 than the corresponding figures for the previous year, however July and August's figures are only slightly above the values for the previous year. 2021/22 numbers still represent a drop from the previous year's high of 203 in Feb 2020.

Numbers of FOI requests responded to within target have dropped significantly from the start of April to a low of 24% in August 2021. Approximately 30% of the 168 requests received in July are still open, the vast majority of these are overdue.

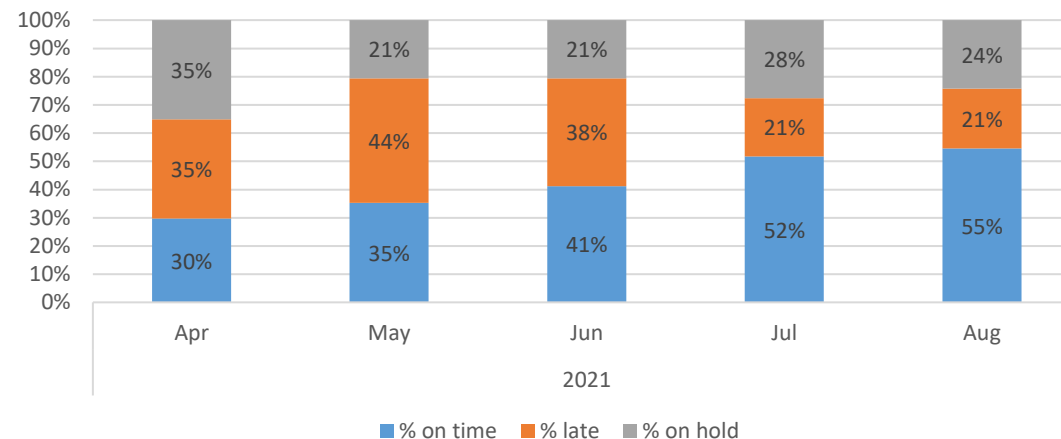
N.B: The FOI responded within target chart includes data for currently open cases. August requests responded on time are not shown as the majority of these requests are still open, with a target response date in September.

Subject Access Requests (SARs)

SARs received year on year comparison



% of SARs responded on time



Numbers of SARs have risen slightly from July to August 2021. Apart from April 2021, numbers of requests have been similar to numbers of requests for the previous year. Numbers of SARs responded to on time / currently on target have increased from April to August, however unlike FOI data, the majority of the requests for July/August are still open (approx. 64% of total requests) and many of these have a current target date in the future (approx. 18% of total requests). Many are also on hold awaiting further information (approx. 24% of total requests), so these figures are subject to change.

N.B: Data for SARs on time includes currently open cases within timescales.

Complaints

Current stage*	Number of open complaints
Adults Social Care Stage 1	15
Childrens Social Care Stage 1	13
Childrens Social Care Stage 2	1
Childrens Social Care Stage 3	0
Corporate Complaints Stage 1	346
Corporate Complaints Stage 2	10
LGO	7
Praise	2
Other	3
Grand Total	397

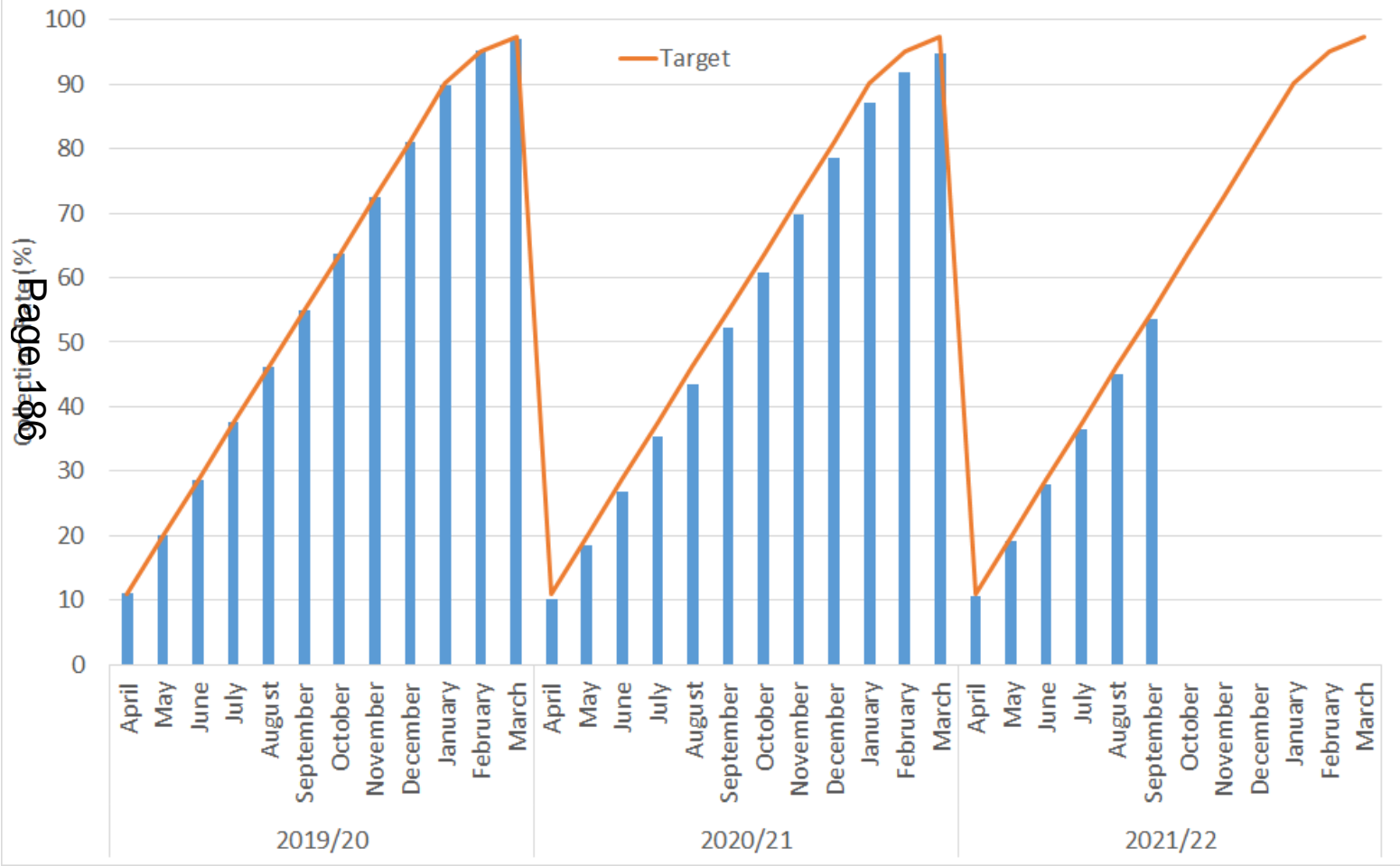
*Complaints data correct as at 15.10.21

Complaints Data

The Complaints team are currently working through a manual update process, there are over 600 changes, mostly to dates, which are expected to be completed by mid November. Once complete, accurate reports on all the complaints data held in Infreemation should be available.

Council tax - % collected

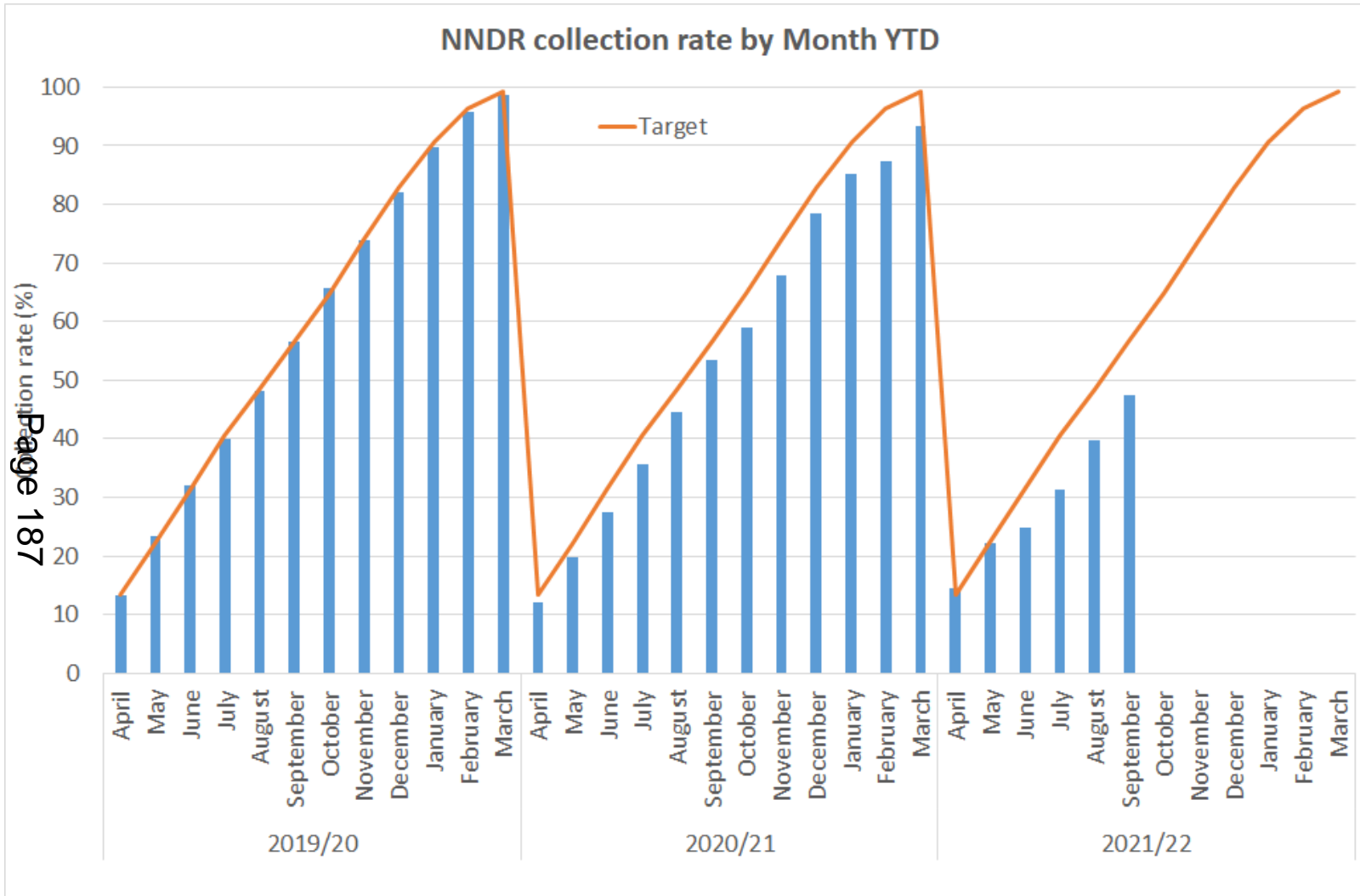
Council tax collection rate by Month YTD



Council Tax collection rates dipped below target in 2020/21. This was primarily due to COVID.

The 2021/22 collection rates are recovering and are much closer to target

Non domestic rates - % collected



NNDR collection rates dipped below target in 2020/21. This was primarily due to COVID.

This trend has continued in 2021/22

6. Risk

Strategic risk V Programme / project risk

- There are currently 137 risks on the strategic risk register, an increase of one risk from 136 at the last reporting period.
- These are cross referenced monthly against the PMO risk register monitoring the risk to delivery of projects and the impact against these strategic risks.
- Where a link has been identified these are monitored by the PMO together with the Lead for corporate risk.
- Of the 137 strategic risks reviewed for this reporting period, no detrimental impact has been identified from potential programme / project risks

7. Statutory return analysis*

* This section of the report will be based around current statutory return submission once published, so will change throughout the year

Statutory Return Analysis

Collection Name	Publication
Short and Long Term Support (SALT) Adult Social Care	November 2021
ASC-FR (Finance)	November 2021

8. Publication of Data

Publication of Data

Additional reports will be produced for the below and attached to this report, when available.

- **Census** – data from the ONS for the census will be released throughout March 2022-23 to local authorities. It will be released in three phases, with phase 1 looking at populations and households etc.
- Post March 2023, results will be released to the public.
- **A-levels and GCSEs** have shown grade increases across the borough. The results to allow for benchmarking against London and nationally are published by the DfE in November 2021.

Latest Update: SEPTEMBER 2021		Red Amber Green Data but no target No data	KEY Getting better Getting worse Same	CROYDON CORPORATE PERFORMANCE FRAMEWORK				CROYDON www.croydon.gov.uk				
REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
PLACE												

PUBLIC REALM

PL PR 19	Number of Park Patrols	Monthly	Sep-21	350	927	↓		Aug-21	1054		No comparable data available	
PL PR 20	Number of District Centre Patrols	Monthly	Sep-21	150	650	↓		Aug-21	708		No comparable data available	
PL PR 23	% of household waste sent for reuse recycling and composting	Quarterly	Q4 2020/21	50%	42.32%	↑		Q4 2020/21	38.80%	Q4 2019/20	32.9%	
PL PR 25	Missed Bins per 100k	Monthly	Sep-21	30	138	↑		Aug-21	129		No comparable data available	
PL PR 28	% of Streets below grade rectified in time	Monthly	Sep-21	100%	98.8%	↓		Aug-21	100%		No comparable data available	
PL PR 32	Parks and open space volunteer days per month	Quarterly	Q1 2021/22	535	750						No comparable data available	
PL PR 33	Street champion volunteering days per month	Monthly	Sep-21	600	636	↑		Aug-21	630		No comparable data available	
PL PR 53	% of Licence applications to be processed within statutory timescales	Quarterly	Q1 2021/22	100%	100%						No comparable data available	
PL PR 56	% of applications with representations are referred to licensing sub committee within statutory timescales	Quarterly	Q2 2021/22	100%	100%	↔		Q1 2021/22	100%		No comparable data available	
PL PR 59	% of contaminated land assessments are conducted within service standards/statutory timescales	Quarterly	Q2 2021/22	100%	100%	↔		Q1 2021/22	100%		No comparable data available	
PL PR 30	Street lighting performance and maintenance (% of lights in light)	Monthly	Aug-21	99%	99.61%	↓		Aug-21	99.63%		No comparable data available	

PLANNING AND STRATEGIC SUPPORT

PL PS 03	% of Major applications processed in time (13 weeks)	Monthly	Sep-21	60%	25%	↓		Aug-21	100%		No London data available	
PL PS 06	% of Minor planning applications processed in time	Monthly	Sep-21	65%	50%	↓		Aug-21	70.27%		No London data available	
PL PS 09	% of Other planning applications processed in time	Monthly	Sep-21	80%	67.04%	↓		Aug-21	72.73%		No London data available	
PL PS 10	Major Planning applications determined in time over a rolling 2 year period	Monthly	September 19 - August 21	60%	83.16%	↓		August 19 - July 21	84.78%		No London data available	

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Latest Update: SEPTEMBER 2021		LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
REF.	INDICATOR	Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
PL PS 11	Non- Major Planning applications determined in time over a rolling 2 year period	Monthly	September 19 - August 21	70%	74.65%	↓		August 19 - July 21	75.25%		No London data available	

CULTURE

PL CUL 01	Footfall in libraries	Monthly	Sep-21	25,000	25,194	↑		Aug-21	21,476		No comparable data available	
PL CUL 02	Book issues in Libraries	Monthly	Sep-21	30,000	30,742	↓		Aug-21	32,104		No comparable data available	
PL CUL 03	Digital issues in Libraries	Monthly	Sep-21	15,000	15,150	↑		Aug-21	15,138		No comparable data available	

RESOURCES

CROYDON DIGITAL SERVICE

RE CDS 01	Number of major incidents (P1 and P2)	Monthly	Aug-21	5	7	↑		Jul-21	10		No comparable data available	Telephony and Power issues caused by an overloading UPS in Strand House and Ebase continual flapping (logs passed to web team to investigate)
RE CDS 02	Suppliers within SLA for major incidents (P1 and P2)	Monthly	Aug-21	100%	60%	↔		Jul-21	60%		No comparable data available	Overloaded UPS created a situation where servers would switch off when the air con or heating were turned up/down, unresolvable by CDS and needed FM to cut the power cable to our IT room from the UPS.
RE CDS 03	% of issues first time fix (IT Service Desk)	Monthly	Aug-21	80%	100%	↑		Jul-21	90%		No comparable data available	
RE CDS 04	Average website uptime	Monthly	Sep-21	100%	100%	↔		Aug-21	100%		No comparable data available	
RE CDS 05	Number of total website visits	Monthly	Sep-21	44,300	47,556	↑		Aug-21	42,626		No comparable data available	
RE CDS 06	Number of active MyAccount users	Monthly	Last 4 weeks (7 September - 5 October)	25,000	31,560	↑		Last 4 weeks (9 August-6 September)	27,963		No comparable data available	
RE CDS 07	Number of projects in Delivery	Quarterly	Sep-21	≥ projects queued	88	↑		Aug-21	79		No comparable data available	
RE CDS 08	Number of projects Queued	Quarterly	Sep-21	≤ projects in delivery	101	↑		Aug-21	105		No comparable data available	

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Latest Update: SEPTEMBER 2021		KEY		CROYDON CORPORATE PERFORMANCE FRAMEWORK				CROYDON www.croydon.gov.uk					
		Red	Amber	Green	Data but no target		No data	↑	↓	↔	Getting better	Getting worse	Same
REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE	
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position		
RE CDS 09	Total number of Freedom of Information (FOI) requests	Monthly	Aug-21	N/A	169		N/A	44378	137		No comparable data available		
RE CDS 10	Total number of Freedom of Information (FOI) requests responded to with statutory time line	Monthly	Aug-21	N/A	41		N/A	44378	37		No comparable data available		
RE CDS 11	% of Freedom of Information (FOI) requests responded to within statutory time line	Monthly	Aug-21	90%	24%	↓	Red	44378	27%		No comparable data available		
RE CDS 12	Total number of Subject Access Requests (SAR)	Monthly	Aug-21	N/A	33		N/A	44378	29		No comparable data available		
RE CDS 13	Total number of Subject Access Requests (SAR) responded to within statutory timeline	Monthly	Aug-21	N/A	18		N/A	44378	15		No comparable data available		
RE CDS 14	% of Subject Access Requests (SAR) responded to within statutory timeline	Monthly	Aug-21	90%	55%	↑	Red	44378	52%		No comparable data available		

HUMAN RESOURCES

RE HR 02	Recruitment process - % people appointed declared as female	Quarterly	Q1 2021/22		60.42%						No comparable data available	
RE HR 04	Recruitment process - % people appointed declared as Black, Asian, Mixed, and White ethnic minority groups	Quarterly	Q1 2021/22		48.65%						No comparable data available	
RE HR 06	Recruitment process - % people appointed declared as LGBT	Quarterly	Q1 2021/22		0.00%						No comparable data available	
RE HR 08	Recruitment process - % people appointed declared as disabled	Quarterly	Q2 2021/22		2.78%						No comparable data available	
RE HR 09	Percentage of staff who are agency	Monthly	Sep-21	15%	9.60%	↑	Green	Aug-21	10.00%		No comparable data available	
RE HR 15	% LBC workforce declared as female	Annual	Sep-21	53.00%	67.53%	↓	Red	Jun-21	67.37%	March 2020	61.70%	
RE HR 16	% LBC workforce declared as Black, Asian, Mixed, and White ethnic minority groups	Annual	Sep-21	49.00%	46.87%	↑	Amber	Jun-21	48.00%	March 2020	45%	
RE HR 17	% LBC workforce declared as LGBTQ	Annual	Sep-21	5.00%	4.78%	↓	Amber	Jun-21	4.87%		No comparable data available	
RE HR 18	% LBC workforce declared as Disabled	Annual	Sep-21	11.00%	9.39%	↑	Red	Jun-21	9.45%	March 2020	6.30%	
RE HR 19	% LBC workforce who have declared their gender	Annual	Sep-21	100%	100%	↔	Green	Jun-21	100%		No comparable data available	
RE HR 20	% LBC workforce who have not declared their ethnicity	Annual	Sep-21	15%	29%	↑	Red	Jun-21	31%	March 2020	12.20%	
RE HR 21	% LBC workforce who have not declared their sexual orientation	Annual	Sep-21	15%	32%	↑	Red	Jun-21	33%		No comparable data available	
RE HR 22	% LBC workforce who have not declared if they have a disability	Annual	Sep-21	15%	30%	↑	Red	Jun-21	31%		No comparable data available	

REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
RE HR 23	Number of sick days per FTE	Monthly	Rolling Year to Sept 21	5.6	6.8	↓		Rolling Year to August 21	6.1	Rolling Year to Mar 21	7.7 (approximate)	

COMMUNICATIONS

RE CM 01	Intranet page views (all of intranet)	Monthly	Sep-21	200,000	194,495	↑		Aug-21	177,264		No comparable data available	
RE CM 04	Increase in subscribers to YC Weekly e-bulletin from previous month	Monthly	Sep-21	100	424	↓		Aug-21	425		No comparable data available	Up from 87,650 in August to 88,074 in September. Figure may fluctuate due to reasons beyond our control - ie if delivery fails as a result of an individual's mailbox rejecting delivery. Figure also currently includes addresses registered on My account which were added as part of emergency Covid communications. Subscribers will therefore reduce significantly when these addresses are removed when emergency Covid
RE CM 06	Increase in followers of corporate social media accounts from previous month – Facebook @ilovecroydon	Monthly		To increase	33	↑		Aug-21	26		No comparable data available	
RE CM 08	Increase in followers of corporate social media accounts from previous month – Twitter @yourcroydon	Monthly		To increase	95	↓		Aug-21	111		No comparable data available	
RE CM 10	Increase in followers of corporate social media accounts from previous month – Instagram @yourcroydon	Monthly		To increase	36	↓		Aug-21	47		No comparable data available	
RE CM 15	Digital news hub – visits to site	Monthly	Sep-21	25,000	13,401	↓		Aug-21	22,556		No comparable data available	Expected decrease in visits to the news site due to purdah restrictions on publicity - less news stories being published during this time. Top three stories visited: 1) Register now to vote in referendum; 2) Leader's message; 3) New charging system for bulky waste (past story still getting visits)

DEMOCRATIC SERVICES

RE DS 01	Percentage of draft minutes produced within 10 working days;	Monthly	Aug-21	95%	50%	↑		Aug-21	43%		No comparable data available	Due to increased demand the service has been unable to meet the statutory requirement for minutes since December 2020.
RE DS 02	Number of reports published after the statutory deadline	Monthly	Aug-21	0	6	↑		Aug-21	5		No comparable data available	
RE DS 03	Percentage of information requests from the Scrutiny Committee responded to within the statutory timescale	Monthly	Aug-21	100%	N/A			Aug-21	No requests in month		No comparable data available	N/A as no requests made in the period.

COMMUNITY EQUIPMENT SERVICE

RE CES 03	% of Croydon Equipment Service delivery / collection / maintenance / repairs within the agreed timeframe	Monthly	Aug-21	95%	94.2%	↓		Jun-21	94.3%		No comparable data available	
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CHILDREN FAMILIES AND EDUCATION (CFE)

EARLY HELP AND CHILDREN'S SOCIAL CARE

CFE CSC 02	Percentage of Early Help cases that were stepped up to Children Social Care (CSC)	Monthly	Sep-21	15%	14%	↓		Aug-21	13%		No comparable data available	
CFE CSC 03	Percentage of CSC referrals that were stepped down from CSC into Early Help	Monthly	Sep-21	5%	2%	↓		Aug-21	3%		No comparable data available	

Latest Update: SEPTEMBER 2021		KEY		CROYDON CORPORATE PERFORMANCE FRAMEWORK					CROYDON www.croydon.gov.uk					
Red Amber Green Data but no target No data		Getting better Getting worse Same		LATEST DATA				PREVIOUS DATA		BENCHMARKING				COMMENTS ON CURRENT PERFORMANCE
REF.	INDICATOR	Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position			
CFE CSC 04	Percentage of re-referrals within 12 months of the previous referral	Monthly	Sep-21	22%	22%	↑		Aug-21	24%	2019/20	19%			
CFE CSC 26	Rate of adolescents entering care per 10,000 (13-17 year olds) population excl. UASC	YTD	Sep-21	Monitoring indicator (see comment for rationale)	29.8			Aug-21	33.9		No comparable data available	There is no target because this is a monitoring indicator following changes to the service delivery. It is not intended nor is there a strategy to attain any population rate levels.		
CFE CSC 27	Rate of adolescents leaving care per 10,000 (13-17 year olds) population excl. UASC	YTD	Sep-21	Monitoring indicator (see comment for rationale)	14.5			Aug-21	14.5		No comparable data available	There is no target because this is a monitoring indicator following changes to the service delivery. It is not intended nor is there a strategy to attain any population rate levels.		
CFE CSC 08	Percentage of Children in Need (CiN) for who had review on time (those allocated to CWD teams)	Monthly	Sep-21	95%	73%	↑		Aug-21	66%		No comparable data available			
CFE CSC 10	Net current expenditure per child on Children Looked After (CLA) placements (includes UASC)	Monthly	Sep-21	Target to be agreed.	£49,681	↑		Aug-21	£45,291		No comparable data available			
CFE CSC 12	Rate of local CLA per 10,000 under 18 years population	Monthly	Sep-21	#REF!	#REF!	↓		Aug-21	49.4	2019/20	40.9%			
CFE CSC 13	Number of Unaccompanied Asylum Seeking Children (UASC) CLA	Monthly	Sep-21	66	136	↓		Aug-21	145		No comparable data available	0.07% is the national threshold (66 children)		
CFE CSC 14	Percentage of the under 18 years population who are UASC	Monthly	Sep-21	0.07%	0.15%	↔		Aug-21	0.15%	2019/20	0.08%	London position for LAs in the pan London rota.		
CFE CSC 16	Percentage of care leaver population formerly UASC	Monthly	Sep-21	Monitoring indicator (see comment for rationale)	63%			Aug-21	63%		No comparable data available	There is no target because this is a monitoring indicator to follow the progress in delivering CFE CSC 14.		
CFE CSC 19	Number of young people who have Appeals Rights Exhausted	Monthly	Sep-21	Monitoring indicator (see comment for rationale)	6			Aug-21	6		No comparable data available	There is no target because this is a monitoring indicator to follow the progress in delivering CFE CSC 14.		
CFE CSC 21	Average Caseload per allocated Social Worker in Children's Social Care	Monthly	Sep-21	17.0	15.4	↔		Aug-21	15.4		No comparable data available			
CFE CSC 23	Number of qualified social workers in post in Croydon after 3 years as a percentage of the establishment of qualified social workers	The performance team are finalising the measure with HR / service.						N/A				No comparable data available	The performance team are finalising the measure with HR / service.	

Latest Update: SEPTEMBER 2021		KEY		CROYDON CORPORATE PERFORMANCE FRAMEWORK				CROYDON www.croydon.gov.uk				
		Red	Amber	Green	Data but no target		No data	↑ Getting better	↓ Getting worse	↔ Same		
REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
CFE CSC 25	Percentage of Child Protection Children subject to a plan for a second or subsequent time	Monthly	Sep-21	18%	27%	↑	Red	Aug-21	29%	2019/20	18%	

EDUCATION													
CFE E 02	Number of children under 5 attending children's centre	Data will be available from December when the new model is in place.					N/A				No comparable data available	Indicator will be populated in next months report pending Director approval	
CFE E 10	Percentage of children with an EHCP educated in-borough mainstream schools	Monthly	Sep-21	Performance team are working with the service to agree	29%			Aug-21	29%		No comparable data available	The performance team are finalising the methodology with the service and will be populated next month.	
CFE E 11	Average caseload per Special Educational Needs caseworker	Monthly	Sep-21	Performance team are working with the service to agree	186			Aug-21	186		No comparable data available	The performance team are working with the service to agree target.	

HEALTH WELLBEING AND ADULTS (HWA)												
HWA 1	Total Hours of Home Care (18-64)	Monthly	Sep-21	6,586	7,027	↓	Amber	Jul-21	6,852		No comparable data available	
HWA 2	Total Hours of Home Care (65+)	Monthly	Sep-21	17,097	17,054	↑	Green	Jul-21	17,530		No comparable data available	
HWA 3	Total Number of People in Home Care (18-64)	Monthly	Sep-21	642	669	↑	Amber	Jul-21	672		No comparable data available	
HWA 4	Total Number of People in Home Care (65+)	Monthly	Sep-21	1,341	1,318	↑	Amber	Jul-21	1,355		No comparable data available	
HWA 5	Average Hours in Care Package (18-64)	Monthly	Sep-21	11	11	↓	Green	Jul-21	10.24		No comparable data available	
HWA 6	Average Hours in Care Package (65+)	Monthly	Sep-21	13	13	↓	Green	Jul-21	12.94		No comparable data available	
HWA 11	Number of People in Residential & Nursing Care (18-64)	Monthly	Sep-21	481	473	↓	Green	Jul-21	470		No comparable data available	

Latest Update: SEPTEMBER 2021		KEY		CROYDON CORPORATE PERFORMANCE FRAMEWORK				CROYDON www.croydon.gov.uk		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Red	Amber	Green	↑ Getting better	↓ Getting worse	↔ Same	LATEST DATA	PREVIOUS DATA	Timeframe	London position	
REF.	INDICATOR	Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
HWA 12	Number of People in Residential & Nursing Care (65+)	Monthly	Sep-21	668	668	↓	Green	Jul-21	662		No comparable data available	
HWA 15	Conversion rate of Contact to Support	Monthly	Sep-21	15%	13%		Amber				No comparable data available	

HOUSING

HOMELESSNESS

HOU 01	Number of Homeless Applications Made	Monthly	Sep-21	N/A	225		N/A	Aug-21	201		No comparable data available
HOU 02	Percent of homelessness cases prevented	Monthly	Sep-21	25.0%	42.0%	↔	Green	Aug-21	42.0%		No comparable data available
HOU 03	Percent of homelessness cases relieved	Monthly	Sep-21	25.0%	28.5%	↑	Green	Aug-21	27.0%		No comparable data available
HOU 04	Number of homelessness cases assisted by intervention	Monthly	Sep-21	10	13	↓	Green	Aug-21	16		No comparable data available
HOU 06	Total households in Temporary accommodation	Monthly	Sep-21	2400	2161	↑	Green	Aug-21	2223		No comparable data available
HOU 13	DHP – no. of residents supports	Monthly	Sep-21	333	526	↑	Green	Aug-21	472		No comparable data available
HOU 14	Amount of cost avoidance on homeless prevention achieved	Monthly	Sep-21	£1,666,667	£2,578,500	↑	Green	Aug-21	£2,281,500		No comparable data available
HOU 15	EA/TA – total debt collected	Monthly	Sep-21	£8,976,166	£13,570,640	↑	Green	Aug-21	£11,444,820		No comparable data available
HOU 16	EA/TA – total debt collection rate	Monthly	Sep-21	95%	92%	↓	Amber	Aug-21	93.32%		No comparable data available
HOU 17	NRPF – total cases supported	Monthly	Sep-21	85	72	↑	Green	Aug-21	76		No comparable data available
HOU 18	NRPF – total cases supported budget spend to date	Monthly	Sep-21	£873,000	£814,192	↓	Green	Aug-21	£719,160		No comparable data available

COUNCIL RESIDENT SATISFACTION SURVEY

HOU 19	% who are very or fairly satisfied with the overall quality of your home	Quarterly	Q3 2020/21	68.94%	66.48%	↓	Amber	Q2 2020/21	68.94%	Q3 2020/21	68.94%	Our target at present is to get to London average level. However, the data is pre Ark report so we are currently assessing what our baseline is. Targets will be reset and agreed with tenancy and leaseholder panel and housing improvement board.
HOU 20	% who are very or fairly satisfied with the way Croydon Council deals with repairs and maintenance	Quarterly	Q3 2020/21	60.32%	62.29%	↑	Green	Q2 2020/21	60.32%	Q3 2020/21	60.32%	Our target at present is to get to London average level. However, the data is pre Ark report so we are currently assessing what our baseline is. Targets will be reset and agreed with tenancy and leaseholder panel and housing improvement board.
HOU 21	% who are very or fairly satisfied that Housing services are easy to deal with	Quarterly	Q3 2020/21	65.00%	63.43%	↓	Amber	Q2 2020/21	65.00%	Q3 2020/21	65.00%	Our target at present is to get to London average level. However, the data is pre Ark report so we are currently assessing what our baseline is. Targets will be reset and agreed with tenancy and leaseholder panel and housing improvement board.

Latest Update:
SEPTEMBER
2021

REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING	
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position
HOU 22	% who are very or fairly satisfied that Croydon Council listens to your views and acts upon them	Quarterly	Q3 2020/21	52.57%	53.64%	↑		Q2 2020/21	52.57%	Q3 2020/21	52.57%
HOU 23	% who are very or fairly satisfied that Housing services gives you the opportunity to make your views known	Quarterly	Q3 2020/21	48.00%	50.15%	↑		Q2 2020/21	48.00%	Q3 2020/21	48.00%

COMMENTS ON CURRENT PERFORMANCE
Our target at present is to get to London average level. However, the data is pre Ark report so we are currently assessing what our baseline is. Targets will be reset and agreed with tenancy and leaseholder panel and housing improvement board.
Our target at present is to get to London average level. However, the data is pre Ark report so we are currently assessing what our baseline is. Targets will be reset and agreed with tenancy and leaseholder panel and housing improvement board.

REPAIRS

HOU 24	Number of lift entrapments	Monthly	Sep-21	0	1	↓		Aug-21	2	No comparable data available
HOU 25	Lifts - compliancy rate (statutory insurance inspections)	Monthly	Sep-21	100%	100%	↔		Aug-21	100%	No comparable data available
HOU 26	Lifts - compliancy with statutory inspection regime (category A)	Monthly	Sep-21	100%	100%	↔		Aug-21	100%	No comparable data available
HOU 50	Number of domestic properties	Monthly	Sep-21	N/A	13,347		N/A	Aug-21	13,347	No comparable data available
HOU 27	Number of domestic properties without valid LGSR (1-4 amber)	Monthly	Sep-21	N/A	52		N/A	Aug-21	36	No comparable data available
HOU 28	% Domestic properties with valid Landlords Gas Safety Certificate (LGSR)	Monthly	Sep-21	100%	99.6	↓		Aug-21	99.7%	No comparable data available
HOU 29	Number of communal properties without valid LGSR	Monthly	Sep-21	N/A	0		N/A	Aug-21	101	No comparable data available
HOU 30	% Communal properties with valid Landlords Gas Safety Certificate (LGSR)	Monthly	Sep-21	100%	100%	↔		Aug-21	100%	No comparable data available
HOU 31	Water Hygiene inspections completed	Monthly	Sep-21	N/A	27		N/A	Aug-21	48	No comparable data available
HOU 32	Water Hygiene inspection, % completed in target	Monthly	Sep-21	100%	100%	↔		Aug-21	100%	No comparable data available
HOU 36	Fire Risk Assessment (FRA) required	Monthly	Sep-21	N/A	753		N/A	Aug-21	753	No comparable data available
HOU 37	Number of FRA completed	Monthly	Sep-21	N/A	751		N/A	Aug-21	752	No comparable data available
HOU 38	% FRA completed in target	Monthly	Sep-21	100%	99.73%	↓		Aug-21	99.87%	No comparable data available
HOU 39	Responsive repairs logged in month	Monthly	Aug-21	N/A	4,845		N/A	Jul-21	7,232	No comparable data available
HOU 40	Responsive repairs completed in month	Monthly	Aug-21	N/A	3,802		N/A	Jul-21	6,385	No comparable data available
HOU 41a	% of Responsive Repairs on time (GB) Combined Immediate & Out of hours - P0 & P00 (2 hours)	Monthly	Aug-21	100%	100%	↔		Jul-21	100%	No comparable data available

Allington Court;18/09 No passenger in lift on arrival. lift at ground floor again not opening doors. Intermittent door fault. left lift off for further investigation to prevent any further trapping. 20/09: follow up night service operator found door operator bracket stop cracked intermittently operating both open and close limits causing lift to shut down. New part ordered 23/09: Follow up fitted new OTIS door.
All Annual inspections in date
All Monthly inspections completed on time
No change in current stock numbers
Void overdue - 52, Voids with Appointments - 30, Warrants Req during 2020/2021 - 7, Forced Entries booked in - 15, Appointments to be booked - 2
Void overdue - 52, Voids with Appointments - 30, Warrants Req during 2020/2021 - 7, Forced Entries booked in - 15, Appointments to be booked - 2
Work currently ongoing to confirm list of communal gas facilities. This may move in next month as new assets added to list
All Communal facilities have LGSR forms
All inspections booked in this month have been completed
All inspections booked in this month have been completed
No new properties in the portfolio
2 outstanding FRAS both booked for next 7 days
2 outstanding FRAS both booked for next 7 days

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Latest Update: SEPTEMBER 2021		LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
REF.	INDICATOR	Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
HOU 41b	% of Responsive Repairs on time (GB) Emergency- P1 (1 day)	Monthly	Aug-21	100%	99.7%	↓		Jul-21	100%		No comparable data available	
HOU 41c	% of Responsive Repairs on time (GB) Urgent- P2 (3 Days)	Monthly	Aug-21	99%	57.5%	↑		Jul-21	39%		No comparable data available	Performance is being address actively through reset contract management and improvement planning.
HOU 41d	% of Responsive Repairs on time (GB) Routine- P15 (15 days)	Monthly	Aug-21	98%	65.6%	↓		Jul-21	61%		No comparable data available	Performance is being address actively through reset contract management and improvement planning.
HOU 41e	% of Responsive Repairs on time (GB) Major- P16 (60 days)	Monthly	Aug-21	99%	81.5%	↑		Jul-21	79%		No comparable data available	Performance is being address actively through reset contract management and improvement planning.
HOU 41f	% repairs (GB) completed on First visit	Monthly	Aug-21	94%	95.2%	↑		Jul-21	95%		No comparable data available	
HOU 42a	% of Responsive Repairs on time (GAS) Combined Immediate & Out of hours - P0 & P00 (2 hours)	Monthly	Aug-21	100%	100%	↔		Jul-21	100%		No comparable data available	
HOU 42b	% of Responsive Repairs on time (GAS) Emergency-P1 (1 day)	Monthly	Aug-21	100%	100%	↔		Jul-21	100%		No comparable data available	
HOU 42c	% of Responsive Repairs on time (GAS) Urgent- P2 (3 Days)	Monthly	Aug-21	100%	98.9%	↓		Jul-21	100%		No comparable data available	Current performance is below target. Axis providing action plan to recover performance.
HOU 42d	% of Responsive Repairs on time (GAS) Routine- P15 (15 days)	Monthly	Aug-21	100%	100%	↔		Jul-21	100%		No comparable data available	
HOU 42e	% of Responsive Repairs on time (GAS) Major- P16 (60 days)	Monthly	Aug-21	100%	N/A			Jul-21	N/A		No comparable data available	
HOU 42f	% repairs (GAS) completed on First visit	Monthly	Aug-21	96%	90.7%	↓		Jul-21	95%		No comparable data available	Current performance is below target. Axis providing action plan to recover performance.
HOU 45	Number of incoming calls received to Customer Contact Centre	Monthly	Aug-21	N/A	9,128			Jul-21	9,812		No comparable data available	
HOU 46	% calls answered by Axis Contact Centre	Monthly	Aug-21	95%	93.4%	↑		Jul-21	93%		No comparable data available	Current performance is below target. Axis providing action plan to recover performance.
HOU 47	Number of Voids Repairs completed in month	Monthly	Aug-21	N/A	38			Jul-21	49		No comparable data available	
HOU 48	Average Time taken (Days) to complete Void Repairs (FROM handed over to Axis TO PI pass date for qualifying voids)	Monthly	Aug-21	10	25	↓		Jul-21	21		No comparable data available	Void performance is being reviewed as part of the Axis improvement plan.
HOU 49	Volume of leaks	Monthly	Sep-21		615			Jul-21	675		No comparable data available	

HOUSING INCOME

HOU 49	Total rent due (inc arrears brought forward)	Monthly	Apr-Sept 21	N/A	41,453,489							
HOU 51	Total rent collected (inc arrears brought forward)	Monthly	Apr-Sept 21	N/A	38,456,780							

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Latest Update: SEPTEMBER 2021		KEY		CROYDON CORPORATE PERFORMANCE FRAMEWORK				CROYDON www.croydon.gov.uk				
Red	Amber	Green	No data but no target	No data	↑	↓	↔	Getting better	Getting worse	Same		
REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
HOU 52	Rent collected as a % rent due (inc arrears brought forward)	Monthly	Apr-Sept 21	97%	92.8%							
HOU 53	Gross Current Tenant Arrears (£)	Monthly	Sep-21	4,881,625	4,889,378							
HOU 54	Number of Households reviewing Universal Credit (Active Only)	Monthly	Sep-21	N/A	13,164		N/A					
HOU 55	Number of tenancies	Monthly	Sep-21	N/A	1,587		N/A					
HOU 56	Number of tenancies with arrears of more than 7 weeks rent	Monthly	Sep-21		12%							
HOU 57	% of tenancies with arrears of more than 7 weeks rent	Monthly	Sep-21	N/A	3,988		N/A					
HOU 58	Number of tenancies with arrears of more than 10 weeks rent (UC households only)	Monthly	Sep-21	N/A	694		N/A					
HOU 59	% of tenancies with arrears of more than 10 weeks rent (UC households only)	Monthly	Sep-21		17.4%							
HOU 60	Number of households paying direct debit	Monthly	Sep-21	N/A	1,589		N/A					
HOU 61	% of households paying direct debit	Monthly	Sep-21		12%							

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REPORT TO:	Cabinet 15 November 2021
SUBJECT:	Stage 1: Recommendations Arising From Scrutiny
LEAD OFFICERS:	John Jones - Interim Monitoring Officer Stephen Rowan – Head Of Democratic Services & Scrutiny
LEAD MEMBER:	Councillor Sean Fitzsimons Chair, Scrutiny And Overview Committee
CABINET MEMBER:	All
WARDS:	All
COUNCIL PRIORITIES	
The constitutional requirement that cabinet receives recommendations from scrutiny committees and to respond to the recommendations within two months of the receipt of the recommendations	
FINANCIAL IMPACT	
The recommendations in the appendix to this report may have a financial implication and as each recommendation is developed the financial implication will be explored and approved.	
FORWARD PLAN KEY DECISION REFERENCE NO: not a key decision	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations contained within this report:

1. RECOMMENDATIONS

Cabinet is asked to:

Receive the recommendations arising from the meetings of the Scrutiny & Overview Committee held on 17 August and 20 September 2021 and the meetings of the Streets, Environment & Homes Sub-Committee on 16 March and 13 July and to provide a substantive response within two months (i.e. at the next available Cabinet meeting on **24 January 2022**).

2. STAGE 1: RECOMMENDATIONS ARISING FROM SCRUTINY

- 2.1 Recommendations that have been received from the Scrutiny and Overview Committee and its Sub-Committees since the last Cabinet meeting are provided in Appendix A. The constitution requires that an interim or full response is provided within 2 months of this Cabinet meeting.
- 2.2 To provide additional context for the Cabinet, the conclusions reached by the Committee and its Sub-Committees are also included for information in Appendix A.

3. CONSULTATION

- 3.1 The recommendations were developed from the deliberations of either the Scrutiny & Overview Committee or one of its Sub-Committees.

4. PRE-DECISION SCRUTINY

- 4.1 The recommendations set out in the appendix to this report directly arise from Scrutiny.

5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 5.1 There are no financial implications arising directly from the content of this report.

6. LEGAL CONSIDERATIONS

- 6.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that the recommendations are presented to Cabinet in accordance with the Constitution.
- 6.2 This requires that the Scrutiny report is received and registered at this Cabinet Meeting and that a substantive response is provided within 2 months (i.e. **Cabinet – 24 January 2022** is the next available meeting).

Approved by Sandra Herbert, Head of Litigation & Corporate Law on behalf of the Director of Law and Governance & Deputy Monitoring Officer

7. EQUALITIES IMPACT

- 7.1 There are no equalities implications arising directly from the content of this report

8. HUMAN RESOURCES IMPACT

8.1 There are no human resource implications arising directly from the contents of this report

9. ENVIRONMENTAL IMPACT

9.1 There are no environmental implications arising directly from the contents of this report

10. CRIME AND DISORDER REDUCTION IMPACT

10.1 There are no crime and disorder implications arising directly from the contents of this report

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

11.1 There is a statutory requirement for Cabinet to receive the recommendations made by Scrutiny.

12. OPTIONS CONSIDERED AND REJECTED

12.1 None

13. DATA PROTECTION IMPLICATIONS

13.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

There are no Data Protection implications at this stage, but that the situation will be reviewed again at Stage 2 when Cabinet provide their response to the proposed recommendations.

13.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

No.

CONTACT OFFICER: Simon Trevaskis, Senior Democratic Services & Governance Officer – Scrutiny
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Email: simon.trevaskis@croydon.gov.uk

APPENDICES: Appendix A – Recommendations from Scrutiny

BACKGROUND DOCUMENTS:

Meeting of the Scrutiny & Overview Committee held on 17 August 2021

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=166&MId=2788&Ver=4>

Meeting of the Scrutiny & Overview Committee held on 20 September 2021

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=166&MId=2823&Ver=4>

Meeting of the Streets, Environment & Homes Sub-Committee held on 16 March 2021

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=170&MId=2143&Ver=4>

Meeting of the Streets, Environment & Homes Sub-Committee held on 13 July 2021

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=170&MId=2573&Ver=4>

Scrutiny Recommendations: Stage 1

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
Scrutiny & Overview Committee	17 August 2021	Call-In: Novation of building works and professional services contracts from BBB for Fairfield Halls	There was differing views amongst the Committee about the outcome for the call-in request, with some Members of the view that it should be referred back to the Cabinet for further consideration once the Grant Thornton value for money review had been completed. However, the majority of the Committee concluded the review was not a material consideration for decision and as such it could proceed as originally intended.		Oliver Lewis	Sarah Hayward
Scrutiny & Overview Committee	17 August 2021	Call-In: Novation of building works and professional services contracts from BBB for Fairfield Halls	The majority of the Committee concluded that the risk of keeping the Fairfield Halls refurbishment contract with Brick by Brick outweighed the risks of novating the contract to the Council. In particular bring the contract within the control of the Council would help to safeguard the public purse and allow		Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			work to be completed on the venue.			
Scrutiny & Overview Committee	17 August 2021	Call-In: Novation of building works and professional services contracts from BBB for Fairfield Halls	There was further concern voiced about the provision of information to Scrutiny in a timely manner, which was especially disappointing considering the issue had been raised a number of times before. It was agreed the Vice-Chair of the Committee would meet with the Interim Monitoring Officer to discuss the issue. It was also agreed that the Access to Information Protocol was needed as soon as possible to provide a clear framework for the provision of information.	The Committee would like to request that the Access to Information Protocol is completed as soon as possible and any consultation on the document should include the Scrutiny Chairs.	Hamida Ali	Asmat Hussain
Scrutiny & Overview Committee	17 August 2021	Call-In: Novation of building works and professional services contracts from BBB for Fairfield Halls	Given the aforementioned concerns about the provision of information to Scrutiny, the Committee agreed that every effort needed to be taken to correctly catalogue and file any documents handed over to the Council as part of the novation	The Committee would like reassurance that there is sufficient officer capacity and an appropriate document management system in place to ensure that any documents received as a result of the novation are properly catalogued and filed for future reference.	Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
Scrutiny & Overview Committee	17 August 2021	Call-In: Novation of building works and professional services contracts from BBB for Fairfield Halls	As responsibility for Brick by Brick fell within the portfolio of the Leader of the Council and the lead for the Cabinet report for the contract novation was the Cabinet Member for Culture and Regeneration, there was concern that this may lead to confusion and given the importance of Fairfield Halls it was agreed there needed to be clear political accountability.	It is recommended that the political lead from the Cabinet for the completion of the Fairfield Halls refurbishment project is confirmed as a priority, to ensure there is the proper level of accountability.	Hamida Ali	Sarah Hayward
Scrutiny & Overview Committee	17 August 2021	Call-In: Novation of building works and professional services contracts from BBB for Fairfield Halls	Although it was accepted that the Vinci contract needed to be closed before an ongoing programme of maintenance could be prepared for Fairfield Halls, it was agreed that this needed to be in place as soon as possible to safeguard the venue for the longer term.	<p>a) It is recommended that an ongoing programme of maintenance for Fairfield Halls is completed as soon as possible.</p> <p>b) It is recommended that the programme of maintenance is scheduled for regular scrutiny to provide public reassurance the venue is being maintained to an appropriate standard.</p>	Oliver Lewis	Sarah Hayward
Scrutiny & Overview Committee	17 August 2021	Call-In: Novation of building works and	There was a concern that the Cabinet report did not clearly state the case for proceeding with the	It is recommended that work to improve the quality of committees reports, both in terms of training for report	Hamida Ali	Katherine Kerswell

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
		professional services contracts from BBB for Fairfield Halls	novation of the Fairfield Halls refurbishment contract and had this been the case it may have prevented the need for a call-in. The Committee felt that this was reflective of a wider issue with quality of committee reports and given they helped to inform the public perception of the Council, it was agreed that this should be addressed as part of the governance improvement work.	authors and ensuring report formats meet best practice standards, is included as part of the ongoing governance improvement work of the Council.		
Streets Environment & Homes Committee	16 March 2021	CIL AND SECTION 106	Although the CIL Infrastructure Statement is published timely as per legal requirements, the sub-committee felt that the allocation process could be enhanced with greater transparency, particularly with regards to officer discussions held in the Community Infrastructure officer group meetings	Consideration be given to summaries of the minutes from the Community infrastructure officer group meetings being made available in the public domain as background information to the Infrastructure Statement.	Oliver Lewis	Sarah Hayward
Streets Environment & Homes Committee	16 March 2021	CIL AND SECTION 106	The lack of member oversight in the allocation process of CIL was noted by the sub-committee as an area of improvement.	In order to improve transparency and accountability in the allocation process of CIL, the sub-committee recommended	Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			Details on CIL collection and allocation was an area of interest for Councillors and members of the public and it was important that this information be made more accessible to the community and more frequently than the annual statement.	exploring how greater Member involvement and oversight be weaved into the process.		
Streets Environment & Homes Committee	16 March 2021	CIL AND SECTION 106	The sub-committee noted the lack of engagement and participation on the CIL allocation process, particularly for the meaningful proportion of CIL collected. Although the allocation operates within legal parameters, it is not underpinned by best practice and has not been reviewed at Croydon for a while	The Sub-Committee recommended:- <ol style="list-style-type: none"> 1. A streamlined report to highlight how collected CIL/S106 funds the borough's capital programme and infrastructure plan – outside existing ad hoc reporting on the capital programme. 2. A review of the CIL and S106 allocation process be conducted informed by best practice and exploring different allocation models, particularly those that focus on greater community groups and residents' involvem 	Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
Streets Environment & Homes Committee	16 March 2021	CIL AND SECTION 106	The Sub-Committee enquired about the future of Place Plans approach and agreed that they are important as a way to facilitate community-led planning.	<ol style="list-style-type: none"> 1. Officers are requested to bring the Place Plan to a future meeting, with a proposal on how to redevelop the Plan. 2. Although the Sub-Committee acknowledged the constraints on the General Fund that impedes resourcing of Place Plans being facilitated by officers, it recommended that alternatives mechanisms of support be explored to for the future development of Place Plans / Neighbourhood Planning in Croydon. 3. Officers are requested to provide an update on possible changes to CIL collection approach in the Town Centre. 	Oliver Lewis	Sarah Hayward
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	The Sub-Committee welcomed the many changes and improvements put forward as part of the local plan review, and noted that most related to the adoption of the London	<ol style="list-style-type: none"> 1. Due to interest expressed at the meeting, the Sub-Committee requested a briefing, prior to approval of the final plan, on how the local plan review addresses the corporate, regional and 	Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			Plan. The Sub-Committee further noted the clarification on housing targets and density.	<p>national sustainability/environmental objectives given the context of global climate emergency.</p> <p>2.The Sub-Committee recommended that officers take account of the meeting's conclusions on the government white paper on the new national planning system in any future contributions of the council to government consultations</p>		
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	There had been a number of lessons learnt from the Low Traffic Neighbourhood process, particularly on public engagement and how to take residents on the journey to shape their area – these would be beneficial for consideration in future strategy and review consultations on place making plans. The committee acknowledged the good work with regards to engagement on the review but recognised that it could be improved further to ensure the least	Vital learning from the LTN process needs to be incorporated into the next stages of the Local Plan consultation and for any future plan making engagement/consultation. The Sub-Committee further recommended that iterative design approach be imbedded in approach to plan making.	Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			vocal voices are also heard. The committee further highlighted the need for enhanced participation and engagement, in particular in respect of the more significant changes and learning from the Pandemic.			
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	The Purley Master Plan, although well consulted on, would be a good case for a Neighbourhood Plan if there was community appetite to drive such approach.		Oliver Lewis	Sarah Hayward
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	The Sub-Committee took on board officer's point not to push for too many changes in the existing local plan that may be open to future challenge.		Oliver Lewis	Sarah Hayward
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	Considering the urgency of the climate crisis, the committee agreed it was important that officers further explore best practice from other local authorities on how the local plan can drive the	The Sub-Committee recommended that opportunities on driving the 15' city urban planning approach and lessons from the pandemic should form part of the local plan review to ensure learning from the pandemic in	Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			sustainability agenda further in order to inform the review beyond the London Plan changes on sustainability (incl. in regards to carbon emissions related to demolition and built inherent from development) so that learning in this area supports the local plan review further.	regard to urban planning is taken into consideration. It further recommended that officers demonstrate in the review of the Local Plan how the polycentric city links back to its infrastructure plan.		
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	The Sub-Committee agreed that a greater case was needed to be made for stronger support of district centres, post Covid recovery.		Oliver Lewis	Sarah Hayward
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	The Sub-Committee welcomed the officer briefing on the government white paper on Planning System review and its implications for Croydon. It thanked officers for the good quality and informative briefing.		Oliver Lewis	Sarah Hayward
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	The sub-committee welcomed the call for digitisation of the planning system as set out in the		Oliver Lewis	Sarah hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			<p>white paper so long as it was appropriately funded, resourced and inclusive. However it shared concerns with regards to lack of opportunity for the residents' voice on individual schemes' applications, particularly on larger ones although. Although the committee welcomed in principle, the proposal for design codes tailored per area, it had concerns with regard to how it could erode local character if codes are not detailed enough as well as with regard to how it could impede design innovation.</p>			
Streets Environment & Homes Committee	16 March 2021		<p>The Sub-Committee noted that the government white paper did not reference HMOs and the risk of missed opportunity for government to enhance quality of housing in HMO and consider greater call for the introduction of minimum space standards. The committee further expressed its concerns regarding the possibility for local authorities to</p>		Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			maintain the right to introduce in their local plan provisions such as the article 4 in current Croydon Local Plan.			
Streets Environment & Homes Committee	16 March 2021		The Sub-Committee shared further concerns with regards to the change to central housing target allocation due to lack of clarity in the white paper on the definition of “gentle densification” and how the “zoning” would operate in practice. This could put Croydon in a position where it would become ill-equipped to alleviate and meet housing pressures of current and future housing needs. This would be further be affected by the potential loss of regional planning approach. The committee however welcomed: 1/ the ability outlined in the draft white paper that local authorities would be enabled to set their own tenure mix following an evidence-based approach and 2/ the ability to designate further		Oliver Lewis	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			protection of green spaces.			
Streets Environment & Homes Committee	16 March 2021	Local Plan Review	The Sub-Committee noted the lack of clarity relating to the type and timing of development contribution and associated risk of losing the ability to secure affordable housing as well as contribution to infrastructure.		Oliver Lewis	Sarah Hayward
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	The Sub-Committee welcomed the update provided on the emerging housing improvement plan and was assured that the emerging plan was on the right track. It was noted that the pace of progress has been impeded by the transition of the new executive director and some restructuring within the service, but the Sub-Committee accepted that this work was essential to ensure the right lines of accountability were in place to underpin the improvement plan		Patricia Hay-Justice	Sarah Hayward
Streets Environment	13 July 2021	Housing Improvement – Emerging	The Sub-Committee looked forward to the		Patricia Hay-Justice	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
& Homes Committee		Plan and Board	evaluation framework being developed, once the Housing Improvement Board was set up. In particular, the Sub-Committee was interested to find out how it would link back to the Council's wider improvement plan and the Corporate Risk Register			
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	The Sub-Committee concluded that the 10 work streams were well defined and appropriate to drive improvement	<ol style="list-style-type: none"> 1. It is recommended that a plan for the strategy development in Workstream 1, including indicative timescales, be developed and shared with the Sub-Committee once available. 2. Workstream 7 should be expanded to include in its scope the issue of buildings nearing the end of their life, with further consideration given to how these options are to be assessed including in relation to the future of some Brick by Brick sites in the vicinity of some of these buildings 3. Workstream 8 needs to address the issue of resourcing / workload allocation & management 	Patricia Hay-Justice	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
				within the service. Staff can be given the right skills and cultural/behaviour training but if their workloads are still unmanageable as highlighted in the Ark report, they will be set-up to fail. This workstream should also include within its scope long-term workforce planning and apprenticeships.		
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	The Sub-Committee recognised the value of using the work of the Tenants and Leaseholder Panel to feed into the improvement agenda and would advocate this approach being embedded into the new ways of working developed by the housing service, incl. post-delivery of the housing improvement plan over the next couple of years		Patricia Hay-Justice	Sarah Hayward
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	The Sub-Committee welcomed the work of the panel on the development of a Tenants Charter which would be a great vehicle to improve tenants'		Patricia Hay-Justice	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
			<p>understanding of the level of service they should expect as well as their rights and responsibilities. It was felt that this would lead to a greater level of direct accountability between tenants and the Council.</p>			
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	<p>At a previous meeting of the Sub-Committee, there was agreement that the ARK report failed to establish how/why/what caused the inaction in response to case work put forward by local councillors and/or MPs. The Sub-Committee remained concerned that without a fit for purpose case management system, similar issues could reoccur. It was welcomed that work had started on identifying a new Case Work Management system and there was a clear process for housing related case management in the meantime.</p>		Patricia Hay-Justice	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	<p>One of the main areas of concern identified by the Sub-Committee was around communication and engagement. Although initiatives had started to be developed and implemented, it was felt that more work was need to ensure both residents and their elected representatives were suitable notice of any events.</p>	<ol style="list-style-type: none"> 1. A communications and engagement plan was needed to map out all the one-off engagement exercises as well as new communication practices to be embedded in new improved ways of working. That plan should be informed by involving the Tenants and Leaseholder panel, incl. in the development of the new Tenant Handbook. 2. Further consultation with residents was needed during roadshow exercises, engagement with Residents Associations and Tenants forums as well as through the Tenants and Leaseholder panel to identify what they would like to see be made publicly available to further enhance transparency on the progress of the delivery of the housing improvement plan 3. Work was needed to improve communication with tenants on planned works / planned surveys. Should work be delayed or 	Patricia Hay-Justice	

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
				<p>the original stated deadline missed (often due to reasons beyond officers' control), tenants should be kept informed, so they do not feel that it is a case of just nothing happening.</p> <p>4. There needed to be better communication of the responsive repairs contract's social value, including apprenticeships (opportunities and about the types of roles they can lead to)</p> <p>5. There needed to be better corporate definition of complaint and improving understanding of it and streamlining the complaints process and promoting it amongst council tenants and leaseholders</p> <p>6. It was recommended that support be given to the initiative of the Tenants and Leaseholders Panel in the development of a Tenants Charter</p> <p>7. It was recommended that a diagram is produced to map out the communication routes of case work /</p>		

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
				<p>enquiry / complaints /escalation process to clarify to councillors and MPs ways of escalating urgent housing casework as current guidance provides a 10 day turnaround which was not adequate for urgent housing case work.</p> <p>8. Further consideration was needed on the recommendation in Government's Housing White Paper on the use of technology and how it could be incorporated into one of the workstreams of the housing improvement plan. This should include:-</p> <ul style="list-style-type: none"> ○ The exploration of best practice and existing software packages on tenancy management, repairs and other housing issues and any that are used for general housing communications. ○ Consultation with the Tenants and Leaseholder Panel meeting on use of 		

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
				technology to inform this work.		
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	The Sub-Committee warmly received the new housing structure as it placed resident engagement at a senior management level thereby creating greater and clearer direct accountability lines on these matters.		Patricia Hay-Justice	Sarah Hayward
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	The Sub-Committee felt that the Terms of Reference (ToR) for the Housing Improvement Board lacked important details and welcomed confirmation that the ToR would no longer be approved at Cabinet, allowing additional time for these to be refined (see recommendations on this topic below).	<p>1. Further work should be undertaken to consider best practice on the set up of such Housing Improvement Board, particularly regarding membership and review/consider the following before finalising the ToR, including:</p> <ul style="list-style-type: none"> - Number of tenant representatives - Ensure that tenant representatives are not only from formal Residents Associations and Tenants Forums as many areas where the council has housing stock where 	Patricia Hay-Justice	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
				<p>there is no RA (no RA criteria necessary?)</p> <ul style="list-style-type: none"> - Backbencher representation and/or mechanism for backbenchers' input - Meeting observers - Webcasting of meetings - Holding meetings in a hybrid manner to enhance inclusivity so that people with disabilities and / or caring responsibilities can put themselves forward as board member/observer - Term of the chair (elected/number of mandates/criteria/skills, experience and behaviours required) <p>2. It is requested that the revised Terms of Reference are circulated to the Sub-Committee before approval and ensure ToR included as appendix marked as draft in the cabinet report.</p> <p>3. The Housing Improvement Board once set up should</p>		

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
				be given a role to inform the budget setting process (MTSF as well as HRA) and the upcoming HRA review (if timings of review allow).		
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	The Sub-Committee noted the challenges within Responsive Repairs Service, particularly in regard to recruitment which had been impeded by covid and Brexit along with having to compete with residential and commercial sectors to attract staff. In light of this, the Sub-Committee commended the prioritisation of gas safety works and the rapid progress achieved in such a short period.		Patricia Hay-Justice	Sarah Hayward
Streets Environment & Homes Committee	13 July 2021	Housing Improvement – Emerging Plan and Board	The Sub-Committee noted there would be an informal meeting in August to undertake a deep dive on the responsible repairs contract, which will be undertaken jointly with officers and the Tenants and Leaseholder Panel.		Patricia Hay-Justice	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
Scrutiny & Overview Committee	20 September 2021	Call-In: Asset Disposal – Former Calat Coudon, Malcolm Road and Barrie Close site (Coulsdon Community Centre)	It was agreed that the proposed use of the site for a new Medical Centre was welcomed and would be extremely beneficial for the local residents.		Stuart King	Sarah Hayward
Scrutiny & Overview Committee	20 September 2021	Call-In: Asset Disposal – Former Calat Coudon, Malcolm Road and Barrie Close site (Coulsdon Community Centre)	The consultation process needed to be improved to ensure wider consultation beyond local Ward Councillors in order to manage the potential impact on local communities of future asset disposals.		Stuart King	Sarah Hayward

Committee	Meeting Date	Agenda Item	Conclusion	Recommendation	Cabinet Lead	Officer Lead
Scrutiny & Overview Committee	20 September 2021	Call-In: Asset Disposal – Former Calat Coudon, Malcolm Road and Barrie Close site (Coulsdon Community Centre)	In the interest of maintaining transparency, it was important that future reports on individual asset disposals provided enough information to clearly outline why it was in the best interest of the Council to dispose of the site, the business case to support this conclusion, an assessment of potential risks associated with each site, an assessment of the potential impact upon the local community and site maps marking the asset for disposal	That Cabinet reports on future asset disposals needed to be far more comprehensive, setting out the business case for disposal and assessments of both the potential risks and the impact on the local community.	Stuart King	Sarah Hayward
Scrutiny & Overview Committee	20 September 2021	Call-In: Asset Disposal – Former Calat Coudon, Malcolm Road and Barrie Close site (Coulsdon Community Centre)	The Committee welcomed the commitment by the Cabinet Member for Croydon Renewal to ensure there was wider consultation with ward councillors and community organisations as part of the decision making process on future disposals.	Given the potential public concern that can be raised by the disposal of Council assets, the Cabinet needs to ensure there is a robust plan for engagement with local communities for future asset disposals.	Stuart King	Sarah Hayward

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REPORT TO:	Cabinet 15 November 2021
SUBJECT:	Investing in our Borough
LEAD OFFICER:	Rachel Soni - Interim Director Of Commissioning & Procurement Richard Ennis - Interim Corporate Director Of Resources
CABINET MEMBER:	Councillor Callton Young Cabinet Member For Resources And Financial Governance
WARDS:	All
COUNCIL PRIORITIES	
<p>Effective outcome based commissioning and prudent financial transactions contribute to all corporate priorities.</p> <p>The Council's Commissioning Framework (2019 – 2023) sets out the approach to commissioning and procurement and puts delivery of outcomes at the heart of the decision making process. As the Council develops more diverse service delivery models, it is important to ensure that our contractual and partnership relationships are not only aligned to our corporate priorities but also represent value for money for citizens and taxpayers.</p>	
FINANCIAL SUMMARY: Financial implications are set out in each individual report.	
KEY DECISION REFERENCE NO.:	
There are key decisions mentioned in this report, but approval of the Recommendations would not constitute a key decision.	

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

1 RECOMMENDATIONS

1.1 The Cabinet is requested to note:

- 1.1.1 The request for approval of the contract award for the receipt, bulking, haulage and treatment of food waste and green waste as set out at agenda item 11a and section 5.1.1.
- 1.1.2 Revenue and capital consequences of contract award decisions taken by the Leader as set out in section 5.2.1.
- 1.1.3 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.

1.1.4 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 5.4.1.

1.1.5 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 5.5.1.

2 EXECUTIVE SUMMARY

2.1 This is a standing report which is presented to the Cabinet, for information, at every scheduled Cabinet meeting to update Members on:

- Contract awards and strategies to be agreed by the Cabinet at this meeting which are the subject of a separate agenda item;
- Revenue and capital consequences of contract award decisions taken by the Leader due to decisions required prior to the November Cabinet meeting;
- 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;
- Delegated contract award decisions made by the Director of Commissioning and Procurement since the last meeting of Cabinet;
- 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;
- Partnership arrangements to be agreed by the Cabinet at this meeting which are the subject of a separate agenda item.
[As at the date of this report there are none]
- Delegated contract award decisions under delegated authority from the Leader by the Cabinet Member for Children, Young People and Learning in consultation with the Cabinet Member for Resources and Financial Governance related to the Health and Social Care Services - DPS 3 Lot 3 – Young People Semi Independent Accommodation;
[As at the date of this report there are none]

- Delegated contract award decisions under delegated authority from the Leader by the Cabinet Member for Families, Health & Social Care in consultation with the Cabinet Member for Resources and Financial Governance related to the Adult and Young People Social Care Dynamic Purchasing Systems (DPS);
[As at the date of this report there are none]

3 DETAIL

- 3.1 Section 5.1.1 of this report lists those contract and procurement strategies that are anticipated to be awarded or approved by the Cabinet.
- 3.2 Section 5.2.1 of this report lists those contract award decisions taken by the Leader due to decisions required prior to the November Cabinet meeting.
- 3.3 Section 5.3.1 of this report lists those contracts that are anticipated to be awarded by the nominated Cabinet Member.
- 3.4 Section 5.4.1 of this report lists the delegated award decisions made by the Director of Commissioning and Procurement since the last meeting of Cabinet.
- 3.5 Section 5.5.1 of this report lists the property acquisitions and disposals to be agreed by the Cabinet Member for Resources & Financial Governance in consultation with the Leader since the last meeting of Cabinet.
- 3.6 The Council's Procurement Strategy and Tender & Contracts Regulations are accessible under the Freedom of Information Act 2000 as part of the Council's Publication Scheme. Information requested under that Act about a specific procurement exercise or contract held internally or supplied by external organisations, will be accessible subject to legal advice as to its commercial confidentiality, or other applicable exemption, and whether or not it is in the public interest to do so.

4 PRE-DECISION SCRUTINY

- 4.1 This report does not require pre-decision as all the reports listed below are compliant with the Council's Tender & Contracts Regulations.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 Proposed Strategy and Award approvals

- 5.1.1 Procurement strategies and awards for the purchase of goods, services and works with a possible contract value over £5 million decisions to be taken by Cabinet which are agenda item 11a.

Award/Strategy	Contract Revenue Budget	Contract Capital Budget	Annual Spend	Dept/Cabinet Member
Contract award for for the receipt, bulking, haulage and treatment of food waste and green waste	£6.8m		£893,000	Sustainable Croydon /Cllr Mohammed Ali

5.2 Contract Award decisions taken by the leader

5.2.1 Revenue and capital consequences of contract award decisions taken by the Leader due to decisions required prior to the November Cabinet meeting.

Contract Title	Contract Revenue Budget	Contract Capital Budget	Annual Spend	Dept/Cabinet Member
Croydon Best Start Contract Award	£3,221,000 (contract length 2 years 3 months)		£1,431,533	Children, Families & Education/ Cllr Flemming
Idox IT Solution Contract Award	£550,000 (contract length 5 years)		£110,000	Resources and Financial Governance/ Cllr Young

5.3 Contract Awards

5.3.1 Revenue and Capital consequences of contract award decisions to be made between £500,000 and £5,000,000 by the nominated Cabinet Member in consultation with the Cabinet Member for Resources & Financial Governance or, where the nominated Cabinet Member is the Cabinet Member for Resources & Financial Governance, in consultation with the Leader.

Contract Title	Contract Revenue Budget	Contract Capital Budget	Annual Spend	Dept/Cabinet Member
Postal Goods and Services Contract Award	£1,850,000 (contract length 5 years)		£370,000	Resources and Financial Governance/ Cllr Young
Pension Enquiry Service Contract Award	£150,000 (contract length 2 years) Aggregate spend £547,716		£75,000	Resources and Financial Governance/ Cllr Young

5.4 Strategy and Contract Awards

5.4.1 Revenue and Capital consequences of delegated decisions made by the Director of Commissioning and Procurement for procurement strategies up to £5 million, contract awards (Regs. 19, 28.4 a & b) between £100,000 and £500,000 and contract extension(s) previously approved as part of the original contract award recommendation (Reg. 28.4 d) and contract variations (Reg.30).

Contract Title	Contract Revenue Budget	Contract Capital Budget	Annual Spend	Dept
Core Digital Contracts - Mobile Telephony Contract Procurement Strategy	£594,000 (contract length 3 years)		£198,000	Resources and Financial Governance/ Cllr Young

5.5 Strategy and Contract Awards

5.5.1 Revenue and Capital consequences of property acquisitions and disposals over £500,000 to be agreed by the Cabinet Member for Resources and Financial Governance in consultation with the Leader.

Contract Title	Disposals	Acquisitions	Dept/Cabinet Member
Property Disposal as part of the Interim Asset Disposal Strategy	Part of Former CALAT site, Malcolm Road (Potential lease to Renal Dialysis Centre)		Resources and Financial Governance/ Cllr Young

Approved by: Matthew Davis, Interim Director of Finance, on behalf of Richard Ennis, Interim S151 Officer & Corporate Director of Resources

6 LEGAL CONSIDERATIONS

- 6.1 The information contained within this report is required to be reported to Members in accordance with Appendix B of the Council's Tenders Contracts Regulations and, in relation to the acquisition or disposal of assets, Regulation 9.3 of the Council's Financial Regulations which states 'Recommendations on acquisitions or disposals valued between £500k and up to £5m must also be approved by the Cabinet Member for Finance and Resources in consultation with the Leader of the Council, subject to the intention to do so having been reported to a previous meeting of Cabinet and in accordance with the Leader's Scheme of Delegation. Recommendations on acquisitions or disposals valued over £5m will be reported for approval to Cabinet.'

Approved by: Nigel Channer, Interim Head of Commercial & Property, on behalf of the Interim Director of Law and Governance

7 HUMAN RESOURCES IMPACT

- 7.1 There are no immediate HR issues that arise from the strategic recommendations in this report for LBC employees and staff. Any specific contracts that arise as a result of this report should have their HR implications independently assessed by a senior HR professional.

Approved by: Gillian Bevan, Head of Human Resources - Resources
Jenny Sankar, Head of Human Resources - Place
Debbie Calliste, Head of Human Resources – Health, Wellbeing and Adults and Children, Families and Education

8 EQUALITY IMPACT

- 8.1 An Equality Analysis process has been used to assess the actual or likely impact of the decisions related to contracts mentioned in this report and mitigating actions have been defined where appropriate.
- 8.2 The equality analysis for the contracts mentioned in this report will enable the Council to ensure that it meets the statutory obligation in the exercise of its functions to address the Public Sector Equality Duty (PSED). This requires public bodies to ensure due regard to the need to advance equality of opportunity; foster good relations between people who share a "protected characteristic" and those who do not and take

action to eliminate the potential of discrimination in the provision of services.

- 8.3 Any issues identified through the equality analysis will be given full consideration and agreed mitigating actions will be delivered through the standard contract delivery and reporting mechanisms.

9 ENVIRONMENTAL IMPACT

- 9.1 Any issues emerging in reports to the relevant Cabinet Member will require these considerations to be included as part of the standard reporting requirements, and will not proceed without full consideration of any issues identified.

10 CRIME AND DISORDER REDUCTION IMPACT

- 10.1 Any issues emerging in reports to the relevant Cabinet Member will require these considerations to be included as part of the standard reporting requirements, and will not proceed without full consideration of any issues identified.

11 DATA PROTECTION IMPLICATIONS

- 11.1 Will the subject of the report involve the processing of 'personal data'?

NO

Has a Data Protection Impact Assessment (DPIA) been completed?

NO

Data Protection Impact Assessments have been used to assess the actual or likely impact of the decisions related to contracts mentioned in this report and mitigating actions have been defined where appropriate.

Approved by: Nigel Kletz, LGA Procurement Improvement Advisor and Scott Funnell, Head of Commissioning and Procurement on behalf of Rachel Soni, Interim Director of Commissioning & Procurement

CONTACT OFFICER:

Name:	Bianca Byrne
Post title:	Head of Commissioning and Procurement (Corporate)
Telephone no:	63138

BACKGROUND DOCUMENTS:

- Croydon Best Start contract award
- Idox IT Solution Contract Award
- Postal Goods and Services Contract Award
- Pension Enquiry Service Contract Award
- Malcolm Road CALAT site

REPORT TO:	Cabinet 15 November 2021
SUBJECT:	Contract Award 1. Child Development and School Readiness Services (Lot 1) 2. Parenting Support and Parenting Aspirations (Lot 2, 6 Sub-Lots) 3. Parent Infant Partnership (1 contract)
LEAD OFFICER:	Debbie Jones, Interim Corporate Director Children, Young People & Education Shelley Davies, Director of Education Helen Mason, Head of Service Commissioning & Procurement (CFE)
CABINET MEMBER:	Councillor Alisa Flemming Cabinet Member for Children, Young People & Learning
WARDS:	All
<p>COUNCIL PRIORITIES</p> <p>Croydon Renewal Plan</p> <p>These services are aligned to the council’s new priorities and ways of working in which we will:</p> <ul style="list-style-type: none"> • Live within our means, balance the books and provide value for money for our residents • Focus on tackling ingrained inequality and poverty in the borough • Follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic justice • Focus on providing the best quality core service we can afford. <p>The proposals in this paper meet the criteria for essential expenditure in accordance with the financial guidance.</p> <p>Policy Context</p> <p>The <i>Best Start for Life, Early Years Review Report</i> (March 2021) sets out a new requirement for local authorities to demonstrate how they will improve support for children and their parents during the first 1001 critical days and how they intend to achieve new national goals.</p>	

Legislation

Under the provision of the Childcare Act 2006 and Apprenticeship, Skills, Children and Learning Act 2009, the Council has a statutory duty for the provision of early childhood services. The Act requires the Council to:

- Make arrangements to secure that early childhood services are provided in an integrated manner, to facilitate access to those services and maximise the benefit of those services to parents, prospective parents and young children
- Ensure that such consultation is carried out before making significant changes
- Ensure sufficiency of children's centre provision to meet local need.

Croydon Best Start

Croydon Best Start is a partnership approach in delivering statutory early childhood services to support families from pregnancy until their child starts school. Across the partnership, midwives, health visitors, children's centres, early years and the voluntary sector work together to deliver prevention and early intervention to improve children's outcomes, particularly for those most in need.

FINANCIAL IMPACT

The redesign of Best Start Children's Centres into a Hub and Spoke model was approved by CCB (CCB1680/21-22) on 21st July 2021 and Cabinet on 26th July 2021

The financial value for the proposed Agreements and Contracts for award has an annual value of £1,431,533 for the period of 1st January 2022 to 31st March 2024. Funding for these services will be provided through the General Fund.

If these recommendations are approved, the Council will be committing to an aggregate spend of up to £3,221,000 for the Best Start services listed in the table below:

Best Start contracts	£'000 Per annum	£'000 3mths (1/1/22 – 31/3/22)	£'000 Aggregate 2yrs + 3mths (2022-2024)
3 Children's Centres Hubs	1,163	291	2,616
5 Parenting Skills and Parenting Aspirations (6 Lots)	205	51	461
Parent Infant Partnership	64	16	144
Total	1,432	358	3,221

- The annual budget for these services is aligned to the Croydon Renewal Plan, and Medium Term Financial Strategy (MTFS) savings programme.
- Subsequent extensions to the procurement timetable due to delays with TUPE information has impacted on the budget for new services, resulting in the need to

utilise the full extension period of the existing contractual arrangements which had not been anticipated.

FORWARD PLAN KEY DECISION REFERENCE NO: 5321LR

This decision needs to be taken under GENERAL EXCEPTION.

REASON FOR URGENCY: This decision cannot reasonably be deferred because the urgency arises due to the 28 day notice of the Key Decision ref. 5321CYPL not meeting the requirements as defined in Part 4B in the Council's Constitution and reflecting the award decision now being taken by the Leader.

This decision cannot be reasonably delayed due to the limited timescales for TUPE and mobilisation. In order to avoid a gap in service for children and families in need of support, Contracts need to be awarded by 15th November 2021 and the new service start on 1st January 2022.

The Leader of the Council has the power to make the decisions set out in the recommendations below. The Leader of the Council is asked to note that the name of the successful contractors will be released once the Contract awards are agreed and implemented.

1. RECOMMENDATIONS

The Leader is recommended to:

- 1.1 approve the award of Contracts for Croydon Best Start services listed below to the providers named in the associated Part B report for a term of two years and 3 months, for a total value of £3,221,000 across all contracts:
 - Child Development and School Readiness services,
 - Parenting Aspirations and Parenting Skills services
 - Parent Infant Partnership services
- 1.2. note that the name of the successful contractors will be released once the Contract awards are agreed and implemented.

2. EXECUTIVE SUMMARY

- 2.1 This report details the procurement process and recommends the award of Contracts for the following Best Start services to the contractors and/or consortiums listed in the associated Part B report:
 - Child Development and School Readiness services,
 - Parenting Aspirations and Parenting Skills services
 - Parent Infant Partnership services

- 2.2 The bidders identified in part B have submitted the most economically advantageous tender for the provision of the services. Further details are provided below, bidder identities are provided in the associated Part B report on this agenda. All consortium members will need to enter into a Memorandum of Understanding prior to contract commencement.
- 2.3 It is intended that the contract commencement date will be 1st January 2022 for 2 years and 3 months.
- 2.4 The content of this report has been endorsed by the Contracts and Commissioning Board.

CCB ref. number	CCB Approval Date
CCB1701/21-22	03/11/21

3. DETAIL

Context

- 3.1 The redesign of Best Start Children’s Centres was approved by Cabinet on 26th July 2021 and the procurement strategy for Croydon Best Start services by CCB on 21st July 2021 (CAB1680/21-22)
- 3.2 Contracts for these services are required for the delivery of the following shared Best Start outcomes, and those specifically highlighted in bold:
- **Children are prepared and ready for school**
 - **Children are emotionally well**
 - **Children are healthy and physically well**
 - **Children are safe and protected from harm**
 - **Parents are self-reliant and have strong and supportive social networks**
 - Parents are emotionally well
 - Parents are healthy and physically well
 - **Parents can access employment and training**
 - **Practitioners are confident and skilled and work together to delivery high quality services**
- 3.3 Croydon Best Start is a holistic approach to early intervention and prevention to ensure babies, children, mothers, fathers and carers receive the support they need, as early as possible in a child’s life, or as concerns emerge, ensuring onward referral or signposting to the services required.



- 3.4 Established on the principles of co-design and partnership working, the shared Best Start outcomes remain central to our ways of working across an early years partnership to improve outcomes and reduce inequalities.
- 3.5 To embed the partnership approach of the service, the tender was split into two Lots to provide a framework for joint partnership performance measures and mechanisms for understanding the interdependencies of the individual service delivery plans. Smaller Lots would be more attractive for a larger pool of smaller organisations and offer opportunities for collaboration.
- 3.6 The Council has consulted with the Department for Education who have confirmed the approved Children Centre Hub and Spoke model is categorised as a 'group' arrangement and therefore the process of designating Children's Centre Spokes is not required. In accordance with the requirements of the original Sure Start Capital Grant, the Council will ensure the required level of early years services can be made available to families, in partnership with the host schools from each Spoke.
- 3.7 The Invitation to Tender outlined the following:

Children's Centre Hub & Spoke Locality Funding	
Lot 1, Sub-lot by Locality	Annual Budget
Lot 1a – Kensington Avenue, North locality	£339,109
Lot 1b – Selhurst, Central locality	£505,741
Lot 1c – Woodlands, South locality	£317,683
Total	£1,162,533
Parenting Aspirations & Parenting Skills Services	
Lot 2, Sub-lot by service	Annual Budget
2a - Community Capacity Building	£30,000
2b - Employability Support	£25,000
2c - Peer to Peer Home Visiting	£40,000
2d - Parent Champions programme	£40,000
2e - Group support for families who have children with additional needs in relation to speech and communication delay	£40,000
2f - Peer Led Parenting programme	£30,000
Total	£205,000

Procurement Process

- 3.8 The Procurement Strategy, which recommended an open adapted procedure as approved through CCB on 21st July 2021 (CCB1680/21-22), has been implemented as approved by Cabinet on 26th July 2021 (ref 3721CAB, minute reference no 114/21)
- 3.9 The OJEU Contract Notice was issued on 31st August 2021. The Contract Notice highlighted that the Council was utilising an adapted approach by virtue of the Light Touch Regime and bespoke tendering procedure set out as follows:
- Stage 1: Tender responses received from the market and evaluated for compliance, professional capacity, technical and professional ability by reference to a number of method statements and evaluation of the pricing schedule
 - Stage 2: Shortlisted tenderers who meet the minimum threshold for quality and where price is below the affordability cap
- 3.10 The tender opportunity was open on the London Tenders portal for 40 days and was viewed by 46 organisations. 7 organisations or consortiums submitted bids on time, of which 6 were shortlisted to stage 2 of the procurement process.
- 3.11 The tender evaluation was conducted against the criteria set out below:

Question reference	Quality Criteria	Maximum Question Score	Question Weighting %
Lot 1 and Lot 2			
8.1	Service Delivery	5	10%
8.2	Service Plan	5	10%
8.3	Partnership Working	5	5%
8.4	Workforce	5	5%
8.5	Safeguarding	5	5%
8.6	Quality Assurance	5	5%
8.7	Social Value	5	5%
8.8	PSP	5	5%
TOTAL			50%
Pricing Matrix for Lot 2			50%
Pricing Matrix for Lot 1			
• Overall Price			40%
• Quality of Pricing Methodology (10%)			
○ 5% cap on Strategic Management			5%
○ 5% cap on contingency budget			5%
TOTAL			50%

- 3.12 The MEAT evaluation criteria of 50% Quality and 50% Price was approved as part of the procurement strategy which was approved by CCB on 21st July 2021

(CCB1680/21-22), as approved by Cabinet on 26th July 2021 (ref 3721CAB, minute reference no 114/21) .

- 3.13 The evaluation panels were made up of colleagues from Education, Early Help, Public Health and Gateway Housing services. Each panel member scored each tender response independently using a 1-5 scale followed by moderating each score as a group to agree one score for each question.
- 3.14 Innovative to this procurement a new approach to evaluating the safeguarding method statement was introduced. In collaboration with the Children's Safeguarding Children Partnership (CSCP) the Section 11 Audit Self-Assessment toolkit was used to incorporate a scoring methodology to score 8 method statements to give a total score out of 5. A select group of members from the Neglect sub-group representing safeguarding teams from both Council, NHS Trust and CCG met with the CSCP Lead to discuss and agree a moderated score for each tender response.
- 3.15 The approach to the safeguarding evaluation was well received and viewed as an example of good practice, providing the Council with an evidence-based approach to selecting potential contractors delivering services for children and providing a baseline for an annual review and audit as part of a robust contract management process.
- 3.16 Full details of the outcomes from the tender submissions and total evaluated score for each tender response are contained within the associated Part B report.

4. CONSULTATION

- 4.1 The redesign of Best Start Children's Centres has been informed by a statutory consultation which took place during May and June 2021. Outcomes from the consultation will be used to inform where service infrastructure and partnership working needs to improve so families are aware of where they can access help and support when needed.
- 4.2 A co-produced parent and carer engagement plan will be developed for the new services to relaunch the Best Start Locality Parent groups, part of the statutory duty of the Childcare Act 2006, to *'secure that each children's centre is within the remit of an advisory board and a governing body'*.

5 PRE-DECISION SCRUTINY

- 5.1 The process for awarding these Contracts is to be taken under General Exception.
- 5.2 The urgency for this notice has been noted by the Monitoring Officer and agreed by the Chair of Scrutiny and Overview Committee.

6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 6.1 Croydon Best Start fulfils the statutory duty on local authorities to provide early childhood services, and thus complies with the Council's essential spending criteria. The budget for Best Start services are part of the Croydon Renewal Plan and MTFs savings programme (CFESAV09). The total net budget for 2021/22 of £1,447,000 was approved by Council in March 2021.
- 6.2 Best Start services are funded from the General Fund and the proposed Agreements and Contracts, are expected to cost the Council an aggregate value of £3,221,000.

The following table presents the revenue consequences on the available budget to fund these proposals. There is no Capital spend associated with this paper.

6.3 Revenue consequences of report recommendations

	Current year	Medium Term Financial Strategy (MTFS) - 3 year forecast	
	2021/22 £'000	2022/23 £'000	2023/24 £'000
Revenue Budget available			
Expenditure	1,447	1,447	1,447
Income	0	0	0
Effect of decision from report			
Expenditure	(1,805)	1,432	1,432
Income	0	0	0
Remaining budget	<u>(358)*</u>	<u>15</u>	<u>15</u>

6.4 The effect of the decision

The proposed extension of the MTFs saving (SAVCFE09) will need to be carefully managed to ensure delivery risks to the MTFs programme in 2023/24 are mitigated.

* It would be useful to note that the potential overspend of £358k identified in this financial year is likely to reduce significantly due ongoing service review with finance colleagues and substitute savings identified albeit yet to realised. This includes the £151,000 underspend commitments.

6.5 Risks

The following risks have been identified and are being actively managed within the service:

Risk	Impact	Mitigation
<p>Risk of delay in awarding new Contracts by 1st January 2021</p>	<p>The Council will be exposed to significant risk of challenge due to lack of provision for families, particularly those most in need, increasing potential safeguarding risks, complaints and political fallout.</p> <p>Staff eligible for TUPE rights would be impacted by delays in the transfer over to the new provider which could result in legal challenge.</p>	<p>The Leader has been asked to approve the award of Contracts to meet the existing procurement timeline and avoid any further delays.</p>
<p>Risk that the new service model does not deliver</p>	<p>The Council could incur increased costs to deliver the service and a corresponding risk to the MTFs savings programme.</p> <p>Contracts awarded would not deliver value for money and result in poor outcomes and increased inequalities for very young children and their families</p>	<p>KPIs for these services are included in the Croydon Renewal Plan measures and reporting.</p> <p>Robust contract management is in place. Additional rigor will be provided through scheduled financial contract monitoring meetings to ensure value for money.</p> <p>Service plans and additional performance measures and outcomes for children will be reviewed annually.</p>
<p>Risk of unknown costs to be negotiated by the new contractor with the building owners to deliver a sufficient service offer through the locality Spokes</p>	<p>The indicative budget for each Spoke inhibits a sufficient service offer in the locality, reducing the availability of support families can access locally</p>	<p>The Council Estates team, Commissioner and Service Lead are working in collaboration with the incumbent providers to ensure a consistent approach and framework for accessing Children's Centre assets, and will support negotiations with the new contractors.</p>

		Where assets are owned by the Council consideration for a corporate recharge may need to be pursued within available budgets.
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6.6 Options

The proposals in this paper are being recommended due to Contracts coming to an end on 31st December 2021. This option, if accepted will provide statutory early childhood services delivered through the new Children's Centre Hub and Spoke model agreed by Cabinet in July 2021.

The alternative option to let Contracts come to a natural end has been rejected as this would lead to a gap in service, leaving families with young children with no provision and staff unprotected.

The procurement ended with no suitable bids for Sub-lot 1c (Children's Centre Hub South) and therefore remains vacant. The service is considering alternative options to deliver this service.

Sub-lot 2b for Employability support did not receive any bids. To avoid a gap in service a new direct award has been negotiated with the incumbent provider under Regulation 32 of the Public Contracts Regulations 2015 enabling the Council to award public contracts by a negotiated procedure without prior publication where no bids have been received.

6.7 Future savings/efficiencies

Despite operating in a financially challenging climate, service improvement, efficiency and the delivery of good outcomes for children and their families remain at the heart of Croydon Best Start.

Robust contract monitoring will continue, identifying further efficiencies where possible.

If additional savings are required from this budget, this would have such an impact on contract spend and allocation to providers, that this would likely render this the service undeliverable. If that was to happen, an alternative delivery model would need to be developed.

Approved by: Phil Herd (Interim) Head of Finance, Children, Families and Education on behalf of Richard Innis, Section 151 Officer.

7. LEGAL IMPLICATIONS

- 7.1 The Interim Head of Commercial & Property Law comments on behalf of the Interim Director of Law and Governance that the negotiated procedure without prior publication is available for the Council to use where no tenders, no "suitable" tenders, no requests to participate or no "suitable" requests to

participate have been submitted in response to an open procedure or a restricted procedure, provided that the initial conditions of the contract are not substantially altered under Regulation 32 of the Public Contract Regulations 2015. This procedure has been considered for lots 1c and 2b and utilised for lot 2b.

- 7.2 The award of the contracts as set out in this report assist the Council in the achievement of its duty to obtain “Best Value” in accordance with the provisions of the Local Government Act 1999.

Approved by Nigel Channer, Head of Commercial and Property Law on behalf of Doutimi Aseh, Director of Law and Governance & Deputy Monitoring Officer.

8. HUMAN RESOURCES IMPACT

- 8.1 This report makes recommendations involving a service provision change which is likely to invoke the effects of TUPE (Transfer of Undertakings (Protection of Employment) 2006 Legislation (amended 2014). Where the activities of the new service are “fundamentally not the same”, TUPE may not apply, as provided for by the 2014 amendments to the Transfer of Undertakings (Protection of Employment) 2006 Legislation.
- 8.2 The application of TUPE would be determined by the incumbent and any new service provider, for which the Council is the client in most cases. However, in the case of community schools, the Council is ultimately the employer for those Children Centre staff.
- 8.3 The service will be working with the current contractors and their HR providers to ensure the appropriate policies and procedures are followed.

Approved by: Deborah Calliste, Head of HR for Children, Families and Education on behalf of the Director of Human Resources.

9. EQUALITIES IMPACT

- 9.1 A full Equality Analysis will be updated to reflect the new service delivery plans to ensure outcomes are improved for all groups with protected characteristics. A review of the Best Start registration form will improve the data currently being collected for those with protected characteristics within GDPR guidelines, to improve the future analysis of equalities for children and families using the service.
- 9.2 These proposals will meet the Council’s obligations in ensuring equity of access to provision, particularly for those with protected characteristics. By awarding these Contracts the Council will ensure families with children under five can access the services and support they need, reduce inequalities and improve their life chances.

- 9.3 Equalities is a standing item and part of the contract management process. Regular monitoring allows for the early identification of any potential adverse impact on groups that share protected characteristics, enabling opportunities to intervene and avoid any unlawful action and improve outcomes.
- 9.4. Contractors will be encouraged to sign up to the Council's Race Matters and Equalities Pledges and to employ local labour thus meeting one of the Council's priorities of tackling inequalities and reducing poverty.

Approved by: Denise McCausland, Equality Programme Manager

10. ENVIRONMENTAL IMPACT

- 10.1 It is considered that there are no increased or decreased negative environmental sustainability impacts, from the proposals contained in this report.

11. CRIME AND DISORDER REDUCTION IMPACT

- 11.1 Supporting families through these services contributes to building resilience and community connections, with the intention to avoid people becoming involved in crime and disorder. Best Start services and partners work together to support children and families exposed to sexual violence and domestic abuse.
- 11.2 It is considered that there are no increased impacts on children and families in these proposals. Approving the recommendations in this report will ensure families are able to access the services when they need them the most.

12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 12.1 To approve the award of Contracts to the list of approved contractors as details in the associated Part B report, for a term of 2 years plus 3 months (1st January 2022 to 31st March 2024).

13. OPTIONS CONSIDERED AND REJECTED

- a) **Do nothing and let contracts come to a natural end – Rejected**
This would expose the Council to significant risk by having a gap in provision leaving families with young children and the most vulnerable with no access to services or support, and staff rights unprotected.
- b) **Agree to approve the Award of Contracts – Recommended**
This option will ensure the continuation of service provision and reduce the significant risks both economic, political and potential employment litigation, to the Council.

14. DATA PROTECTION IMPLICATIONS

14.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

YES

The name, age, address and other personal data is used by providers to deliver the service on a day to day basis. Personal information will be shared with partners, as appropriate, as part of a referral to safeguard a child or vulnerable adult. All other referrals for additional support will require prior consent of the parent/carer.

14.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

Yes

CONTACT OFFICER:

Sharon Hemley, Early Help Commissioning Manager
Sharon.hemley@croydon.gov.uk

APPENDIX:

Best Start Safeguarding toolkit and scoring sheet.

BACKGROUND DOCUMENTS:

None.

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Section 11 self-assessment tool

User Details



This self-assessment tool accompanies the Best Start tender documents and should be completed in full by all providers wishing to tender in the Best Start procurement

Organisation name and address	
Date completed	
Completed by	
Job title	
Email address	
Telephone number	
Signed-off by	
Sign-off date	

Need Help?

Contact:

Donna Kingsley QA & Development Officer donna.kingsley@croydon.gov.uk
Croydon Safeguarding Children Partnership
Bernard Weatherill House, Mint Walk, Croydon, CR0 1EA
[Tel 020 8726 6400](tel:02087266400) ext: 65598

The CSCP publishes a regular newsletter where safeguarding courses, information and details of Croydon safeguarding practice reviews and other learning materials are available.

[Croydon Safeguarding Children Partnership Home - Croydon Safeguarding Children Partnership \(croydonlcsb.org.uk\)](http://croydonlcsb.org.uk)

You can sign up to the newsletter on the website where there are a number of resources and information which will help professionals working to safeguard children and families in Croydon.

[Croydon Safeguarding Children Partnership News Archives - Croydon Safeguarding Children Partnership \(croydonlcsb.org.uk\)](http://croydonlcsb.org.uk)

Section 11 self-assessment tool

Introduction

2004. This is a self-assessment tool that aims to assess the effectiveness of the arrangements for safeguarding children at a strategic level. Each tenderer must ensure that any statements made within the tool are **backed by evidence** to meet

The tool assesses each tenderer against 8 standards as set down in the 'Statutory Guidance on Making Arrangements to Safeguard & Promote the Welfare of Children'. If your organisation covers more than one Safeguarding Partnership area, please ensure that any arrangements, practice or issues specific to Croydon are highlighted.

The **BLUE** section is to demonstrate **Croydon Focused Evidence** - some of the CSCP is keen to evidence how all partners recognise and respond to children with a disability, SEN, (Special Educational Need) or hidden disability such as autism or ADHD. Research shows that these children are at least 3 times more likely to be abused or harmed and also less likely to receive an adequate response if abused or

“Disabilities is an umbrella term, covering impairments, activity limitations, and participation restrictions. An impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations.”

The self-assessment tool is made up of 8 worksheets.

Each worksheet focuses on the standard and outlines the requirements to be achieved.

Follow the links below to each worksheet where you enter your score against each of

- [1. Senior management commitment to the importance of safeguarding and](#)
- [2. A clear statement of the agency's responsibility towards children is available to](#)
- [3. A clear line of accountability within the organisation for work on safeguarding](#)
- [4. Service development takes account of the need to safeguard and promote welfare and is informed by the views of children and families.](#)
- [5. Staff training on safeguarding and promoting the welfare of children for all staff working with or in contact with children & families](#)
- [6. Recruitment, vetting procedures and allegations against staff](#)
- [7. Inter-agency working](#)
- [8. Information sharing](#)

1. Senior management commitment to the importance of safeguarding and promoting children’s welfare

Please read each statement below and decide whether your organisation has 'Fully met' , 'Partly met' or 'Not met' the standard.		1. Not met	2. Partly met	3. Fully met	Croydon focused evidence	Rating	Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank.
1.1	There is a named person responsible for safeguarding at senior management level / trustee / on senior management committee.	There is no named person responsible for safeguarding at senior management level / trustee / on senior management committee.	<i>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</i>	A named person at senior management level or a trustee or on senior management committee is identified and responsible for safeguarding children.	Who is the person attending multi-agency meetings or training on behalf of your organisation? What is their attendance rate for the last 12 months?		
1.2	All staff or volunteers that come into contact with children and young people are able to access supervision or support in relation to safeguarding.	Staff and volunteers are not supported or supervised regularly in relation to safeguarding children.	<i>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</i>	It can be evidenced that staff and volunteers are supported and supervised regularly in relation to safeguarding children. Evidence would include a section on regular supervision forms, regular time spent reflecting on safeguarding issues or notes within client/case files.	Are you aware of the Escalation Policy? (aka: The Resolution of Professional disagreement in Safeguarding Children) Have you had cause to use it? Was it successful? Reflective Supervision is encouraged. Do use you the guidance? The Resolution of Professional disagreement in Safeguarding Children		
1.3	Please add any information to additionally support your compliance in this area.						

Remember to fill in the blanks

[ONCE COMPLETED GO TO NEXT SECTION](#)

2. A clear statement of the agency’s responsibility towards children is available to all staff

Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met' the standard.		1. Not met	2. Partly met	3. Fully met	Croydon Focused Evidence	Rating	Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank.
2.1	The organisation has a child protection policy in place that provides clear guidance on what action to take if there are concerns about a child's safety or welfare.	There is no child protection policy available to staff or volunteers.	<i>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</i>	A clear child protection policy is in place within the organisation which is reviewed every 2 years. <i>Please embed/attach a copy of your Child Protection Policy here</i>	The organisations safeguarding policy references Croydon contacts and Croydon pathways. The organisation knows how many children it refers to Early Help and/or SPOC. It knows the outcome of those contacts, as well as the number which specifically relate to Children with SEN, a disability or a hidden disability like autism.		
2.2	An effective complaints process is in place and available to all child and adult service-users.	There is no complaints process in place.	<i>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</i>	There is an effective and accessible process in place for child and adult service-users to make a complaint. Complaints are responded to in a timely manner.	The CSCP Escalation policy is named as a reference document		
2.3	Please add any information to additionally support your compliance in this area.						

Remember to fill in the blanks

ONCE COMPLETED GO TO NEXT SECTION

3. A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children

Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met' the standard.		1. Not met	2. Partly met	3. Fully met	Croydon Focused Evidence	Rating	Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank.
3.1	There is a named person/s who takes the lead on safeguarding on the front-line service.	There is no named person with a clearly defined safeguarding role at operational level.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	There is a named person identified at operational level with a clearly defined role in respect of safeguarding children and young people. The named person is easily contactable and there are cover arrangements in place if named person is unavailable. Both the named person and deputy should receive training for this role.	Who is the named individual for Croydon? Are they defined as a Safeguarding Lead? How many times has their advice been sought for a child or young person known to your organisation? What meetings do they attend in the borough? What CSCP subgroups are they a member of? What safeguarding training have they completed? Please show dates.		
3.2	Staff and volunteers are aware of their responsibilities if they are concerned about a child or young person and know the procedures to follow in such circumstances.	Staff likely to come into contact with children do not have a clear understanding of their responsibility towards children.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	All staff and volunteers likely to come into contact with children as part of their job understands their responsibility towards children and there is guidance on how to behave towards children, staff and volunteers Croydon Safeguarding Children Partnership Learning & Development Croydon Safeguarding Children Partnership (croydonlcsb.org.uk)	The procedures the staff follow are Croydon specific (for Croydon children)		
3.3	Please add any information to additionally support your compliance in this area.						

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Remember to fill in the blanks

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4. Service development takes account of the need to safeguard and promote welfare and is informed by the views of children and families

Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met' the standard.		1. Not met	2. Partly met	3. Fully met	Croydon Focused Evidence	Rating	Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank.	
4.1	The organisation takes into account the need to safeguard children, when planning a new service or considering how to improve a service.	The organisation cannot demonstrate that service development takes into account the need to safeguard and promote the welfare of children.	<i>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</i>	Consideration is given within plans as to how the delivery of services will take account of the need to safeguard and promote the welfare of children. <i>Examples of good practice include: Child appropriate surveys, using SCR learning to influence service delivery, aligning user feedback with service delivery goals</i>	When planning new work/service delivery, what steps are taken to positively influence the safeguarding of Croydon Children? What do you do specifically for children with a disability, special education need or hidden disability?			
4.2	Service development plans are informed by the views of children and families.	Plans are developed without reference to the wishes and feelings of children, young people and families.	<i>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</i>	Children and families are actively involved in the design, development and delivery of services. <i>Evidence of surveys or feedback from children and young people can be added here.</i>	What work/feedback has been carried out with Croydon children to shape how your service is delivered in Croydon? What has been done specifically for children with a disability, special education need or hidden disability?			
4.3	Please add any information to additionally support your compliance in this area.							

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Remember to fill in the blanks

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5. Staff training on safeguarding and promoting the welfare of children for all staff working with or in contact with children and families

Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met' the standard.	1. Not met	2. Partly met	3. Fully met	Croydon Focused Evidence	Rating	Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank.
<p>5.1 All staff and volunteers have training on child protection when they join the organisation which includes an introduction to the organisation's child protection policy.</p> <p>The induction should be within the first six months of employment (or TUPE) and before inter-agency training.</p>	<p>The induction does not include reference to the organisation's child protection policy and staff responsibilities in protecting children.</p> <p>Croydon Safeguarding Children Partnership Local Policies & Procedures - Croydon Safeguarding Children Partnership (croydonlcsb.org.uk)</p>	<p>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</p>	<p>An induction process is in place which includes familiarisation with child protection responsibilities and the policies and procedures to be followed if there concerns about a child's safety or welfare.</p> <p>It always takes places within first 6 months of employment and before individuals can take part in multi-agency training.</p> <p><i>The percentage of staff who have completed appropriate safeguarding training is:</i></p>	<p>What Croydon specific safeguarding training has taken place in your organisation in the last 12 months? What training specifically for children with disabilities has taken place in the last 12 months (this might be safeguarding CWD or communicating with CWD or other courses specific to a raised awareness of the additional vulnerabilities of children with disability, such as our free, on line autism awareness course)</p>		
<p>5.2 A record is kept of staff or volunteers who have completed induction training when they join the organisation.</p>	<p>A record is not kept or is not kept up to date.</p>	<p>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</p>	<p>A record is kept up to date and information is readily available and accessible.</p>	<p>What multi-agency events have your staff attended in the last 12 months in Croydon (SCR or Learning Reviews, Multi-agency audits, CSCP Conference Events). Do you use scenario led team sessions to test out your "what to do if.....?" knowledge?</p>		
<p>5.3 The organisation ensures that all staff working or having contact with children are appropriately trained in child development and in how to recognise and act on signs of child abuse or neglect.</p>	<p>There is no such additional training offered to staff.</p>	<p>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</p>	<p>All staff working with children are appropriately trained in child development and in how to recognise and act on potential signs of abuse and neglect.</p> <p>All staff undertaking specialist roles receive necessary specialist training.</p>	<p>Do your staff use the GCP2 Tool? (Neglect Tool) Do your staff use the MACE Screening Tool? Do you record data to show the type and prevalence of disability (as per the WHO definition on our introduction page)</p>		<p>Please list the percentage of staff trained to Level 1, Level 2 and Level 3 Safeguarding. Additional evidence of training courses attended is also welcomed</p>
<p>5.4 Training should include information on local thresholds.</p>	<p>Training does not make reference to local thresholds for service delivery:</p>	<p>Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.</p>	<p>Training makes reference to local thresholds for service delivery:</p> <p>See the CSCP Website for Thresholds & Indicator of Needs Protocols.</p> <p>Croydon Safeguarding Children Partnership Local Policies & Procedures - Croydon Safeguarding Children Partnership (croydonlcsb.org.uk)</p>	<p>Are your staff aware of the Early Help Strategy for Croydon? Are your staff aware of the SEND Delivery Plan for Croydon?</p>		

5.5.	There is a training plan for staff according to their level of need within the organisation regarding safeguarding children training.	There is not a training plan for staff according to their level of need regarding safeguarding children training.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	Staff receive appropriate training regarding safeguarding children and young people, according to their level of need.	The Croydon offer for training (CSCP website and newsletter) is available for all staff and regularly accessed.		
5.6	The organisation reviews staff training needs to ensure knowledge of child protection is maintained and up-to-date.	There is little or no evidence of training needs being regularly reviewed.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	Training needs are regularly reviewed in relation to safeguarding. There is clear evidence that the organisation is responsive to latest safeguarding issues and guidance.	When did you last align your policies with CSCP/Croydon based guidance? Do you implement the guidance around recognising CWD and refining your data and service delivery using the information your organisation has captured?		
5.7	The organisation ensures supervisors and managers are equipped with the skills and knowledge to provide effective supervision, management and oversight of child protection cases	There is little or no evidence to show that managers/supervisors appreciate this aspect of their role	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	Staff would say that they feel supported when making decisions about child protection, and feel that managers have relevant knowledge to discuss cases. Staff feel that their personal feelings and wellbeing is also considered and appropriately managed/supervised when required	Without identifying a child or their families, briefly describe an occasion where supervisor support has been sought and provided. How does the occasion fit with the guidance in the Reflective Supervision Standards Document ?		
5.8	The organisation has knowledge of Croydon Serious Case Reviews (CSCR), and have taken steps to embed associated learning with relevant staff	There is no knowledge of Croydon SCRs or knowledge of the themes and learning associated with Croydon SCRs	There is some knowledge of Croydon SCRs. There is good evidence to show how some of the themes and learning has been shared with relevant staff.	There is good understanding of the Croydon SCRs. The themes and learning has been shared with relevant staff			
5.9	Please add any information to additionally support your compliance in this area.						

Remember to fill in the blanks

[ONCE COMPLETED GO TO NEXT SECTION](#)

6. Recruitment, vetting procedures and allegations against staff

Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met' the standard.		1. Not met	2. Partly met	3. Fully met	Croydon Focused Evidence	Rating	Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank.
6.1	The organisation has an accessible safer recruitment policy which covers how to recruit safely for staff and volunteers who have contact with children.	There is no safer recruitment policy.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	There is an accessible safer recruitment policy. There is evidence that every recruitment panel has a member who has completed Safer Recruitment Training in the last 3 years. <i>Embed or attach a copy of your Safer Recruitment Policy here</i>	A sample of Croydon deployed staff (working with children) records have been checked. They were recruited in line with Safer Recruitment policy. (Panel member has Safer Recruitment Training in last 3 years)		
6.2	All staff and volunteers who have contact with children are properly selected and have appropriate checks in place. At a minimum these should be in line with the CSCP minimum standards for safe recruitment.	The organisation does not carry out DBS checks on staff and volunteers. There is little or no evidence of references being taken up and previous employment checks being made.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	The organisation adheres to the CSCP minimum standards for safe recruitment including: - carrying out DBS checks on all staff and volunteers who work with children and repeat on three yearly basis. - undertaking clear checks of employment history and identity - obtaining at least 2 references which comment on suitability of working with children (if appropriate). Organisations conduct face to face interviews and ensure that any anomalies or discrepancies are checked.	A sample of Croydon deployed staff (working with children records have been checked. They were recruited in line with Safer Recruitment policy.		
6.3	The organisation has a retention policy for the results of checks carried out on staff	The organisation does not have a retention policy for the results of checks, or cannot provide sufficient evidence when requested.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	The organisation has a clear retention policy and regularly update their records.	A sample of Croydon deployed staff (working with children) records have been checked. The results of checks is clearly shown and in line with the retention policy.		
6.4	Staff involved in recruitment are suitably trained (e.g. at least one member on the short listing / interview panel must have been on safer recruitment training)	There are no staff trained in safe recruitment within the organisation.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	There is at least 1 person trained in safer recruitment within the organisation.	A sample of Croydon deployed staff (working with children) records have been checked. The staff member recruiting them had Safer Recruitment Training		
6.5	There are clear procedures for handling allegations of abuse against staff and volunteers.	There are no clear procedures within the organisation for handling allegations of abuse against staff or volunteers.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	There are clear procedures in place for complaints about staff and volunteers, and there are a variety of methods available to inform children, young people, families and staff about this process.	The name of the Croydon LADO is known and appropriately displayed for staff to access.		

6.6	There is a 'whistle-blowing' procedure for all staff/volunteers who have concerns about poor practice.	The organisation does not have a 'whistle blowing' procedure.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	There is an accessible 'whistle blowing' procedure for staff to confidentially report their concerns.	The "whistle blowing" policy references the CSCP Escalation Policy		
6.7	The organisation has disciplinary procedures in relation to allegations of abuse against staff and volunteers in line with the 'London Child Protection Procedures' (15.4)	The organisation has no disciplinary procedures in place for dealing with allegations of abuse against staff and volunteers.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	The organisation has clear disciplinary procedures for dealing with allegations against staff and volunteers.	The name of the Croydon LADO is known and appropriately displayed for staff to access.		
6.8	Records are maintained detailing checks taken in respect of staff and volunteers.	The organisation has no or poor recording systems in place for allegations.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	The organisation has clear recording systems in place for allegations.	The name of the Croydon LADO is known and appropriately referenced in the recording system.		
6.9	In the case of an allegation against a staff member or volunteer, the organisation ensures that immediate consideration is given to how best safeguard children (e.g. suspension or not working unsupervised).	The organisation does not have arrangements in place to safeguard children in the event of an allegation against staff or volunteer.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	The organisation gives full consideration and has arrangements in place to safeguard children when an allegation is made against a staff member or volunteer.			
6.10	There is a named senior person to whom allegations or concerns should be reported.	There is not a named senior person in the organisation who is responsible for dealing with allegations or concerns.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	There is a named senior officer to whom allegations or concerns should be reported. The named person is easily contactable and there are cover arrangements in place if named person is unavailable.	Who is the named senior person for Croydon concerns?		
6.11	Please add any information to additionally support your compliance in this area.						

Remember to fill in the blanks

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7. Inter-agency working

Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met' the standard.		1. Not met	2. Partly met	3. Fully met	Croydon Focused Evidence	Rating	Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank.
7.1	The organisation has a commitment to inter-agency working and understand the roles and responsibilities of other organisations.	<p>The organisation is not committed to inter-agency working and staff do not understand its importance.</p> <p>Staff are not aware of other organisations' involvement with children and families who use their services.</p> <p>Staff do not attend multi-agency meetings or understand the importance of their attendance and contribution.</p>	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	<p>The organisation is fully committed to inter-agency working, and staff and volunteers understand its importance.</p> <p>Staff are aware of other organisations roles and responsibilities for safeguarding and promoting the welfare of children.</p> <p>Attendance at multi-agency meetings is expected throughout the organisation. Attendance at multi-agency meetings is monitored and action taken to address non-attendance.</p> <p>There are processes in place for resolving inter-agency differences in relation to thresholds, actions to take, decision making and roles/responsibilities.</p>	<p>What multi-agency meetings or training in Croydon have your staff attended in the last 12 months?</p> <p>What CIN/TAF/CP meetings have your staff attended in Croydon? Where attendance has been requested, what steps have you made to send reports, or follow up for minutes/plans?</p>		
7.2	Staff are able to identify children who would benefit from additional services. They are clear about the circumstances in which a referral to SPOC and MASH is necessary.	Staff are not able to identify children who would benefit from additional services and are not clear about the circumstances in which a referral to Children's Social Care is necessary.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	<p>Staff are able to identify children who would benefit from additional services and aware of the process of when to refer a child they have concerns about to Children's Social Care.</p> <p>Staff are able to apply CSCP Indicators of Need Matrix used in Croydon and understand the thresholds of different services.</p>	Do you use the Croydon Early Help Guidance (Effective Support - right help right time)?		

7.3	Staff are able to make referrals to SPOC and MASH of a high quality.	Staff and volunteers do not know how to make good referrals to Children's Social Care.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	<p>Staff and volunteers make high-quality referrals to Children's Social Care and include:</p> <ul style="list-style-type: none"> - Full names, dates of birth and gender of children - Family address and, where relevant, school/nursery attended - Names and dates of birth of all members of the household - Ethnicity, first language and religion of children and parents - Any special needs of the children - Any significant recent or past events - Cause for concern including details of allegations, their sources, timing and location - Child's current location and emotional and physical condition - Whether the child needs immediate protection - Details of any alleged perpetrator - Referrer's relationship with and knowledge of the child and his or her family - Known involvement of other agencies - Information regarding parents' knowledge and agreement to referral 	Do you know how many referrals to SPOC are returned or "no further actioned"? What action are you taking to improve the rate of accepted referrals? Is this rate the same for disabled and non disabled children? Do you use the Consultation Line when appropriate?	Details of numbers of referrals and whether they are accepted or not are welcomed
7.4	There are accessible policies in place to support effective interagency working in individual cases.	There are no policies in place to support effective inter-agency working in individual cases.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	<p>The organisation has clear procedures and protocols for effective inter-agency working and communication between partner agencies.</p> <p>Staff are aware of local policies and protocols and apply them when they are working on individual cases.</p> <p>Details of attendance at multi-agency meetings</p>	Do you have details on staff attendance at TAF meetings or CP meetings? We can evidence respectful challenge (where required) and our input to plans at meetings. Our staff feel that their view is valued and appropriately considered at multi-agency meetings.	
7.5	Please add any information to additionally support your compliance in this area.					

Remember to fill in the blanks

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8. Information sharing

Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met' the standard.		1. Not met	2. Partly met	3. Fully met	Croydon Focused Evidence	Rating	Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank.	
8.1.	The organisation has a clear understanding of the responsibility to share information relevant to safeguarding children and guidance on information sharing for staff.	The organisation does not understand its responsibility to share information in order to safeguard children. There is no clear guidance available to staff about information-sharing with other organisations.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	The organisation can demonstrate that it has a clear understanding of its responsibility to share information in order to safeguard children. There is guidance available to staff on information-sharing with other organisations. All staff who come into contact with children should understand the purpose of information sharing in order to safeguard and promote children's welfare.	Do you use a Sharing Agreement signed and adopted by Croydon multi-agency organisations?			
8.2	All staff and volunteers who come into contact with children should understand the purpose of information sharing in order to safeguard children.	Staff and volunteers are unaware of the organisation's policies and their personal responsibilities relating to information sharing. Staff and volunteers are not confident about what they can share under the law, including how to obtain consent to share information and when information can be shared even though consent has not been obtained.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	All staff and volunteers are aware of their personal responsibilities relating to sharing information in order to safeguard children and understand its purpose. All staff / volunteers are confident about what they can and should do under the law, including how to obtain consent to share information and when information may be shared even though consent has not been obtained.	Do you use Croydon specific examples or scenarios when training staff? For example - learning from audits, when sharing is and isn't appropriate and the impact it had on children concerned.		Evidence of attendance at strategy and child protection meetings is also relevant here.	
8.3	Staff are aware of who to go to should they require clarification on information sharing.	Staff do not know who to go to if they have any concerns about sharing information.	Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard.	Staff have a named contact to whom they can go for clarification of any issues in relation to information sharing.	Who is the Croydon staff member your staff should contact?			
8.4	Please add any information to additionally support your compliance in this area.							

Remember to fill in the blanks

Scoring Guidance: Evaluation of Best Start Safeguarding Method Statement

Eight questions make up the safeguarding self-assessment toolkit. To ensure alignment with the other method statements, the total marks available for the safeguarding method statement is five.

Providers must score at least 60% in each question to pass. The scoring variable in each question shows the required score for a 'not met', 'partially met' or 'fully met' answer.

For example:

For Question 1 (worth a total of 0.25%), a partially met answer would need a score of at least 0.15% (i.e. 0.60% of 0.25).

On each sheet, the evaluation panel should input the provider name in Row 1 and the agreed score in Row 9 - 'Evaluators score'.

The scores for each question will be automatically added to calculate a 'Total Score' in Row 13. To pass the total score should be a minimum of three which equates to 60% of the five marks available. The total score should not exceed five.

Please return the completed scoring sheet to Croydonbeststart@croydon.gov.uk cc'd to Sarah.adesikun@croydon.gov.uk no later than 16:00 Wednesday 13th October 2021.

Question	Total Marks Available
1	0.25
2	1
3	1
4	0.25
5	0.75
6	0.25
7	0.5
8	1

Insert Provider Name:

Question 1		
	Scoring variable	
Not met	0	0 – 0.14
Partially met	0.15	0.15 – 0.19
Fully met	0.2	0.2 – 0.25
Evaluators score:		
TOTAL AVAILABLE	0.25	

TOTAL SCORE: 0

Question 2		
	Scoring variable	
Not met	0	0 – 0.59
Partially met	0.6	0.6 – 0.79
Fully met	0.8	0.8 – 1
Evaluators score:		
TOTAL AVAILABLE	1	

Question 3		
	Scoring variable	
Not met	0	0 – 0.59
Partially met	0.6	0.6 – 0.79
Fully met	0.8	0.8 – 1
Evaluators score:		
TOTAL AVAILABLE	1	

Question 4		
	Scoring variable	
Not met	0	0 – 0.14
Partially met	0.15	0.15 – 0.19
Fully met	0.2	0.2 – 0.25
Evaluators score:		
TOTAL AVAILABLE	0.25	

Question 5		
	Scoring variable	
Not met	0	0 – 0.44
Partially met	0.45	0.45 – 0.59
Fully met	0.6	0.6 – 0.75
Evaluators score:		
TOTAL AVAILABLE	0.75	

Question 6		
	Scoring variable	
Not met	0	0 – 0.14
Partially met	0.15	0.15 – 0.19
Fully met	0.2	0.2 – 0.25
Evaluators score:		
TOTAL AVAILABLE	0.25	

Question 7		
	Scoring variable	
Not met	0	0 – 0.29
Partially met	0.3	0.3 – 0.39
Fully met	0.4	0.4 – 0.5
Evaluators score:		
TOTAL AVAILABLE	0.5	

Question 8		
	Scoring variable	
Not met	0	0 – 0.59
Partially met	0.6	0.6 – 0.79
Fully met	0.8	0.8 – 1
Evaluators score:		
TOTAL AVAILABLE	1	

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Date of meeting	23/09/2021
By	Jon Martin, Consultant, Croydon Digital Service
Title	Contract Award for Idox IT Solution
Project Sponsor	Heather Cheesbrough Director of Planning, Building Control and Strategic Transport
Executive Director	Sarah Hayward, Executive Director of Place
Lead Member	CLlr Young, Cabinet Member for Resources & Financial Governance
Key Decision	n/a

1. Recommendations

The Contracts & Commissioning Board (CCB) recommends to the Director of Commissioning and Procurement to:

1. Approve a waiver under Regulation 19 of the Tenders and Contracts Regulations against the requirement under Regulation 8.1 for a strategy report.
2. Approve a waiver under Regulation 19 of the Tenders and Contracts Regulations against regulation 23.3 (a), 23.3(g) and 23.4 (standard contract clauses)
3. Approve a waiver under Regulation 19 of the Tenders and Contracts Regulations against regulation 14 (Social Value

The CCB is asked to recommend to the Leader the recommendation below:

Leader of the Council

The Leader of the Council to make the decisions set out in the recommendations below:

The Leader is recommended by the Contracts and Commissioning Board to:

1. Directly award a contract to Idox as a compliant call off from Crown Commercial Services framework RM3821 DATA AND APPLICATION SOLUTIONS Lot 2b for a period of 5 years at a contract value of £550k for the supply and support of Idox IT solutions for the reasons set out in the report.

2. Background & strategic context

Idox are suppliers of the suite of IT applications referred to as Uniform that is used by the following service areas at Croydon:

- Development Management (i.e., planning)
- Building Control
- Food and Safety
- Commercial Licensing
- Trading Standards
- Pollution
- Neighbourhood Safety
- Housing Renewals

Uniform has been used in some capacity at Croydon for over 20 years with the current contract arrangements for licensing and support expiring on 30th October 2021.

A GPS framework call off contract was awarded on 21st November 2012 CCB0636/12 (B)), approved through Corporate Services Committee on 21st November 2012 (Award minute reference A122/12) and entered on 29th November 2012.

The contract was varied up to a value of £559,954 in 2014 CCB0748/13-14 and the Regulatory Services contract was added CCB1280/17-18 and varied CCB1450/18-19 bringing a total aggregate value of 660k.

An RP1 Make or Buy paper was submitted and approved by CCB on 12th March 2020 - this recommended that we should look to the market rather than develop something internally due to the breadth and depth of functionality, whilst recognising that there were several short-comings with the current solution. An RP2 Procurement Strategy paper was later submitted and approved by CCB in May 2020 – this recommended we should conduct an open tender, splitting the application into three service-focused lots. However the drive for contract savings led to entering into negotiations with the supplier to secure the outcomes of reducing the contract charges for the future in exchange for a long term commitment and at the same time avoiding the cost of reprocurement and the change costs associated with a change of solution in the event Idox either did not bid if the tender outcome were to identify a different supplier and solution.

The funding to undertake the re-procurement process and implementation of the preferred solution(s) had secured £4.2M from capital funds. £3.6M of this has now been returned to finance though extending the support on the current system from Idox. This avoids the interest on these funds and the effort across multiple services to both run the project and change ways of working to adapt to new systems at a time of great financial strain.

A dedicated project team, funded from capital, conducted a discovery and requirements gathering exercise in parallel to the CCB approvals process. This was progressing to create the baseline tender documents when Croydon entered section 114.

The Uniform Programme Board discussed the steer from procurement to review whether it was essential to continue, or whether the current contract could be extended to avoid the cost of the tender and potential implementation of new system/s. Board agreed to postpone the tender phase and review options for renewing/extending the current system.

. In return for a 5-year term Idox have offered to reduce annual support charges from £125k pa to £110k pa. This elicits a saving of 15k pa (75k total saving on core charges over the 5 year term). This is a 12% saving over the current annual support charges.

Renewing Croydon

The scope of the current system supports multiple service areas, most of which exist to ensure Croydon's statutory obligations are met in the areas of public safety, building compliance and the permitted development of the borough

Keeping our streets safe :

Uniform covers multiple service areas. As a result, there are a number of disparate user groups including, but not limited to:

Residents/Citizens

- Enquire and make planning applications
- Notifications about planning applications impacting them
- Enquire and make building control applications
- Report/make complaints about noise, environmental health issues, graffiti, abandoned cars
- Freedom of Information requests

Businesses

- Enquire and make planning applications
- Enquire and make building control applications
- Commercial license applications, including alcohol and food, street trading, skips, scaffolding and specific business-type regulations
- Food standard inspections
- Trading standards investigations
- Information about running events within the Borough

Internal officers/users of the system - in addition to those already mentioned:

- Spatial planning
- Corporate Anti-Social Behaviour team
- Other Housing teams who view residential property history information
- Landlord licensing teams who view residential property history information

- GIS mapping team to share location-based data, LLPG and Gazetteer
- Information to support economic development and regeneration teams

Councillors:

- Planning applications by ward
- Common complaints by ward
- Responses to questions

Croydon Community Partners: (Consulted on planning applications and commercial licences.)

- Metropolitan Police
- Fire Service
- British Transport Police
- Public Health

Statutory Bodies:

- MHCLG
- HMRC
- Food Standards Agency
- Health and Safety Executive
- Environmental Agency
- Planning Inspectorate

We will live within our means, balance the books and provide value for money for our residents:
The proposed contract will save 12% compared to existing contract charges.

3. Contract Providing for a Statutory Requirement

The IT systems that this Idox contract covers supports several service areas, primarily within Place department, who are governed by the following statutory legislation:

- **Building Act** (1984, latest version 2010) defines statutory obligation for building works in England and Wales.
- Multiple acts including **Planning Act 2008, Town and Country Act** covers the obligation of work carried out by the Planning team.
- The **Licensing Act 2003** defines obligation for the following types of premise licences:
 - Sale or supply of alcohol
 - Provide regulated entertainment
 - Late night opening
- **Environmental Protection Act 1990** legislation includes the control of emission into the environment.
- **Food Safety Act 1990, Health and Safety Act work Act, Pollution prevention and Control Act, Public Health Act** includes a list of legislation enforced by Commercial Environmental Health.
- **Public Health (Control of Disease) Act**
- **Clean Air Act 1993**
- **Housing Act** defines mandatory licensing of Houses in Multiple Occupation (HMO)
- **Consumer Protection Act** covers the remit of Trading Standards

The services which the current system supports are both statutory (public protection, planning, building control). It is therefore vital that the system is able to reliably support residents.

- **Planning** – This is a highly political topic affecting all wards. Councillors are often involved in escalations and complaints so the system needs to be transparent, accurate and easy-to-use.

- Building Control – a revenue generating service which polices compliance against standards. Following the Grenfell Tower disaster, this area is subject to additional scrutiny and pressure to have accurate data and efficient processes in place.
- Public Protection – Health and safety issues can quickly escalate in to high profile, negative media scenarios. It is vital that robust processes are in place to provide the necessary evidence that Croydon is on top of its statutory obligations.
- Food Safety – Same implications as public protection, with the additional pressure that the Food Standards Agency have the power to take-over Council functions should they consistently fail to achieve the required performance standards.
- Commercial Licensing – A revenue generating service aimed at ensuring businesses and events are run safely and comply with all necessary legislative requirements so public safety is not put at risk, and partner organisations, such as the Police are aware of the activities being conducted within the borough.
- Neighbourhood Safety – A presence on the streets monitoring complaints and offences which can be policed through issuing fixed penalty notices.

4. Financial implications

Budget Available	Yes / No		Cost Centre (Internal/External)	Various – see below
In-year Pressures on Budget	Yes / No		Future Pressure on Existing MTFS Budget	Yes / No

Details	Internal		Period of funding	External		Period of funding
	Capital	Revenue		Capital	Revenue	
Annual Support due 1/11		109,639	21/22			
Annual Support due 1/11		109,639	22/23			
Annual Support due 1/11		109,639	23/24			
Annual Support due 1/11		109,639	24/25			
Annual Support due 1/11		109,639	25/26			

Previous contract comprised two separate but co-terminating contracts plus several small additional amounts as modules were added to the base over time. The total annual value was £125k paid initially by CDS cost code C14095 with a recharge to service cost codes.

New contract annual value is £110k pa , a reduction of 12%. Over 5 years this represents a contract value of £550k.

In parallel to entering this new contract CDS needs to work with finance from the services to agree a baseline for going forward. Uniform Programme Board preference is that monies from service budgets are transferred to CDS to simplify the need for journal transfers.

NOTE The funding to undertake the re-procurement process and implementation of the preferred solution(s) had secured £4.2M from capital funds. £3.6M of this has now been returned to finance though extending the support on the current system from Idox. This avoids the interest on these funds and the effort across multiple services to both run the project and change ways of working to adapt to new systems at a time of great financial strain.

Essential Spend Criteria

The requirement is considered to meet the essential spend criteria *Expenditure to prevent the financial situation getting worse:*

This is because:

As a result of contract negotiations contract charges will be reduced and will bring a saving of 12% compared to previous annual charges.

5. Supporting information

	Required Input	Details
5.1	Procurement Process followed: Incl. details of the competition, advertisement, tenders received and any clarifications or issues.	<p>Due to the section 114 notice, the previously agreed approach from the RP2 paper to undertake a formal tender was postponed saving the short-term project costs of the tender process and implementation of new solutions.</p> <p>This report recommends a direct award to Idox as a compliant call off from Crown Commercial Services framework RM3821 DATA AND APPLICATION SOLUTIONS Lot 2b underpinned by the Framework terms and conditions is a compliant route to contract and offers a call from the government e-marketplace as a direct award provided two conditions are met:</p> <p>Call offs can be completed where:</p> <ul style="list-style-type: none"> The requirement must be intrinsically linked to a system already within the customers organisation The system is already in use at Croydon The products they are looking to award must be present on the Government eMarketplace Idox already publish a catalogue entry for the solution on the government e-marketplace on line catalogue and will publish an updated entry to match the Croydon requirements based on agreeing an offer to the Council following detailed discussions. <p>This is in accordance with what is allowed under the framework. External legal have previously provided advice in respect of using this framework route to market and the council has used this framework to award contracts on other major IT system contracts.</p>
5.2	Evaluation results: Incl. each providers scores in accordance with the published criteria. Winning providers VFM offer	<p>The proposed contract award is based on a direct award to the existing provider via a framework call off. Idox are the only providers of their proprietary IT solution.</p> <p>There is no change to the solution, previous project activity identified the solution meets requirements therefore there is no evaluation or scoring criteria.</p> <p>The preferred option of the 5-year contract provides VFM since it is a 12% discount on previous annual charges and costs of change as set out in section 4 are avoided.</p>
5.3	Any compliance issues with PCR or TCR?	<p>A PCR compliant framework call off is recommended. A waiver under regulation 19 is requested in respect of regulation 8.1 of the TCRs requiring a tender to be conducted.</p> <p>The call off for a direct award is in accordance with what the framework allows as mentioned in S5.1 above.</p> <p>Note the discount offered is predicated on the following terms therefore a waiver to Regulation 23 (standard contract clauses) is requested:</p> <p>There are no service credits – these are typically only offered by Idox where they also host the solution. The Croydon solution is hosted in the Councils Azure cloud.</p> <p>Annual indexation based on RPI is included.</p> <p>Payments are 6 months in advance. Idox usually charge 12 months in advance.</p>

		<p>Termination for convenience cannot be implemented during the 5 year term but thereafter is 90 days.</p> <p>Best Value: Idox require LBC to keep the level of discount offered confidential as it is unprecedented and therefore represents the best value. Note previous benchmarking and cost estimates</p> <p>There is no social value offer, a waiver to Regulation 14 is requested</p> <p>Previous performance of supplier: LBC have been a customer of Idox Software Limited for over 20 years. They are the UK market leader for most of the modules in use and we have had no issues with non-performance against the services provided under the support contract.</p>
5.4	<p>Contract Management: Please detail how this will be delivered and by who?</p>	<p>The Idox solution is hosted on LBC-owned infrastructure so performance of the day-to-day running of the application is dependent on several factors outside of the control of Idox.</p> <p>CDS is establishing improved governance arrangements for all critical business systems including Idox and this includes oversight of contract monitoring and having a minimum of two contract management reviews per year. Service representatives are a key part of these governance arrangements. The category manager is also involved with supplier performance meetings.</p> <p>Measures for a successful service:</p> <ul style="list-style-type: none"> • Performance against SLA to resolve problems/faults. • Contract Performance mechanism linked to termination triggers <p>Measures for a successful ongoing operation Is the application available to applicants?</p> <ul style="list-style-type: none"> • Is the application available to staff? • Is there sufficient monitoring of system resources adequate to enable pro-active management of the environment? • What are the processes for reporting incidents, how are they prioritised and what are the SLAs?
5.5	<p>Risks: Incl. how they will be managed</p>	<p>Refer to table in Annex of this paper.</p> <ol style="list-style-type: none"> 1. The current contract term ends on 30th October 2021 we will be out of contract and will not be able to enter into a new contract until after that date. It has taken much longer than expected to conclude negotiations with Idox. Idox need a signed contract at least 2 weeks before expiry so they can enter into the various sub-contracts with their supply chain for components relying on 3rd parties. 2. The PO needs to be raised before current contract expires 3. The 12% discount is taken off the table if we can't achieve this <p>It is therefore a priority to approve the award as a matter of urgency.</p>
5.6	<p>Mobilisation plan How will it be managed?</p>	<p>The direct award is a new contract; however, it is in effect extending the use of the current systems and infrastructure. There is nothing to mobilise as part of entering the new agreement apart from updating the licence keys issued by Idox.</p>
5.7	<p>Decommissioning plans:</p>	<p>The direct award is a new contract; however, it is in effect extending the use of the current systems and infrastructure. There is nothing to decommission as part of entering the new agreement.</p>

	How will they be managed between providers?	
5.8	TUPE: If applicable, how will it be managed?	There are no TUPE implications associated with this contract.
5.9	Interdependencies – If any: Incl. details of any arrangements i.e. Landlords, Consortiums, Assets connections and how they will be managed	There are no external dependencies associated with this direct award.
5.10	GDPR implications: Has an assessment been completed, do legal know to include in t&cs?	<p><i>Further information and support can be found at the link below:</i> https://intranet.croydon.gov.uk/resources/information-management/gdpr/gdpr-overview</p> <p>Attached DPIA hasn't changed to the version included with and reviewed by Information Management as part of the RP2 paper. Key points to note are:</p> <p>The attached DPIAs primarily covers how the current IT solution effects GDPR. The DPIAs for each service area are the responsibility of the service.</p> <p>The current privacy notice has been reviewed as part of each service's ongoing compliance with GDPR.</p> <p>Personal data is already collected and is used to carry out our obligations for the current scheme</p> <p>The council only use the data for the purposes of processing an application or service request</p> <p>The system will enable us to deal with Data Subject Requests and retrieve the information held on our database.</p>
5.11	Equalities: Please confirm how the proposed contract will support the EQIA?	<p>Attached Equalities Assessment hasn't changed to the version included with and reviewed by Yvonne Okiyo on 17th March 2020</p> <p>The solution will comply with Croydon's accessibility standards and web design guidelines which adheres to the Government's Service Standard. This states that the services provided must be accessible to everyone who needs it both online and offline.</p> <p>The technical section of the proposed tender will define these standards and how they will be evaluated.</p> <p>We expect the system to store primarily the name and address of the various stakeholder groups identified within various piece of legislation.</p> <p>For some services, we may additionally include date of birth and answers to questions about convictions pertinent to their assessment of being 'Fit and Proper' to hold a licence.</p> <p>We don't expect the new or upgraded solution (s) to store information around any of the following protected characteristics: disability, gender, gender reassignment, marital status, religion/belief, race, sexual orientation, or pregnancy/maternity.</p>

5.12	Social Value: Please confirm how the provider will deliver the 10%?	Idox were asked to propose social value deliverables but they did not offer anything to the Council. A waiver to regulation 14 is requested.
5.13	London Living Wage (LLW): Please confirm the provider pays LLW?	Idox are an accredited Living Wage employer https://www.livingwage.org.uk/accredited-living-wage-employers
5.14	Premier Supplier Scheme (PSP): Please confirm this is included in the requirements	Idox have selected not to join the PSP however we should continue to invite the supplier to join the scheme during the contract period.

Other options previously considered

Option 1: A contract extension of current arrangement for a further 5 years

Focus on delivering a series of “Quick Wins” to improve the current system. This will require having to extend our contract with Idox for up to 5 years to allow time to implement and benefit from any “quick win fixes”.

Contract will require variation in order to extend beyond allowable extensions. Total spend will exceed the 50% threshold highlighted under PCR Regulation 72. There is a risk of challenge but this is considered low

1. Is there a benefit to the services using Uniform by delaying going to tender
Some current performance and functional issues could be addressed by in house developments, enhancements by the incumbent supplier and acquisition of other third party tools.

2. Impact and likelihood of challenge due to Croydon being in beach of PCR 72,1,c
The risk is considered low. We have already established that the market isn’t large which limits the number of competitors able to challenge. We have recently spoken to two competitors as part of soft market testing so there is some expectation that Croydon may be going to tender. There have been no FoI requests received in the last couple of years specifically for IT systems in these service areas, other than more generic requests about all the IT systems in use at Croydon. Should a challenge be forthcoming, apart from any reputational issues this may pose, it would likely force Croydon’s hand at that time rather than wait for any agreed delay period. This suggests there is a low likelihood of challenge and the impact would be inconvenient but not significant.

3. Impact of total contract value this extension may have on any modified contract
This would add a further *contract value* £628,040.00 to the current contract value not just for the extended period but also for acquisition from the incumbent of additional modules and software to allow for the enhancements and fixes needed to address some of the current issues.

Option 2: Go to tender split into multiple Lots

Option to go to tender with the procurement being split into the following 4 Lots:

1. Development Management,
2. Building Control,
3. Public Protection and Licensing; and,
4. Housing Renewals.

Having a single lot encompassing all service areas would restrict bidding to the larger companies only. Having service-specific lots should encourage more competition as more suppliers will be able to respond to the tender. Requirements will include that any separate systems must be able to interact where required with the others and will other council systems.

We would also allow “packaged” bids so that a supplier could bid for multiple lots if they wished. By adopting this strategy, we could phase the implementation more easily if required.

Routes to Market

Option 1 : Use GCloud

Different procurement frameworks have been considered and the one which most closely targets the Software as a Service (SaaS) solution for the service areas concerned is the latest G-Cloud framework.

This framework was used as part of the soft-market review which identified a number of suppliers able to provide a single solution. A limitation of G-Cloud is that it is limited to a maximum contract term of 4 years.

The framework approach does not allow sufficient flexibility, although a contract variation to extend the contract could be considered, as the contract length comes to term.

Option 2: Use DAS framework

Supplier prequalified on framework. Any contract adheres to the framework's terms and conditions.

(NOTE THE DASS FRAMEWORK DIRECT AWARD OPTION IS RECOMMENDED FOR THIS AWARD REPORT)

Option 3: Use an Open Tender Process

A number of the suppliers on the G-Cloud framework are relatively new players in the market (last three years) and whilst they are on G-Cloud, they are not on more traditional service frameworks.

Therefore, to ensure Croydon could benefit from the widest possible pool of bidders, an open tender would best fit that requirement and we can dictate the terms of the contract and award a contract over a longer period of up to 10 years

This is to be considered as part of the exit strategy.

6. Conclusion and reasons for recommendations

A summary of the purpose of the report and reasons for recommendations

This paper outlines the work done with the current supplier, Idox, so Croydon can continue to use and get support for this IT application. The recommendation is to directly award a new contract to Idox for a period of 5 years at a cost of £110k p.a. as this was the best option Idox provided to achieve the extension and saved the most money over the current arrangements.

7. Outcome and approvals

Outcome	Date agreed	
<i>Insert outcome of PB discussion</i>	Service Director <i>(to confirm Executive Director has approved the report)</i>	<i>15/9/21</i>
	Cabinet Member for Culture & Regeneration	15/9/21
	Cabinet Member for Resources and Financial Governance	<i>14/10/21</i>
	Cabinet Member for Homes	30/9/21
	Legal Services	<i>06/10/21</i>
	Head of Finance	<i>23/9/21</i>
	Human Resources (if applicable)	<i>report/a</i>
	C&P Head of Service	<i>13/9/21</i>
	Cllr Young <i>(for contract award over £500k)</i>	<i>14/10/21</i>
	PB	CCB1698/21-22 23 rd September 2021

8. Comments of the Council Solicitor

The legal considerations are as set out in this report.

Approved by Kiri Bailey on behalf of the Director of Law and Governance

9. Chief Finance Officer comments on the financial implications

Approved

Approved by [Matt Davis] on behalf of the Chief Finance Officer

Risk Log

RISK ID	RISK DESCR	RISK IMPACT	ASSIGNED TO	EXISTING CONTROLS	RISK SCORE
1	Contract with Idox expires 30 th October: Croydon legal; procurement, and lead member sign-off requirements may take longer than this.	Current system is unlicensed. Could mean system access is turned off or we lose the discount offer. (Prob 4 * Impact 5)	Programme Board	Achieve internal approvals to allow council to enter into contract before the end date	20
2	Personal Information is accessible to officers who do not need this information to perform their duties	Increased risk of security breaches Non-compliance with data protection laws (Prob 1 * Impact 4)	Programme Board	Existing access controls fit for purpose	4
3	Legal challenge caused by a direct award without continuing the tender.	Additional costs and reputational harm to the council (Prob 1 * Impact 4)	Programme Sponsor	Use of a PCR compliant framework which allows for direct award resolves the risk	4
4	System may become outdated over life of contract	May not meet statutory requirements or new business needs (Prob 1 * Impact 4)	Programme Sponsor	Contract to oblige supplier to update software as legislation changes. Idox proposal includes option to migrate to their newer cloud-hosted solution over the contract term.	4
5	Current contract financing and recharge is messy and time-consuming	Needs better control to manage expectations over life of contract (Prob 3 * Impact 2)	Programme Board	Working with finance to agreed a better baseline position.	6

Procurement Board (CCB)

Contract Award Report

Date of meeting	21/10/21
By	Shaun Lochinger Reprographic and Mailroom Manager
Title	Postal Goods and Services Contract
Project Sponsor	Steve Iles, Director Public Realm
Executive Director	Sarah Hayward, Executive Director Place
Lead Member	Cllr Callton Young, Cabinet Member for Resources & Financial Governance
Key Decision	4921RFG The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.

1. Recommendations

The Cabinet Member for Resources and Financial Governance in consultation with the Leader is recommended to:

- 1.1 approve the award a call off contract for Postal Goods and Services following a tender led by the Royal Borough of Greenwich, (acting as a Central Purchasing Organisation) under CCS RM6017 Lot 3 Framework for Postal Goods and Services, for a term of 3 years with the option to extend for up to 2 further years for the value and to the provider stated in the part B report.
- 1.2 Note the contractor name and contract value will be published following contract award

2 Background & strategic context

2.1 Background

CCB approved a strategy CCB1682/21-22 to procure postal services as a call off by way of a mini competition led by the Royal Borough of Greenwich, (acting as a Central Purchasing Organisation) on behalf of participating authorities, from CCS' RM6017 Lot 3 Framework for Postal Goods and Services. This collaborative approach enables participating local authorities to aggregate requirements thereby achieving better value through economies of scale.

This report is seeking approval to commit to awarding a call off contract to the successful provider of the mini competition run by Greenwich Council.

The new contract will be for a term of 3 plus 2 years and will provide

- ability to order supplies such as recorded slips, trays, postal cages, sacks and other postal documents included in the contract price
- best discounts for 1st and 2nd class mail
- a high quality service on a consistent and reliable basis
- the flexibility and scale to be able to handle variations in volumes
- a ranges of services to meet the requirements of different mailing options for speed, economy, visibility and security
- support and advice the council to improve their efficiency and take advantage of new innovations

- confidence that the provider will operate in way that meets the council' social value criteria

3 Contract Providing for a Statutory Requirement

3.1 Background

There is a statutory requirement to send parking fines out by post.

Local authorities depend on physical post to deliver vital information and communicate with residents and businesses despite the growing focus on digital services. The Council's mailroom has new franking machines, folder inserters and has a centralised post room to make mailing processes as cost efficient as possible.

There is an ongoing requirement for the postage and delivery of mail and parcels and a replacement contract is required for the one expiring in September 2021. Note that arrangement will continue until replaced by this contract.

4 Financial implications

Financial implications are set out in Part B

3.1 Essential Spend Criteria

The expenditure meets essential spend criteria

Expenditure required to deliver the councils statutory services at a minimum possible level and expenditure to better the situation

Local authorities depend on physical post to deliver vital information and to communicate with residents and businesses, despite the growing focus on digital services. There is a statutory requirement to send parking fines out by post, currently upwards of 10,000 per week. There are also large quantities of mail for electoral services, Revenues and Benefits , Planning, Housing and other services around the Council.

SAVINGS COMPARED TO NOT AWARDING THE CONTRACT

Overall the Council will save in excess of £112,032 per annum compared to current arrangements based on current volumes. Further details are set out in Part B.

5. Supporting information

	Required Input	Details
5.1	Procurement Process followed: Incl. details of the competition, advertisement, tenders received and any clarifications or issues.	<p>The Royal Borough of Greenwich as the Central Buying Organisation, (CPO), has run a mini competition on behalf of all participating local authorities.</p> <p>Participating boroughs shared their mail volumes to maximise the demand and included the boroughs of:</p> <p>Croydon, Ealing, Barnet, Brent, Camden, Greenwich, Harrow, Haverling, Hillingdon, Islington, Kensington and Chelsea, Kingston, Merton, Newham, Richmond, Southwark, Sutton, Tower Hamlets Wandsworth, Westminster.</p>

		<p>There were 8 suppliers on the framework Lot</p> <ul style="list-style-type: none"> • DHL Parcel UK trading as UK Mail • DX Network Services Limited • Paragon Customer Communications • PostalSort Limited • Royal Mail and Parcelforce Worldwide • Swiss Post Solutions Ltd • The Delivery Group • Whistl UK Limited <p>This collaborative approach enables participating local authorities to aggregate requirements thereby achieving better value through economies of scale.</p> <p>This report is seeking approval to commit to awarding a call off contract to the successful provider of the mini competition run by Greenwich Council.</p>
5.2	Evaluation results: Incl. each providers scores in accordance with the published criteria. Winning providers VFM offer	<p>Evaluation summary of the preferred is set out in the appendix. A compliant tender was received which met the requirements.</p> <p>Two other bidders withdrew from the tender as they felt they wouldn't be able to consistently deliver within the required timescales.</p>
5.3	Any compliance issues with PCR or TCR?	No compliance issues. The tender was conducted in accordance with the Public Contracts Regulations 2015 (PCR) and the Council's Tenders and Contracts Regulations (TCR).
5.4	Contract Management: Please detail how this will be delivered and by who?	On a quarterly basis, London boroughs will hold a joint meeting with the provider, in addition, the Council's Reprographics' Manager will undertake the day to day management of the contract with the added benefit of access to an online business account to ensure accurate billing.
5.5	Risks: Incl. how they will be managed	There is a risk that the price of the contract will increase, postage charges have increased over the last few year, however due to this being a collaborative exercise, obtaining volume discounts through the aggregation of participating boroughs, any increase would most likely be less than any increase in price should we tender / run a mini competition ourselves.
5.6	Mobilisation plan How will it be managed?	Mobilisation details are set out in the Part B report.
5.7	Decommissioning plans: How will they be managed between providers?	Exit management forms part of contract obligations for any transfer to other providers when this new contract terminates.

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5.8	<p> TUPE: If applicable, how will it be managed? </p>	<p>The provider does not have any personnel dedicated to working on the Croydon contract therefore TUPE does not apply</p>
5.9	<p> Interdependencies – If any: Incl. details of any arrangements i.e. Landlords, Consortiums, Assets connections and how they will be managed </p>	<p>There are interdependencies as each borough must go through their own governance to approve awards.</p>
5.10	<p> GDPR implications: Has an assessment been completed, do legal know to include in t&cs? </p>	<p>Following Consultation with Information Management, a DPIA is not required as no information is being shared with the supplier.</p>
5.11	<p> Equalities: Please confirm how the proposed contract will support the EQIA? </p>	<p>This contract is unlikely to have any adverse impact on protected groups compared to non-protected groups therefore an Equality Analysis has not been undertaken</p>
5.12	<p> Social Value: Please confirm how the provider will deliver the 10%? </p>	<p>Social value was a requirement of the tender, the offer is to be confirmed with the supplier before the council enters into a contract to ensure contracted deliverables for Croydon with examples listed below.</p> <ol style="list-style-type: none"> i. Community – range of local community support thought volunteering, food banks, and charitable work. ii. Employment – local based employees the majority of whom are paid considerably more than the London Living Wage. iii. Environment – committed to delivering a cleaner future and be a net zero company by 2050.
5.13	<p> London Living Wage (LLW): Please confirm the provider pays LLW? </p>	<p>Whilst the supplier is not affiliated to the Living Wage Foundation the vast majority of their London employees are paid well above the London Living Wage.</p>
5.14	<p> Premier Supplier Scheme (PSP): Please confirm this is included in the requirements </p>	<p>PSP did not form part of the evaluation process. However once the contract has been awarded, the successful provider will be asked, by Croydon Council, if they will sign up to Croydon’s PSP.</p>

6. Conclusion and reasons for recommendations

The recommendation is to enter into a new contract with the successful provider for a term of 3 plus 2 years. The contract will provide

- ability to order supplies such as recorded slips, trays, postal cages, sacks and other postal documents included in the contract price

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- best discounts for 1st and 2nd class mail
- a high quality service on a consistent and reliable basis
- the flexibility and scale to be able to handle variations in volumes
- a ranges of services to meet the requirements of different mailing options for speed, economy, visibility and security
- support and advice the council to improve their efficiency and take advantage of new innovations
- confidence that the provider will operate in way that meets the council' social value criteria

Options

No other options were considered at tender stage. Procurement options were considered for the approved strategy, there has been no departure from the approved strategy.

7. Outcome and approvals

Outcome	Date agreed	
<i>Insert outcome of Board discussion</i>	Service Director Peter Mitchell	5/10/2021
	Cabinet Member for Resources & Financial Governance	14/10/21
	Legal Services	24.8.2021
	Head of Finance Michael Jarrett	30/9/2021
	Human Resources (if applicable)	n/a
	C&P Head of Service	19/08/2021
	Lead Member (for contract award over £500k)	14/10/21
	Procurement Board	CCB1700/21-22 – 21/10/2021

8. Comments of the Council Solicitor

There are no additional procurement related legal considerations directly arising from this report

Approved by Sonia Likhari on behalf of the Director of Law and Governance

9. Chief Finance Officer comments on the financial implications

Approved

Approved by [Michael Jarrett] on behalf of the Chief Finance Officer

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QUALITY/TECHNICAL QUESTIONS MARKING SHEET				
Question Number	Question Detail	Weighting 55%(below scoring is out of 100% of the 55%)	Marks (0-4)	Comments: Give full rationale to justify Score noting Particular strengths and weaknesses in the bidder's response
Part A Quality				
A1	Provision of Goods and/or Services: demonstrate a good understanding of the Goods and/or Services required to meet the Contracting Body requirements.	15%	3	Good response suggesting the specification will be satisfactorily met in all relevant respects.
A2	Methodology: e.g. a clear demonstration of how the Goods and/or Services will be fulfilled and delivered.	25%	4	Excellent response suggesting the specification will be satisfactorily met in all relevant respects with added value
A3	Social Value: outcomes offered as additional benefits over and above the core requirements, providing tangible benefits for residents from contracting authorities	10%	3	Good response suggesting the specification will be satisfactorily met in all relevant respects.
A4	How has the Service Provider detailed their implementation plan proposed for delivering the	10%	3	Good response suggesting the specification will be satisfactorily met in all relevant respects.

	required Goods and/or Services (including lead times) to meet the Contracting Body requirements along with a clear demonstration of the technical assistance that will be provided during implementation?			
A5	After sales service – demonstrate a robust after sales support structure is in place.	10%	4	Excellent response suggesting the specification will be satisfactorily met in all relevant respects with added value
A6	Security: demonstrate that all the security requirements of the Contracting Body can be met.	10%	4	Excellent response suggesting the specification will be satisfactorily met in all relevant respects with added value
A7	Environmental characteristics: what support can be offered to help the Contracting Body achieve any environmental considerations	5%	3	Good response suggesting the specification will be satisfactorily met in all relevant respects.
A8	Service Levels and Key Performance Indicators (KPIs): demonstrate a clear commitment to meeting the SLA's and KPI's.	15%	2	Weak response suggesting there may be shortcomings of a less serious nature in the relevant aspect of service.

Lot 3	Supplier (%)
Quality	45.65
Cost	45.00
Total	90.65

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Procurement Board (CCB)

Contract Award Report

Date of meeting	<i>26/8/21 Once stage 2 confirmed from finance and lead member send back to CCB for virtual. Make sure is on delegated cabinet member decision list</i>
By	Vicki Richardson, Head of HR & Finance Service Centre, Resources
Title	Pension Enquiry Service
Project Sponsor	Sue Moorman Director of Human Resources
Executive Director	Asmat Hussain Interim Executive Director Resources
Lead Member	Cllr Callton Young
Key Decision	Insert key decision number (if applicable)

1. Recommendations

The CCB is asked to recommend to the Cabinet Member for Resources and Financial Governance to:

1. Approve the award of a Pension Enquiry Service contract in accordance with Regulation 28(4)(c) of the Council's Tenders and Contracts Regulations to Liberata UK Limited for a period of 2 years from 1 April 2021 with a maximum contract value of £150,000.
2. Approve a waiver under regulation 19 of the tenders and contracts regulations in respect of regulation 11.3 requiring a tender to be conducted.
3. Note the aggregate spend with the supplier is £547,716 including this arrangement.

The Cabinet Member for Resources and Financial Governance in consultation with the Leader is recommended to:

1. Approve the award of a Pension Enquiry Service contract in accordance with Regulation 28(4)(c) of the Council's Tenders and Contracts Regulations to Liberata UK Limited for a period of 2 years from 1 April 2021 with a maximum contract value of £150,000.
2. Note the aggregate spend with the supplier is £547,716 including this arrangement

2. Background & strategic context

The Council ceased providing payroll services for schools 2016. Prior to this the Council had provided this via a 3rd party contract with Liberata UK Ltd. Liberata decided to offer their payroll services directly to Croydon schools and 48 schools are signed up to have their payroll service with them.

As the Payroll contract is now between Liberata and the schools, the Council would not have the authority to have access to data that they previously had which included the Pensions Team. As the Pensions Team administers the Teachers' Pension Scheme and the Local Government Pension Scheme then an important part of the process involved having access to the payroll database. This was considered essential for the Pension Team to carry out their duties especially as the receipt of timely and quality information is paramount, with any failure to do this carried legal implications. The Pension Manager at the time advised that not having access to essential data would require an increase in staffing levels by 2 FTE's.

An arrangement was put in place with Liberata for 20 officers within the pension team to have direct access to the schools payroll system. To date this has been renewed on an annual basis via the issue of a purchase order. The previous purchase order for this service expired at end March 2021 and we have been undertaking a review of the arrangement.

Local Government Pension Service (LGPS)

Over 20% LGPS active and deferred scheme members are on the Liberata payroll. At Croydon the LGPS Pension Team calculate final pay and CARE benefits. The salary data contained on the system is used to process and calculate a range of pension benefits from new starters, leavers, final pay calculations, estimates, divorce and death benefits plus other ad-hoc

calculations. In addition, the service data contained on the system is used to establish service history, maternity leave dates, sick pay dates and service breaks.

Liberata also provide monthly reports to notify the pension team of starters and leavers which contain all of the information needed by the team in an easily understandable format which can be directly uploaded into the pension administration team.

Without direct access to the payroll system the LGPS admin team will need to contact the individual school to provide final pay and care pay for every member who becomes a leaver, requests a retirement estimate, transfer valuation, divorce valuation or payment of pension benefits. This will result in delays for scheme members and inefficiency in pension administration due to the resource efforts involved in chasing for information.

In addition each school would to notify the pension team provide starters and leavers. It is likely that this would result in schools providing the information in a variety of formats including paper forms and emails. This will be less efficient for the LGPS who will spend more time chasing up this information from these 48 employers. In addition information provided in paper/email format will need to be processed manually rather than directly loaded into the pensions administration system. A rollout of software known as I-connect enables that employers to submit their data to the pension fund electronically to schools who have their payroll service with Liberata would significantly reduce the manual effort involved.

Analysis of the number of days to process pension benefit estimates has been undertaken and on average, LGPS benefits are processed more quickly using the Liberata payroll, with an average of 7 days compared with 23 days for an employer with an alternative payroll provider. This is due to delays experienced in obtaining the information from the employer or their payroll provider. The time spent processing cases where the pension team have direct access to the payroll system is also, on average 36 minutes shorter.

Teachers Pensions Service (TP)

The Teachers Pensions (TP) Team provide a TP administration service to 83 schools, including 16 out of borough schools and are income generating. 60 of the schools/academies buying the TP service contract with Liberata for their payroll service. In 2020/21 the income generated was £63k.

A full TP service is provided to schools using the Liberata payroll service which includes:-

- Central records and electronic filing of Teacher' Pension (TP) forms, member instructions, service records and pension membership status for each teacher
- Preparation and submission to TP Darlington of monthly auto enrolment schedules and auto enrolment advice and support.
- Preparation of monthly data collection reports and submission to Teachers Pensions.
- Preparation end of year certificates and submission to Teachers Pensions.
- Investigation and resolution of pension queries including historic or complex cases involving several agencies e.g. correcting LGPS information, challenging TP on claims for retrospective uncollected pension contributions and investigation of archived material to capture missing information.
- For schools joining the Teachers' Pension Service an audit of all teachers' pension records and remedial action to bring all records up-to-date.
- Pension workshops on request and/ or 1-2-1 sessions with teachers.

Liberata provide the TP team with a number of monthly reports which enables the delivery of the service they offer including, automatic enrolment, starters/leavers, ½ and Nil Pay, monthly contributions and monthly data collection information for Teachers.

The alternative would be to ask the individual schools and academies to provide the data to the TP team.

The TP team also access the system on a daily basis, looking at pay slips, history of hours etc. to respond to enquiries from Teacher's Pensions. This information may be able to be obtained from previous end of year returns or directly to the schools.

The resource effort involved in providing the TP service to schools and academies would increase meaning costs to the Council may increase. An options appraisal of the service will need to be undertaken to determine ongoing viability. No longer providing a TP service where the Council is ultimately the employer may lead to poor quality recording keeping in relation to Teachers Pensions. This carries some financial risk into the future, if accurate records are not maintained historic arrears cases could cost the Council significant sums of money.

Options Appraisal

Option	Advantages	Disadvantages and Risks
<p>Do nothing and service ceases</p>	<p>No ongoing cost of arrangement</p>	<p>Direct access to the data will be lost.</p> <p>Increased resources will be needed in LGPS Team. Initially an additional 4 officers at a cost of £185k per annum will be required to:-</p> <ul style="list-style-type: none"> • Process starters and leavers manually • Implement i-connect • Raise enquiries with individual schools to provide final pay and care pay • Educate employers on calculation of final pay <p>Scheme members will wait longer for their pension benefits to be calculated.</p> <p>Poor data quality leads to the administering authority being unable to meet The pension regulator (TPR) code of practice in relation to record keeping.</p> <p>Poor quality data provided by employers leads to incorrect calculation of pension benefits resulting in financial loss.</p> <p>Poor data quality results in actuarial assumptions needing to be made that leads to an increase in employer rates.</p> <p>May impact ability to implement changes to pension regulations e.g. McCloud judgement as will be reliant on employers providing the required information for McCloud remedy.</p> <p>TP Impact – may need to repay income to schools who have signed up to SLA on basis that we have direct access.</p>

		<p>Additional resource (0.5 FTE) needed in TP team to obtain return information direct from the schools raise enquiries with employers.</p> <p>TP arrears – if accurate records are not maintained historic arrears cases could cost the Council significant sums of money</p> <p>No time to deliver exit plan to minimise service impacts/risks.</p> <p>Ceasing the service without a plan to redesign how we deliver the service is likely to impact on the morale of the team, leading to increased sickness and impacting on staff retention.</p>	
<p>Renew for current year plus 2022/23 and implement for March 2023</p> <p>RECOMMENDED OPTION</p>	<p>Allows time to deliver an exit plan to minimise service risks of ceasing service. Exit plan includes:-</p> <ul style="list-style-type: none"> • Full rollout of i-connect plan to reduce manual data processing and number of queries that will need to be raised with the employer • Undertake systems process review, learning from other funds • Educating employers on calculation of final pay • Educating employers on their responsibilities for LGPS and TP • Arrange extraction of data needed for McCloud remedy • Review of traded services to schools including charging models 	<p>Direct cost of arrangement - £75k PA</p> <p>An additional 2 officers will be needed until March 2023 at a total cost of £123k for the expected 18 month duration require to deliver the following elements of the exit plan:-</p> <ul style="list-style-type: none"> • Implement i-connect • Educate employers on calculation of final pay <p>From 23/24 direct access will be lost which will does have the following disadvantages and risks, albeit somewhat mitigated through the delivery of the exit plan:-</p> <p>Direct access to the data will be lost.</p> <p>A permanent additional 1 FTE will be needed in LGPS Team to process the data received via i-connect at a cost of £39k per annum.</p> <p>Scheme members will wait longer for their pension benefits to be calculated.</p> <p>Poor data quality leads to the administering authority being</p>	

		<p>unable to meet The pension regulator (TPR) code of practice in relation to record keeping.</p> <p>Poor quality data provided by employers leads to incorrect calculation of pension benefits resulting in financial loss.</p> <p>TP arrears – if accurate records are not maintained historic arrears cases could cost the Council significant sums of money .</p>
<p>Renew for current year with options to extend annually e.g. for a further 5 x 1 year</p>	<p>Ongoing direct access to the data</p> <p>Efficient processing of LGPS pension benefits for over 20% of active and deferred scheme members,</p> <p>Benefits scheme members who will receive the calculation of their benefits quicker</p> <p>Access to quality data assists in ensuring the correct calculation of pension benefits.</p> <p>Actuarial assumptions are made on good quality data</p> <p>TP arrears – good quality data reducing risk of financial burden on the Council of historic arrears cases .</p>	<p>Ongoing cost of Pension Enquiry Service is expensive at £75k per annum and cost reduction that could be achieved through ceasing the arrangement and redesign of service will not be delivered.</p> <p>Risk that in the event schools move to an alternative payroll provider that value for money would be further reduced.</p>

3. Contract Providing for a Statutory Requirement

The administration of the Local Government Pension Scheme and the employer responsibilities for Teachers Pensions are governed by legislation and the Council has obligations under both The Local Government Pension Scheme Regulations 2013 and The Teachers' Pension Scheme Regulations 2014.

Consideration has been given to how we redesign service delivery to enable this arrangement to be terminated without significant impact on the pension team and risks to the administration of pensions as outlined in the options appraisal.

It will take time to deliver the service redesign activity and therefore it is recommended that this arrangement continues until March 2023 to enable this to take place.

4. Financial implications

The original cost of the service in 2016 was £82,500 per annum. This was reduced to £77,472 in 2018. Liberata have advised the reduction was in the recognition that Liberata do get some benefit from the arrangement as it is a unique selling point for their payroll services to schools.

Further discussions have been held with Liberata about the cost of the service and they have agreed to a further reduction in cost to £75,000 per annum. Discussions were with Liberata whether further costs savings could be achieved by reducing the number of users but they have advised this is not possible as their costing basis is the numbers of records held on the database.

Spend with supplier

Year	Amount
2016-17	82,500
2017-18	82,500
2018-19	77,572
2019-20	77,572
2020-21	77,572
To 2021 total	397,716
New arrangement	
2021-22	75,000
2022-23	75,000
Total	
Aggregate Spend	547,716

Apportionment of costs

As the service is provided to both the LGPS pension team and Teachers Pensions the costs will be apportioned between the general fund and pension fund.

Access to the service allows Croydon Council to meet its responsibilities to two separate pension schemes, the Local Government Pension Scheme (LGPS) and the Teachers' Pension Scheme (TPS). The costs have been apportioned between the pension fund and the general fund to ensure the Council's responsibility, as the administering authority for the LGPS, to ensure funds are used correctly is adhered to. The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 permits any costs, charges and expenses incurred administering the fund to be taken from the fund.

Costs not associated with the administration and running of the LGPS (such as the TPS) cannot be met by the pension fund.

Croydon Council is deemed to be the employer for all community, foundation and voluntary aided schools in the borough and has legal responsibilities under the Teachers' Pension Scheme (TPS) regulations to provide information and data to TPS. TP Administration is a service purchased by schools and the cost of access to the Trent payroll system is met by this cost.

Therefore the 15k from general fund is to cover the contract charges in relation to administering the TPS and cannot be met by the LGPS pension fund.

There is sufficient budget in the Teacher Pensions budget for the general fund costs.

Budget Available	Yes		Cost Centre (Internal/External)	C14714/C90471
In-year Pressures on Budget	No		Future Pressure on Existing MTFS Budget	No

Details	Internal Capital	Revenue	Period funding	of	External		Period of funding
					Capital	Revenue	
Pension Fund		135k	2021/22 2022/23	-			
General Fund		15k	2021/22 2022/23	-			

5. Supporting information

Required Input	Details
5.1 Procurement Process followed: Incl. details of the competition, advertisement, tenders received and any clarifications or issues.	Direct Award
5.2 Evaluation results: Incl. each providers scores in accordance with the published criteria. Winning providers VFM offer	Not applicable
5.3 Any compliance issues with PCR or TCR?	<p>Liberata UK Ltd are the only provider who can supply this service as they provide the payroll service to schools which would render competition absent for technical reasons under PCR Regulation 32(2)(b)(ii) which permits the use of the negotiated procedure without prior publication of advertisement.</p> <p>Note the contract amount for this direct award is below PCR threshold although aggregate spend to date exceeds PCR threshold.</p> <p>A direct award will require a TCR regulation 19 waiver to the requirements of regulation 11.3.</p>
5.4 Contract Management: Please detail how this will be delivered and by who?	This will need to be agreed as part of the contract and will be responsibility of Head of Service for Pensions Administration. To date annual meetings have taken place as there have been no issues with service availability or performance.
5.5 Risks: Incl. how they will be managed	<p>There is a procurement risk with the direct award although the risk is considered low as only the supplier can grant access to the IT system and data which they use to deliver the payroll services to schools.</p> <p>The main operational risk is that schools choose to switch to an alternative payroll provider during the next 12 months, although the risk is considered low. This will be monitored monthly.</p>

		<p>Supplier unable to deliver service: The supplier has been engaged and is willing and able to continue the service as it ties in with their services being delivered to schools.</p> <p>There is a risk the in house service redesign is not able to be completed successfully in order to deliver savings. Project management, monitoring and regular status reporting to be deployed to ensure delivery kept on track.</p>
5.6	Mobilisation plan How will it be managed?	As this is continuation of an ongoing service no mobilisation is needed.
5.7	Decommissioning plans: How will they be managed between providers?	<p>The plan is to decommission this by March 2023 through service redesign. The exit plan activity includes:-</p> <ul style="list-style-type: none"> • Full rollout of i-connect (I-connect enables employers to submit their data to the pension fund electronically) to reduce manual data processing and number of queries that will need to be raised with the employer • Educating employers on calculation of final pay • Arrange extraction of data needed for McCloud remedy • Options appraisal of TP service and delivery of any change to service provision
5.8	TUPE: If applicable, how will it be managed?	TUPE does not apply
5.9	Interdependencies – If any: Incl. details of any arrangements i.e. Landlords, Consortiums, Assets connections and how they will be managed	The agreement is required as Liberata provide payroll services to schools. No other known interdependencies.
5.10	GDPR implications: Has an assessment been completed, do legal know to include in t&cs?	<p><i>Further information and support can be found at the link below:</i></p> <p>https://intranet.croydon.gov.uk/resources/information-management/gdpr/gdpr-overview</p> <p>A DPIA has been completed.</p>
5.11	Equalities: Please confirm how the proposed contract will support the EQIA?	An EQIA has been completed and the evidence shows there is no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review
5.12	Social Value: Please confirm how the provider will deliver the 10%?	There is no social value offer with this arrangement.
5.13	London Living Wage (LLW): Please confirm the provider pays LLW?	All Liberata employees are paid a minimum of the national living wage with the exception of apprentices. For some contracts they have an obligation to pay the real living wage.
5.14	Premier Supplier Scheme (PSP):	There is no PSP offer with this arrangement however the supplier can be approached and invited to enter the scheme.

Please confirm this is included in the requirements

6. Conclusion and reasons for recommendations

The purpose of this report is to enter into a direct award with Liberata Uk Ltd for the Pension Enquiry Service, and address legacy non-compliance with the Public Contracts Regulations 2015 and the Council's Tenders & Contracts regulation's.

The Pension Enquiry Service has been in place since 2016 and does provide administrative benefits to the Pensions team. However there is a significant cost attached to the ongoing provision and savings could be achieved through service redesign.

Therefore it is recommended that the Pension Enquiry service is continued until March 2023 to allow the delivery of an exit plan to minimise the risks and impacts to the Pensions Service and scheme members. The agreement will then be terminated.

7. Outcome and approvals

Outcome	Date agreed	
<i>Insert outcome of CCB discussion</i>	Service Director Sue Moorman Chris Buss Assmat Hussain see emails	All on 17 August 2021
	Cabinet Member for Finance & Resources	<i>28/10/21</i>
	Legal Services Sonia Likhari CCBReportsforlegal@croydon.gov.uk	<i>23.8.2021</i>
	Head of Finance Sent to Paul Clifflands and Michael Jarret on 26/8	<i>17/8/21</i>
	Human Resources (if applicable)	<i>n/a</i>
	C&P Head of Service Scott Funnell	<i>19/8/21</i>
	Lead Member arranged for Sue Moorman to brief Cllr) <i>(for contract award over £500k)</i>	<i>n/a</i>
	Procurement Board	CCB1697/21-25 <i>7/10/21</i>

8. Comments of the Council Solicitor

There are no additional legal considerations directly arising from this report

Approved by Sonia Likhari on behalf of the Director of Law and Governance

9. Chief Finance Officer comments on the financial implications

Approved

Approved by [Chris Buss] on behalf of the Chief Finance Officer

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DELEGATED DECISION REPORT TO :	Cllr Callton Young, Cabinet Member for Resources and Financial Governance
SUBJECT:	Property Disposals as part of the Interim Asset Disposal Strategy
LEAD OFFICER:	Richard Ennis - Interim Corporate Director Resources
CABINET MEMBER:	Councillor Stuart King - Cabinet Member for Croydon Renewal Councillor Callton Young - Cabinet Member for Resources and Financial Governance
WARDS:	Coulsdon Town
<p>CORPORATE PRIORITIES 2020-2024</p> <p>Croydon Renewal Plan – the recommendations in this report are in line with the new corporate priorities and new way for renewing Croydon</p> <p>Medium Term Financial Strategy</p>	
<p>FINANCIAL IMPACT</p> <p>This paper is seeking approval for the grant of a long lease and subsequent disposal of a Council asset in line with the Interim Asset Disposal Strategy. The proposal will deliver either a long term revenue benefit or, if the Council decide to sell the asset with the benefit of the lease, a significant capital receipt. This disposal is part of the wider disposal strategy and will significantly contribute towards the assets disposal target in the MTFS.</p> <p>All disposal costs, including a contribution towards officer time will be paid for out of capital receipt in line with the current financial guidelines which allow up to 4% of the capital receipt to be allocated against reasonable revenue costs in achieving the sales.</p>	
<p>FORWARD PLAN KEY DECISION REFERENCE NO.: 6121RFG</p> <p>The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.</p>	
<p>The Leader of the Council has delegated to the Cabinet Member for Resources and Financial Governance the power to make the decisions set out in the recommendations below</p> <p>1. RECOMMENDATIONS</p> <p>Cabinet Member for Resources and Financial Governance in consultation with the Leader agrees the following:</p> <p>1.1 Approve the Letting of the former CALAT building in Malcolm Road, Coulsdon to Epsom and St Helier University Hospitals NHS Trust for a term of 25 years</p>	

- 1.2 Approve the subsequent sale of the freehold interest once the lease has been completed
- 1.3 Approve the grant of a new reversionary lease to Coulsdon Community Centre for a term of 25 years to follow on from their existing lease which is due to expire in 2026

On the basis of the terms set out in Part A and Part B of this report.

2. EXECUTIVE SUMMARY

- 2.1 This Interim Disposal Strategy has been developed to support the requirements of the Croydon Renewal Plan and Medium Term Financial Strategy [MTFS] and sets out the guidance and governance necessary to allow the disposal of surplus Council assets. The strategy was approved and adopted by Cabinet in February 2021.
- 2.2 The property included within this report has been identified as surplus within the context of the disposal strategy and was included in the initial tranche.
- 2.3 The above proposals have followed the governance process as set out within the strategy and has been approved by Place DLT and ELT.
- 2.4 The approved business case is attached as a background paper in the Part B report

3. BACKGROUND

- 3.1 Given the significant financial challenges faced by the Council, it is important to ensure that the best outcome is achieved from any disposal and this includes:
 - Holding cost of any surplus assets if to be retained for longer term use or sale
 - Running costs for under-utilised assets and how these can be reduced
 - Service requirements across the Council to ensure an asset is not being sold off if it could provide a cost effective solution for another service area
 - Achieving “Best Consideration” – would delaying a disposal be more beneficial
 - Loss of revenue from any income producing assets
 - Impact on the local area from holding assets empty for prolonged periods or the additional benefit from regeneration
 - Reputational issues from having vacant assets
- 3.2 The letting and potential subsequent disposal of the former CALAT building being recommended for disposal fall within the following categories:

Surplus assets released by service areas

4. DETAIL

4.1 This asset forms part of a larger site that was formerly used by Croydon Adult Learning and Training (CALAT) Service, vacated in 2016. Following closure of the centre the site was declared surplus and under consideration to Brick by Brick (BBB) as a potential development site but this was not taken forward. The part of the site that is currently under offer relates to the former CALAT building as identified on the attached plan edged Red. The part of the site edged Blue is being sold separately for the development of a new health centre and was agreed by Cabinet in July 2021.

4.2 this property has not been marketed, as it is subject to a community use under planning policy (and is also locally listed) and two proposals have already been identified, where the Council could consider disposal/use and satisfy its obligations under s123 of LGA 1972.

The two disposal options that have been considered are:

- Use as a community centre – this was the original BBB proposal to allow the sale of the existing Community Hall site for housing
- Use as a Renal Dialysis Centre – this has come forward more recently due to an urgent need and shortage of suitable alternative sites in the area.

4.3 **OPTION 1: Relocation of Community Centre and residential development on existing site (Barrie Close)**

4.3.1 The original BBB proposal considered relocation of the existing Coulsdon Community Centre, to this site, therefore allowing the existing site at Barrie Close to be redeveloped to provide 33 residential units. The new building proposed for the CALAT site would make use of the existing building and also include an element of new build to create a new theatre. BBB obtained planning consent for this proposal (17/06217/FUL), which has now expired. The planning for both the Barrie Road and CALAT sites are linked as the Community Centre needs to be re-provided before any residential development at Barrie Close under consent 17/06216/FUL (also now expired) could be commenced.

4.3.2 As part of this exercise, BBB obtained detailed costings for the work to create the new Community Centre from chartered quantity surveyors in April 2018, this cost advice estimated of £2.477m for the proposed scheme. This has not been updated but allowing for the considerable increase in building costs that has been experienced over the last 3 years it is not unreasonable to expect this figure to have increased and could now be closer to £3m The Department for Business, Energy and Industrial Strategy's (BEIS) Monthly Statistics of Building Materials and Components report for July suggests that "the cost of materials for repair and maintenance work rose 2.1% between May-June 2021, and increased by 15.6% between June 2020 and June 2021"

- 4.3.3 A RICS Red Book Valuation has been undertaken by external surveyors for the Barrie Close site, based on the planning consent that had been obtained by BBB but reducing affordable element to 36% (12 units) to reflect viability assumptions that a private developer would need in order to make this form of development commercially viable, this suggested a value is in the region of £2.35m. A copy of the valuation has been included under Appendix B in the Part B report.
- 4.3.4 A review has also been undertaken by local marketing agents to get a “market” view , which suggests that given the good current demand, a higher value may be achievable and whilst not having undertaken a formal marketing process to illicit actual market interest, they did have concern over the impact of the linked requirement of re-providing the community centre with no guarantee on costs and ability to fully deliver a re-provision within the cost estimate, this risk would be priced into any offer, as well as the potential delays and then the market conditions at that time in the future. This may significantly increase the build and financing periods likely to cause issues for many regional developers, the preeminent sector that are likely to be interested in the Barrie Close site.
- 4.3.5 Whilst it is anticipated that this option will at least be cost neutral, it is unlikely to provide a substantial capital receipt.
- 4.3.6 The proposed residential development of 4 x 1 bed, 12 x 2 bed and 17 x 3 bed properties is would generate future Council tax benefits of c£65,000pa. It should be noted the proposal under option 2 would generate a likely Business rate assessment of c£50,000 of which the Council would benefit from c£17,000 plus the existing Community Building attracts 100% relief and therefore there is no income expected. The additional housing would generate extra costs for the Council and therefore the net benefit will be reduced.
- 4.3.7 Although discussions took place between BBB, the Council and the Community Centre, with draft heads of terms agreed, there are no legal documents in place to commit the Council to this proposals. In light of the issues that BBB have encountered this does also substantially change this position. The proposed lease offered to the Community Group was for 25 years at a rent in line with their current rental, but for a new facility with the lease on a full repairing basis rent so there would be no direct financial benefit to the Council for this site.
- 4.3.8 As this is not a straightforward residential development the likely timelines to developing the site are expected to be:
1. Obtain consent for both sites (9-12 months)
 2. Build out the new community centre (12+ months)
 3. Build out the housing (12 months after the community centre has relocated)

It could be expected therefore that the community centre would not be relocated for a further 18-24 months and the housing at least a further 12 months from that date

4.4 OPTION 2: Renal Dialysis site on Malcolm Road

- 4.4.1 This option is for a lease of the existing building to be granted to Epsom and St Helier University Hospitals NHS Trust, in its existing condition, to be converted for use as a Renal Dialysis centre. There is currently no dialysis facility in the local area, following the recent closure of the facility at Capella Court, Purley in 2020. Over the last 12 months patients have faced considerable extra travel with most having to attend St Helier or St George's Hospital. The previous site was on the top floor of an office building and did not provide easy access, as many patients are infirm by the nature of their medical conditions. The Trust are therefore keen to find a long term relocation site which provides ground floor accommodation.
- 4.4.2 The Trust undertook a site search within the south of the borough to identify suitable opportunities for a new renal dialysis unit, which commenced in quarter one of this year. The Trust identified numerous sites and these were reviewed with the senior team responsible for providing this service. Although the Trust identified a number of possible sites none were found to be as good as the Ullswater site in the early part of the search. The Trust then became aware of the CALAT building on Malcolm Road, Coulsdon. After the initial site visit it was concluded that the building offered much more than the Ullswater site in terms of ability to deliver the service, location, parking, access to transport hubs and the whole patient experience.
- 4.4.3 Following the initial search The Trust submitted a planning application for a change of use for the unit in the Ullswater Crescent Industrial Estate. This was refused as the proposal is contrary to both local and regional policy around the loss of B8 industrial use within a strategic industrial location. In addition to concerns surround pure planning policy, the suitability of having a dialysis centre within an industrial estate from the perspective of treating vulnerable patients was also of concern. The Trust have lodged a protective appeal against the decision but agreed to delay taking the appeal forward until a decision has been made regarding the CALAT site.
- 4.4.4 As a result of the planning issues, the Trust approached the Council to seek alternative accommodation solutions, with discussions then identifying that a far more suitable solution may be the re-use of the former CALAT main building. The Trust have carried out detailed investigations, had their dedicated conversion scheme fully costed, obtained a certificate of Lawful Use from the planning authority and have received sign off to their business case from the Trust and CCG, but the window of funding is only dedicated for the current financial year, which may require an NHS re-submittal should they not secure the facility soon.

4.4.5 Following this initial work, draft Heads of Terms have now been agreed and the proposed terms are:

- Tenant - Epsom and St Helier University Hospitals NHS Trust:
- Lease for a term of 25 year lease subject to breaks at years 15 and 20
- Rent agreed in line with District Valuer assessments
- Rent free of 24 month to allow for the basic repairs required to the main fabric of the premises
- Rent reviews every 5 year based on CPI increase (with the base date to be taken from 12 months after the lease date)
- Lease to be on full repairing and insuring basis
- Tenants to undertake full conversion and repair works at their own cost

These have now been approved by their board, they are ready to proceed should this option be approved.

4.4.6 Once the lease is in place the Council would have a choice as to whether to benefit from the revenue income, or dispose of the freehold, with the benefit of the lease to the NHS (investment sale), which currently is an attractive proposition. It is considered very unlikely that the NHS would break the lease due to the level of capital investment they would undertake and, the ongoing need for dialysis treatment and the fact that this premises is substantially more suitable than their previous occupation together with the lack of alternative options

4.4.7 The Trust have confirmed that in respect of the costings for the two sites, Malcolm Road appears to be 10% more economical than the Ullswater option. The time frames for conversion for each building are however fairly similar at about 6 months.

4.4.8 Under this option there is also a recommendation to grant a new reversionary 25 year lease to the Community Centre Trustees (terms to be agreed). This will follow on from the expiry of their existing lease and give them more long term certainty Their existing lease expires in March 2026, is a contracted out type lease, so they could loose possession of their occupation as there is no automatic right to renew. This could present issues for the Trustees, as this is a thriving centre with over 60,000 visits a year. Whilst it is unlikely the Council would not come to some arrangement, this option secures the longer term future enabling the Trustees to fully and properly plan, as well as having a longer term lease which they could leverage to secure alternative additional forms of grant funding, plan their commercial activities with greater certainty and invest in the facility to ensure it is fit for purpose. Under the previous proposal to relocate the Community Centre to the new premises they had been offered a 25 year lease, under similar considerations.

4.4.9 As the Trust have already obtained consent for their proposals and are under pressure to progress the development of a new centre, the period to completion of the lease is expected to be within 2 months of receiving cabinet approval.

4.5 Since the last occupational use by the Council, the site has been subject to antisocial behaviour, fly tipping and rough sleeping in the outbuildings, regularly requiring Police intervention. To mitigate H&S risks the Council have used a

guardian company who have placed 8 guardians in the property. However they have recently served notice to terminate the occupation of this property as considerable work has been identified as being necessary to comply with current fire regulations, to replace the boiler and carry out other repairs including the roof. These works make it uneconomic to continue with this approach to secure the building. In the short term it is proposed to place metal sheeting to the windows and doors and install an alarm system. This will incur an up-front cost of c£1,500 plus a weekly charge of £656, plus additional management time and potential other expenses, therefore it is important to minimise the period the property will be vacant.

- 4.6 The proposal under Option 1 is likely to require the asset to be held for at least a further 12 months in order to obtain the necessary planning consents. As any offers are likely to be conditional on planning, it is unlikely that the developer will want to pick up these costs and therefore they will either fall direct to the Council or the developer will look to reduce his bid to reflect this additional risk. On this basis it may be worth assessing the cost of the necessary works to continue occupation by the guardians or look to purchase the security equipment outright at a cost of £23,500. Under option 2, given that the Trust have already obtained consent for their proposal, including planning confirmation, the transfer of the site to them could be very swift and therefore minimise the holding costs.
- 4.7 The disposal of any Council owned asset is subject to achieving “Best Consideration” either in line with s123 of the Local Government Act 1972 or s233 of the Town and Country Planning Act 1990 where land has previously been appropriated for planning purposes. There are exceptions where a disposal at less than best consideration can be permitted, where the variance does not exceed £2m if there are clear economic, social or environmental benefit in line with the terms of the General Disposal Consent (England) 2003 or otherwise where the Secretary of State has provided a specific consent on the basis of a Council request.
- 4.8 For this site there is a clear social benefit for both options. However, the proposal to grant the lease for the use as a dialysis centre additionally has a clear financial benefit, maximises the potential value for the site both as a social use to provide essential healthcare facilities and providing a financial return to the Council. To demonstrate that Best Consideration is being achieved, both options have been reviewed by an independent external valuer, as part of the considered disposal process, and the opinion of a regional agent has been obtained.

5. CONSULTATION

- 5.1 External consultation has taken place with the Community Centre Trustees and a representative of the local residents associations

5.2 Ward councilors have been informed of the intention to dispose of these assets and various meetings have been held with them as part of the consultation exercise. Consultation has taken place with the Council's senior leadership team and Cabinet Members.

6. PRE-DECISION SCRUTINY

6.1 The proposed disposal has not been presented to Scrutiny and their recommendations have been followed as part of the disposal process

7. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

7.1 Revenue and Capital consequences of report recommendations Savings and Capital Receipts Included within the MTFS Budgets

Capital receipts generated from asset disposals (£000)

	21/22	22/23	23/24
Capital receipts	£4,230	£19,994	£5,988

Given the significant financial challenges faced by the Council, the disposal of surplus corporate assets is vital to ensure an improvement in its financial position, secure value for money and achieve financial savings by considering the net costs/benefits of holding surplus assets versus sale or letting of the assets.

We are required to pay for the costs of the capitalisation directions out of revenue budgets over a twenty year period, which on a straight line basis would cost 5% per year. In addition interest on those borrowings from the PWLB is at a 1% premium – at current rates this costs this would add 2.9%. Overall this would equate to £790k per £10m borrowed. By generating capital receipts, borrowing to support the capitalisation direction can be avoided and thus prevent pressures on revenue budgets.

There will be no capital expenditure incurred to release this asset But the disposal will generate revenue savings through removing future running costs i.e. business rates, premises costs, security, utilities etc).

The decision to dispose of an asset will consider the need to receive the benefits now, against a possible delayed sale when the financial benefit may be greater but less certain as usually this is dependent on obtaining suitable planning consent.

7.2 Risks

Disposal of properties in the corporate portfolio in the current economic climate gives rise to risks and uncertainties around achieving the best possible sale price. The capital receipts in the table above reflects an element of prudence and conservatism in the receipts of disposal and its timing. However, it must be

emphasised that these asset values are subject detailed market valuations and market conditions prevailing at the time of sale.

Failure to act quickly with Option 2 may lead to NHS not securing funding or too choose their alternative site which is felt by all concerned to be unsatisfactory, but would provide NHS certainty of a much needed facility soon.

7.3 Future savings/efficiencies

The savings highlighted in the table above reflects an estimate of sales proceeds/capital receipts arising from disposal of corporate properties and savings in borrowing costs i.e. interest and minimum revenue provision on the general fund budgets.

7.4 Approved by: Matt Davis, Interim Director of Finance.

8. LEGAL CONSIDERATIONS

- 8.1 The Interim Head of Commercial and Property Law comments on behalf of the Interim Director of Law & Governance that, as set out earlier in this report, when disposing of land the Council has a statutory duty under section 123 of the Local Government Act 1972 (or section 233 of the Town and Country Planning Act 1990 where the land has been appropriated for planning purposes) to ensure that it obtains best consideration for the land and buildings disposed of and provisions of section 87-89 of the Localism Act 2011. In certain exceptional cases a disposal for less than best consideration is permitted where the difference in the value between the proposed disposal and the best consideration that might be obtainable on the market is less than £2M or, in other cases, with a specific consent from the Secretary of State. The processes set out in this report in relation to the Interim Disposal Strategy seek to ensure that best consideration is obtained in relation to proposed disposals. If and where disposals are proposed to proceed for less than best consideration (e.g. to secure wider community benefits) it is recommended that officers seek detailed legal advice in relation to any potential 'Subsidy Control' issues (the Subsidy Control regime replaces the State Aid regulations).
- 8.2 Land should only be disposed of by a local authority where it is considered to be surplus to the Council's requirements. The process set out in the Interim Disposal seeks to ensure that consideration is given as to potential other Council uses of land before it is recommended for disposal.
- 8.3 As set out earlier in the report, where land considered for disposal forms part of an open space before disposing of the land the Council needs to publicise the intention to do so for two consecutive weeks in a local newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made.

Nigel Channer, Interim Head of Commercial and Property Law on behalf of the Interim Director of Law and Governance & Deputy Monitoring Officer

9. HUMAN RESOURCES IMPACT

- 9.1 The proposed disposal is for a vacant property and therefore has no direct impact on staffing levels, restructuring or recruitment.
- 9.2 Approved by: Gillian Bevan, Head of Human Resources (Resources & ACE).

10. EQUALITIES IMPACT

- 10.1 Under the Equality Act 2010 the Council has an obligation to protect **people against discrimination, harassment or victimisation in employment**, and as users of private and public services based on nine protected characteristics: The proposed disposal comprises of vacant land and buildings and therefore the disposal will not have a direct impact individual's rights. Under Option 1 the proposed housing development would create 4 homes that would be suitable for wheelchair use and therefore potentially benefit individuals with disabilities and those with long term healthcare need. However, the development of the dialysis centre will also be an advantage to those seeking this specialist treatment and greatly reduce travel times which would have a positive impact on their health and also on the wellbeing of carers supporting individuals undergoing treatment.
- 10.2 An equalities impact assessment has been undertaken for this asset disposal collectively, and the action being taken to offset the impact on affected protected groups is noted.
- 10.3 Approved by: Denise McCausland, Equality Programme Manager.

11. ENVIRONMENTAL IMPACT

- 11.1 The proposed disposals do not have any direct environmental impact. Any development that may take place on the disposed sites will have to be in full compliance with current planning, building and environmental legislation.

12. CRIME AND DISORDER REDUCTION IMPACT

- 12.1 The disposal of the vacant site and redundant buildings will help to improve antisocial behavior and crime that has been evident around this site as it will become an active site.

13. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 13.1 The recommendation to adopt option 2 has been taken having fully considered the likely benefits to both the local area and from a financial perspective within this report are in line with the adopted Interim Asset Disposal Strategy and are being taken in a considered and transparent disposal process that is in line with governance expectations
- 13.2 The disposals will help to secure a significant capital contribution and annual revenue saving and will be helping to meet the requirements set out in the MTFS.
- 13.3 In addition to the financial benefits the disposals will help to deliver wider social benefits through helping to support partner organisations to secure a new Health Centre and enhanced SEN school provision.

14. OPTIONS CONSIDERED AND REJECTED

- 14.1 Both options are in line with the process set out in the Interim Property Strategy and the site has already been declared surplus so there is no alternative Council use and therefore disposal is the best option. Failure to do so would not help the Council to address the immediate financial position and the requirements of the MTFS.
- 14.2 The two principle options for the site have been considered within the report Alternative uses for housing or other forms of development for this site are likely to be extremely restricted due to the current planning designation for the site and the clear, viable community demand that has been demonstrated. Wider marketing is therefore not considered to be necessary. The disposal of the site is therefore recommended

15. DATA PROTECTION IMPLICATIONS

15.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

NO

15.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

NO

- 15.3 Approved by: Steve Wingrave, Head of Estates, Asset Management & Facilities.

CONTACT OFFICER:

Steve Wingrave, Head of Estates, Asset Management & Facilities. Ext 61512.

APPENDICES TO THIS REPORT:

Appendix 1 - Equalities Report

BACKGROUND DOCUMENTS:

Background Document 1 - Location Plans for Part CALAT site Malcolm Road Coulsdon

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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1. Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Resources
Title of proposed change	Property Disposals as part of the Interim Asset Disposal Strategy
Name of Officer carrying out Equality Analysis	Steve Wingrave

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

The Council is proposing to dispose of a number of assets as part of the Interim Disposal Strategy to help generate income in line with the MTFS and enable the Council to continue to deliver its key services. This proposal is for the disposal of part of the former CALAT site to allow the provision of a Renal Dialysis Centre

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/>. Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Additional information needed to determine impact of proposed change

Table 1 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table.

Additional information needed	Information source	Date for completion
The proposed Disposal is for a vacant property that formerly accommodated CALAT and was more recently occupied by residential guardians to help secure the site. The guardians have now moved out and the site is vacant. The disposal will not impact the delivery of services by the Council as it has previously been declared surplus to requirements or is non-operational. This report covers the disposal of part of the former CALAT site at Malcolm Road, Coulsdon. The remainder of the site has already been approved for disposal to provide a new medical centre	Asset Management/ELT	November 2021

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.2 Deciding whether the potential impact is positive or negative

Table 2 – Positive/Negative impact

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgment where possible.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements	None	Asset Management Team
Disability	-The proposed Disposal for a new Renal dialysis centre will help to provide new facilities for patients needing treatment	None	As above
Gender	The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements	None	As above.
Gender Reassignment	The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements	None	As above.
Marriage or Civil Partnership	The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements	None	As above.
Religion or belief	The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements	None	As above.

Race	The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements	None	As above.
Sexual Orientation	The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements	None	As above.
Pregnancy or Maternity	The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements	None	As above.

Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics.

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

Table 5 – Impact scores

<p>Column 1</p> <p>PROTECTED GROUP</p>	<p>Column 2</p> <p>LIKELIHOOD OF IMPACT SCORE</p> <p>Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 3</p> <p>SEVERITY OF IMPACT SCORE</p> <p>Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 4</p> <p>EQUALITY IMPACT SCORE</p> <p>Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group.</p> <p>Equality impact score = likelihood of impact score x severity of impact score.</p>
Age	1	1	1
Disability	2	3	6 (in a positive way)
Gender	1	1	1
Gender reassignment	1	1	1
Marriage / Civil Partnership	1	1	1
Race	1	1	1
Religion or belief	1	1	1
Sexual Orientation	1	1	1
Pregnancy or Maternity	1	1	1

4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

Important note: If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

5. Action Plan to mitigate negative impacts of proposed change

Table 5 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability	No Negative Impact			
Race	No Negative Impact			
Sex (gender)	No Negative Impact			
Gender reassignment	No Negative Impact			
Sexual orientation	No Negative Impact			
Age	No Negative Impact			
Religion or belief	No Negative Impact			
Pregnancy or maternity	No Negative Impact			

Equality Analysis

Marriage/civil partnership	No Negative Impact			
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6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter **X** in column 3 (**Conclusion**) alongside the relevant statement to show your conclusion.

Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision. The proposed disposal will change the current use of this asset but in a very positive way as it is currently vacant. The letting to the dialysis centre will benefit patients and provide a fit for purpose and accessible facility that provides a much better proposition than the previous centre and reduce travel times and distances for Croydon residents based on the current short term arrangements	x
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form	
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.	
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	

Equality Analysis

Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet Yes.	Meeting title: Cabinet Date: 15 November 2021
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7. Sign-Off

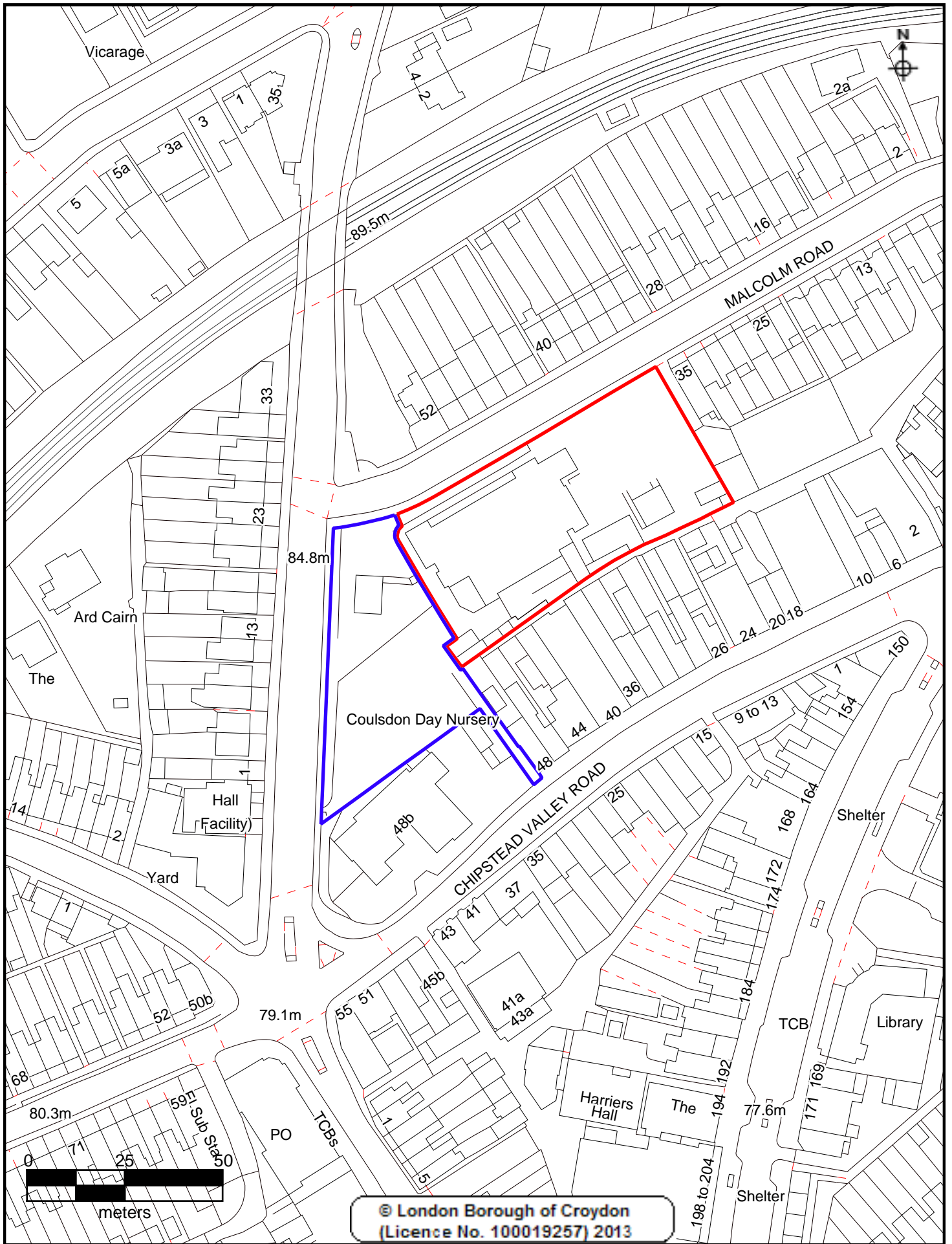
Officers that must approve this decision	
Equality lead	Name: Denise McCausland Date: 29 October 2021 Position: Director for Policy & Partnerships
Director	Name: Peter Mitchell Date: 2 November 2021 Position: Interim Director of Commercial Investment and Capital

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REPORT TO:	Cabinet 15 November 2021
SUBJECT:	Contracts for the receipt, bulking, haulage, and treatment of food waste and green waste
LEAD OFFICER:	Sarah Hayward – Interim Corporate Director of Sustainable Communities, Regeneration & Economic Recovery Steve Iles Director of Sustainable Communities
CABINET MEMBER:	Councillor Muhammad Ali Cabinet Member for Sustainable Croydon
WARDS:	All

COUNCIL PRIORITIES 2020-2024

The recommendations address the following Council’s priority:

- *We will live within our means, balance the books and provide value for money for our residents.*

The separate collection and subsequent treatment of food and green garden wastes are essential features of modern, sustainable, and cost effective household waste management services, making a significant contribution to the recycling rate in the borough and keeping residual waste treatment costs to the lowest possible levels.

The treatment of these wastes have been in operation for over 15 years in the SLWP boroughs and the total cost of the handle haul and treatment or green and food is now more than 50% cheaper than the cost of disposal via thermal treatment in our energy recovery facility. In addition, through these contracts, the food and green wastes we collect are transformed by treatment into new products, including biogas that displaces fossil fuels, compost, and soil conditioner for agriculture.

FINANCIAL IMPACT

Waste treatment and disposal budgets are to some extent demand-led, in that they are in direct proportion to the tonnages of these wastes presented by each borough’s residents, the costs per tonne associated with the recommended tenders are less than those being paid to the incumbent contractor.

However, whilst the cost per tonne associated with the recommended tenders are less than those being paid to the incumbent contractor, due to the impacts of COVID19 and the resultant increase in the cost of waste treatment and disposal, in addition to the impact on the collection contract resulting from the new waste transfer station location, it is likely that this saving in the rate per tonne will not result in a budget saving but will rather bring down the increased costs relating to COVID and bring the boroughs back into existing budgets.

In summary, the positive financial outcomes of the procurement are:

- the avoidance of an increase in disposal costs estimated to be in excess of £6m per annum (c£3m pa for Croydon) had no solution been tendered by the commercial sector, and
- a reduction in the impact of the increased costs relating to COVID thereby bringing the boroughs closer to within existing budgets.

FORWARD PLAN KEY DECISION REFERENCE NO 4521CAB

The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.

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

1. RECOMMENDATIONS

1.1 The Cabinet is recommended by the Contracts and Commissioning Board to:

1.1.1 Following the procurement process detailed in the report and subject to approvals through the relevant governance processes in LBs Merton, Kingston and Sutton, approve the South London Waste Partnerships (SLWP) recommendations for the RB Kingston (procuring authority on behalf of SLWP) to award the following contracts for the handling and treatment of food and green garden waste for an initial period of 4 years and 7 months commencing on 1 September 2022 with options to extend until 31 March 2030 for a maximum contract value of £16m (which for Croydon represents £1.4m for the initial term, and £4m over the life of the contract

1.1.2 award **Lot 1** to BioCollectors (Direct Delivery of Food)

1.1.3 award **Lot 3.1** to CountryStyle (Villers Road Green Waste)

1.1.4 award **Lot 3.2** to Olleco (Villers Road Food Waste)

1.1.5 award **Lot 5.1** to SUEZ (Transfer, haul, treat Green)

1.2 Approve that the Council enters into an Inter Authority Agreement (IAA) substantially in the form appended to the Part B report on this agenda (which sets out the roles and responsibilities of each of the SLWP boroughs in respect of the procurement, sharing of costs, contract management and other responsibilities in respect of the new food and green garden waste contract) with the agreement and finalisation of terms of the said IAA being delegated to the Corporate Director of Sustainable Communities, Regeneration & Economic Recovery.

2. EXECUTIVE SUMMARY

- 2.1 **Purpose of Procurement** - The aim of the food and green waste procurement project is to ensure continuity of food and green waste treatment services and to achieve the optimum financial and environmental outcome for the receipt, bulking, transport, and treatment of Croydon's source segregated food and green garden wastes.
- 2.2 **Sourcing Strategy** - The sourcing strategy for the food and green waste procurement was presented and approved at the South London Waste Partnership (SLWP) Joint Waste Committee (JWC) in December 2020.
- 2.3 **Policy Context** - This Contract supports the Council's policies and priorities in that it provides the optimum environmental and financial solution to the treatment of separately collected food and green wastes. It further supports the delivery of the Mayor of London's Reduction and Recycling Plan (RRP) regime and the requirements of the Governments Resources and Waste Strategy for these specific waste streams
- 2.4 **Financial considerations** - the costs per tonne associated with the recommended tenders are less than those being paid currently to the incumbent contractor. However, whilst the cost per tonne is less than currently, due to the impacts of COVID19 and the resultant increase in the quantities of wastes being produced and cost of waste treatment and disposal, this saving in the rate per tonne will not result in a budget saving but will rather bring down the increased costs and bring the Croydon back into existing budgets for these specific waste streams. A growth bid for 2022 – 23 budgets has been prepared and submitted to allow for this slight increase in annual costs for these waste streams.

The food and green waste procurement project was complex and high risk due to the shortage of local waste transfer station facilities capable of accepting food and green waste on behalf of Croydon Merton and Sutton. With limited local commercial transfer stations capable of serving the three boroughs, the Partnership faced poor competition at best, or an incomplete solution for the green and the food waste services. The worst case scenario being that the three boroughs would not receive a bid, and this risk carried an annual liability of £6m in additional food and green waste treatment costs.

3. KEY POINTS

- 3.1 **Current Services** - The contracts used by Croydon Council to handle, transfer and treat food and green garden wastes is held by the Royal Borough of Kingston and expires at the end of August 2022. The incumbent contractor receiving Croydon's waste, Viridor, is not in a position to extend the current contract due to the expiration of the planning permission attached to the waste transfer building, which must cease operations in December 2022. Viridor owns no suitable alternative site.
- 3.2 **SOFT MARKET TESTING** - Soft market testing indicated that there was limited commercial interest in these contracts in their current form. In particular there are limited commercial waste transfer stations in the Partnership area capable

of receiving the type and quantities of food and green waste produced by residents. In order to increase competition the project team developed proposals for the refurbishment and re-commissioning of the mothballed local authority waste transfer station at Factory Lane in Croydon. This transfer station has not been operational since 2008, and it is not in a condition currently to receive wastes. The cost of refurbishing the transfer station to make it fit for purpose was estimated using structural and electrical surveys and a desk-top modelling exercise.

- 3.3 **COMPETITION** - In order to further increase competition, the project team structured the procurement in nine separate Lots: two lots relating to the collection and treatment of wastes received at Kingston's waste transfer station ('Villiers Road'); and seven lots relating to the receipt, handling, haulage and treatment of wastes produced by residents in Croydon, Merton and Sutton. This nine Lot structure had the effect of encouraging much wider market interest in the contracts on offer, including from specialist food treatment companies and farmers, as well as the anticipated major waste multinationals.
- 3.4 **The 7 LOT PROCUREMENT STRUCTURE** - The seven Lots relating to Croydon, Merton, and Sutton were not each mutually exclusive. Instead the individual Lots proposed various different and overlapping ways of delivering the same services that the boroughs required. Consequently it was made clear in the Invitation to Tender that not all Lots could or would be awarded. The evaluation process would determine the most economically advantageous tender for each Lot, producing Winning Tenders, and the Council would subsequently determine which combination of these Winning Tenders would provide the optimal service coverage for the three Partnership boroughs. Consequently some tenders that were the Winning Tenders within their specific Lot were bound not to be awarded contracts.
- 3.5 **CROYDON RELATED LOTS** - In relation to the services required by Croydon, Merton, and Sutton, this report recommends the award of a contract to a specialist anaerobic digestion plant in Mitcham to receive up to 5,000 tonnes of food waste directly delivered by collection vehicles (**Lot 1**), with the remainder of the three boroughs' food and green garden wastes being delivered to a commercial waste transfer station (**Lots 5.1 and 5.2**). **Lots 3.1 and 3.2** are for the collection from the Kingston Council transfer station and so are for Kingston only.
- 3.6 **BENEFITS OF THE AWARD** - If approved by RK Kingston and endorsed by the Boroughs of Croydon, Merton and Sutton these contracts will provide the Partnership with a number of additional benefits, including the fuelling of some waste transport vehicles with biogas generated from food waste, haulage using vehicles accredited to FORS 'Silver' standard, and a corporate commitment to annual carbon management planning and greenhouse gas auditing.

4. **CONTEXT**

- 4.1 The food and green waste project is complex and high risk due to the shortage of local waste transfer station facilities capable of accepting food and green waste on behalf of Croydon Merton and Sutton. With limited local commercial transfer stations capable of serving the three boroughs, the Partnership faced poor competition at best, or an incomplete solution for the green and the food waste services. The worst case scenario being that the three boroughs would not receive a bid, and this risk carried an annual liability of £6m in additional food and green waste treatment costs.
- 4.2 Due to the risks identified for Merton, Croydon and Sutton, a multiple lot tender was developed. The project team split the two waste streams and then designed 9 lots that would enable both the major operators in the area to bid as well as open-up this opportunity. This approach enabled the smaller AD operators to bid directly to collect and treat the food waste and allowed the farmers to bid directly for the collection and treatment of the green. This approach created a great deal of market interest and was very successful in creating competitive tension.
- 4.3 Two Lots were designed specifically for the Royal Borough of Kingston, the first for the collection haulage and treatment of green waste from the Villiers Road Waste transfer station, and the second for the collection haulage and treatment of food waste from the same waste transfer station. A further seven lots designed for Merton Croydon and Sutton.
- 4.4 It is inevitable that, as a result of the structure of this Procurement Process not all Lots would be awarded.
- 4.5 The full list of Lots included in the Invitation to Tender is set out in the table below, together with a column showing how many tenders were received for each Lot.

LOTS	Description	Bids received
LOT 1	Direct delivery of food waste to a treatment facility – up to 5000 tonnes only	1
LOT 2.1	Collect green waste from Factory Lane transfer station and treat the waste at the contractor's nominated treatment facility(ies)	5
LOT 2.2	Collect food waste from Factory Lane transfer station and treat the waste at the contractor's nominated treatment facility(ies)	6
LOT 3.1	Collect green waste from Villiers Road transfer station and treat the waste at the contractor's nominated treatment facility(ies)	6

LOT 3.2	Collect food waste from Villiers Road transfer station and treat the waste at the contractor's nominated treatment facility(ies)	5
LOT 4.1	Receive green waste at the contractor's nominated receipt point and haul it away for treatment at a local authority nominated facility	1
LOT 4.2	Receive food waste at the contractor's nominated receipt point and haul it away for treatment at a local authority nominated treatment facility	1
LOT 5.1	Receive green waste at the contractor's nominated receipt point and haul it away for treatment at the contractor's nominated treatment facility(ies)	1
LOT 5.2	Receive food waste at the contractor's nominated receipt point and haul it away for treatment at the contractor's nominated treatment facility(ies)	1

5. Instructions to Tenderers

5.1 As above, the 7 lots designed for Merton, Croydon and Sutton overlapped and not all lots could or would be awarded.

5.2 The invitation to tender sets-out and clarifies the following:

I. The Authority reserves the right not to award any one or more Lots. Indeed it is inevitable that, as a result of the structure of this Procurement Process not all Lots will be awarded

5.3 The combination of Lots could generate a range of potential outcomes and so the procurement documents set-out the following principles for the evaluation and the subsequent award of the Lots:

II. The Authority will calculate the combined price and quality score for each Lot independently and will take forward the highest scoring Tender for each, resulting in one winning (highest scoring) Tender in relation to each Lot ('Winning Tender').

III. The Authority will consider the Winning Tenders, and determine to which it will award Lots. The Authority intends to award Lots to Winning Tenders so as to provide the optimum overall service "coverage". As noted above, the Authority is under no obligation to award any specific Lot, or any combination of Lots. However, the Authority will only award Lots to Winning Tenders.

5.4 In addition to the above, the documents state the procurement will not award any Lot to more than one Bidder, to provide bidders with some certainty over tonnes and also to prevent an unwieldy number of contracts and contractor interfaces.

5.5 The procurement exercise used the Competitive Procedure with Negotiation, and so included an option to accept the initial tenders without negotiation.

6. Evaluation of Lots and the Winning Tenders

6.1 As outlined above, the Authority (LB Kingston) evaluated the bids received for each Lot independently in order to calculate the combined price and quality score for each Lot. The resultant highest scoring Tender for each Lot resulted in one winning (highest scoring) Tender in relation to each Lot - the '**Winning Tender**'.

6.2 The Winning Tenders for each lot were as follows:

- a) **Lot 1** Direct delivery of food waste to a treatment facility – up to 5000 tonnes only. A compliant bid for Lot 1 was received and evaluated and produced the 'Lot 1 Winning Tender' from Bidder A.
- b) **Lot 2.1** Collect green waste from Factory Lane transfer station and treat the waste at the contractor's nominated treatment facility(ies). A number of compliant bids were received for Lot 2.1. The bids were evaluated and produced the 'Lot 2.1 Winning Tender' from Bidder B.
- c) **Lot 2.2** Collect food waste from Factory Lane transfer station and treat the waste at the contractor's nominated treatment facility(ies). A number of compliant bids were received for Lot 2.2, the bids were evaluated and produced the 'Lot 2.2 Winning Tender' from Bidder C.
- d) **LOT 3.1** Collect green waste from Villiers Road transfer station and treat the waste at the contractor's nominated treatment facility(ies). A number of compliant bids were received for Lot 3.1. The bids were evaluated and produced the 'Lot 3.1 Winning Tender' from Bidder B.
- e) **LOT 3.2** Collect food waste from Villiers Road transfer station and treat the waste at the contractor's nominated treatment facility(ies). A number of compliant bids were received for Lot 3.2, the bids were evaluated and produced the 'Lot 3.2 Winning Tender' from Bidder C.
- f) **LOT 4.1** Receive green waste at the contractor's nominated receipt point and haul it away for treatment at a local authority nominated facility. A compliant bid for Lot 4.1 was received and evaluated and produced the 'Lot 4.1 Winning Tender' from Bidder D.
- g) **LOT 4.2** Receive food waste at the contractor's nominated receipt point and haul it away for treatment at a local authority nominated treatment facility. A compliant bid for Lot 4.2 was received and evaluated and produced the 'Lot 4.2 Winning Tender' from Bidder D.
- h) **LOT 5.1** Receive green waste at the contractor's nominated receipt point and haul it away for treatment at the contractor's nominated treatment facility(ies). A compliant bid for Lot 5.1 was received and evaluated and produced the 'Lot 5.1 Winning Tender' from Bidder D.
- i) **LOT 5.2** Receive food waste at the contractor's nominated receipt point and haul it away for treatment at the contractor's nominated treatment facility(ies). A compliant bid for Lot 5.2 was received and evaluated and produced the 'Lot 5.2 Winning Tender' from Bidder D.

7. The Lots awarded/Not awarded

- 7.1 The Authority considered the combination of lots from Winning Tenders and the recommendation is to award the following lots that together when combined provide the optimum overall service coverage for the partner boroughs.

Lot	Winning Tenderer	Recommendation
Lot 1 - Direct Delivery of Food	BioCollectors	Award to BioCollectors
Lot 2.1 - Factory Lane Green Waste	CountryStyle	No Award
Lot 2.2 - Factory Lane Food waste	Olleco	No Award
Lot 3.1 - Villiers Road Green waste	CountryStyle	Award to Countrystyle
Lot 3.2 - Villiers Road Food Waste	Olleco	Award to Olleco
Lot 4.1 - Transfer and haul Green	SUEZ	No Award
Lot 4.2 - Transfer and haul Food	SUEZ	No Award
Lot 5.1 - Transfer, haul, treat Green	SUEZ	Award to SUEZ
Lot 5.2 - Transfer, haul, treat Food	SUEZ	Award to SUEZ

- 7.2 As shown above, it was inevitable that, due to the structure of this Procurement Process not all Lots would be awarded.

8. Proposal and Options

The following options were considered:

- i. **Option 1. Do nothing.** This option would mean that as the current contract expired the food and green garden wastes collected would have to be disposed of through the Beddington Energy from Waste facility, at a greatly increased cost, and with a very substantial reduction in the boroughs' reported recycling rates. This is not a viable option and is not recommended.
- ii. **Option 2. Bring the service in-house.** The Factory Lane transfer station offered the boroughs a viable in-house waste transfer station solution. However, none of the Partnership boroughs have access to the large specialised articulated vehicle fleets required to transport these wastes in bulk, nor do they own facilities nor have the expertise subsequently to treat the wastes at either a composting or AD facility. A completely in-house service does not provide a complete solution and so therefore to bring all the services in-house is not a viable option and is not recommended.

- iii. **Option 3. Make available an unlimited tonnage of food waste for treatment at a local anaerobic digestion facility.** Given the considerable environmental and social value benefits associated with local treatment of food waste this would be an attractive option were it not for the constraints around access to the single local site that could offer this direct-deliver service, in addition to the impact of diverting all of the Partnership's fleet through this residential area leading up to this site. The Partnership's food waste collection vehicles cannot risk delays while waiting to weigh and tip their loads, the collection schedules would be seriously disrupted. The need for the rapid turnaround of collection vehicles imposes a limit on the maximum amount of food waste that can be handled through a tightly constrained site. However this option has been partly fulfilled by offering a limited tonnage of waste for treatment through Lot 1, with the environmental and social advantages set out above.
- iv. **Option 4. Re-commission Factory Lane waste transfer station in Croydon and award Lot 2.** The reasons for not awarding this option are set-out in the report.
- v. **Option 5. Award contracts for hauling away and treating RB Kingston's food and green garden waste (Lot 3).** Kingston's access to a centrally-located, local authority controlled waste transfer station has proven to be a considerable asset during this procurement. Two competitive and competent tenders from bidders B and C to haul and treat Kingston's food and garden waste respectively were evaluated as offering the most economically advantageous solutions for Kingston, with significant environmental benefits associated with the treatments proposed. The option of awarding contracts to these bidders is recommended.
- vi. **Option 6. Award contracts for providing a waste transfer station to receive food and green garden waste from LBs Croydon, Merton, and Sutton, for subsequent treatment at facilities nominated by the Partnership (Lot 4).** This option took advantage of the fact that, while the incumbent contractor could not offer waste receipt and transfer facilities beyond 2022, they were contractually obliged to offer a price for continuing treatment services. However the prices they proposed for treating food and green garden wastes were not competitive, and so despite the receipt of a compliant competitive bid from Bidder D to provide transfer services under Lot 4, this option cannot be recommended.
- vii. **Option 7. Award contracts for providing a waste transfer station to receive food and green garden waste from LBs Croydon, Merton, and Sutton, for subsequent treatment at facilities nominated by the contractor (Lot 5).** This option is recommended for the reasons set out in the report.
- viii. **Option 8. Negotiate with tenderers.** In the event, the most economically advantageous tenders for each Lot were clear, compliant, thorough, and no significant further clarifications were required. No variant bids were

submitted. The prices offered are competitive and the project team does not consider that any advantage is likely to be gained by triggering the negotiation procedure with all 11 bidders. This option is not recommended.

9. CONSULTATION

- 9.1 This procurement was covered by a statutory duty to consult the GLA/Mayor of London, as set out in the Greater London Authority Act 1999. The project team gave the requisite 108 days minimum notice to the GLA before the Contract Notice was published, and subsequently engaged in a useful dialogue with the GLA's lead officer. The GLA's Deputy Mayor for Environment and Energy wrote to Cllr Gander in December 2020 confirming that the Partnership's plans were in general conformity with the Mayor of London's Environment Strategy.
- 9.2 To achieve conformity with the Mayor's Environment Strategy the Partnership notified neighbouring boroughs of its intention to place a Contract Notice.
- 9.3 Residents in the Partnership area were previously consulted on food and green waste services during collection service redesigns and procurement exercises that were undertaken in each of the partner boroughs. As the project outcomes mirror the current kerbside collection service, there are no proposed changes that will directly impact the public, and the purpose of this procurement is to facilitate a seamless continuation of existing collection services in exactly the same form as now.

10. PRE-DECISION SCRUTINY

- 10.1 This item has not as yet, gone through any formal LBC scrutiny but has gone through RBK's democratic decision making process. It has been discussed at all levels of SLWP governance prior to the creation of this paper and similar papers prepared by SLWP partner boroughs for their respective democratic decision making processes

11. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

Financial Context

- 11.1 The council is operating in an increasingly challenging financial environment. Croydon faced a number of financial challenges in the medium to longer term - even before the COVID-19 outbreak, which has further added to these challenges. The economic and financial consequences of the pandemic, growing demand for services, and limited government grant funding make it difficult to find adequate funds to meet the borough's needs.
- 11.2 Brexit also created uncertainty and financial challenges for the waste management industry. However, the food and green waste composting industries are now reasonably well developed in the UK and so these specific

markets are less exposed to risks associated with Brexit than markets for non-organic recyclates, which are more heavily reliant on trade agreements and movement of materials around Europe.

- 11.3 The future of local government finance faces a significant level of uncertainty. The impact of the Fair Funding Review and a future review of business rates is currently unknown, and the lasting effects of COVID-19 on our residents, local businesses and the Council itself remain uncertain.
- 11.4 Despite these challenges the council has a drive and commitment to ensure it is doing the best for residents and communities and the aim of this project has been to seek the best financial solution for Croydon Council and the Partnership by going out to tender with a range of options that maximised the opportunities for service providers to submit proposals.
- 11.5 The estimated annual value of the services being procured being procured on behalf of all boroughs combined was just over £3m per annum in 20/21.
- 11.6 The reduced rates that were achieved will enable Croydon to manage their costs within existing budgets, whereas in previous years the costs exceeded the available budget provision.
- 11.7 Revenue and Capital consequences of report recommendations are shown below [in blue](#) detailing current costs of these services compared to the revised costs as a result of this procurement and contract award.

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2021/22	2022/23	2023/24	2024/25
	£'000	£'000	£'000	£'000
Revenue Budget available	£11,020	£11,020	£11,020	£11,020
Current Expenditure:	£11,639	£11,930	£12,228	£12,534
Of which Food	£489	£501	£513	£526
Of which Green	£661	£677	£694	£712
(Of which Residual)	£10,489	£10,751	£11,020	£11,295
Income - NA				
Effect of decision from report				
Total Revised Expenditure:	£11,639	£11,794	£11,911	£12,196
Of which Food	£489	£337	£191	£195
Of which Green	£661	£718	£724	£743
(Of which Residual)	£10,489	£10,739	£10,995	£11,258
Income - NA				
Overall budget Forecast	619	774	891	1,176

Capital Budget available							
Expenditure							
Effect of decision from report							
Expenditure NA							
Remaining budget							

11.8 The effect of the decision - The report presents the cost of the total waste budget, including residual waste which sits outside of this procurement but which is included in waste budgets and presented here in order to demonstrate the total waste budget picture. The result of the procurement shows that the total waste budget overspend has been reduced and work continues to ensure this overspend to the **total** waste management revenue budget is reported, managed and mitigated on an ongoing basis.

12. Financial Risks

12.1 **Financial Risks** - Waste treatment and disposal budgets are to some extent demand-led, in that they are in direct proportion to the tonnages of these wastes presented by each borough's residents, the costs per tonne associated with the recommended tenders are less than those being paid to the incumbent contractor. However, whilst the costs per tonne associated with the recommended tenders are less than those being paid to the incumbent contractor, due to the impacts of COVID19 and the resultant increase in the cost of waste treatment and disposal, it is likely that this saving in the rate per tonne will not result in a budget saving but will rather bring down the increased costs relating to COVID and bring the boroughs back into existing budgets.

12.2 **Contract Management** - Due to the procurement design and the necessary carve-up of the services into smaller more accessible Lots, if the recommendations made here are approved the services will now be delivered through four contracts with the Partnership, as opposed to the previous model in which a single contractor managed a number of subcontractors. This may have Contract Management resource implications to the Partnership.

12.3 **Future savings/efficiencies** can only be achieved by a reduction in waste volumes. The long-term impact of COVID will need to be monitored in order to fully understand the impact on resident behaviour and waste arisings.

13. Risk Assessment

13.1 The risk assessment of the current stage of the procurement is set out in the table below:

Risks	Risk Rating	Mitigations
Risk of Challenge	Low	The tendering exercise is compliant with PCR 2015 and the Council's Contract Regulations
Mobilisation	Low	<p>These are essential front line services, and without the right receipt points ready to receive green and food waste the collection services will be severely impacted.</p> <p>The recommended option is an existing commercial facility with minimal upgrades required in order to receive contract waste and so this risk is deemed low.</p>

Approved by: Matthew Davis, Deputy Section 151 Officer

14. LEGAL CONSIDERATIONS

- 14.1 The project team was advised by Browne Jacobson LLP and supported by the Partnership's legal lead officer.
- 14.2 This procurement has been operated pursuant to the Public Contracts Regulations 2015 (as amended) under a compliant procurement exercise on which detailed legal and specialist procurement assurance has been sought as appropriate.
- 14.3 The Council has the power and authority to enter into the contracts pursuant to (amongst other provisions) the General Power of Competence provided by the Localism Act 2011.
- 14.4 Under section 358 of the Greater London Authority Act 1999, a waste authority must give a minimum of 56 days' notice to the Mayor of London before it amends an existing waste contract or enters into a new one.
- 14.5 The partner Boroughs have substantially agreed an inter-authority agreement which regulates their respective rights and obligations pursuant to the contract.

Approved by Nigel Channer, Head of Commercial and Property Law on behalf of the Director of Law and Governance & Deputy Monitoring Officer

15. HUMAN RESOURCES IMPACT

- 15.1 This paper and the recommendation sought has Human Resource impact to the Council. The management and monitoring requirements for this contract award will be carried out by existing resources and staff members of LBC and SLWP.

- 15.2 If new resources are required this will be managed under the Council's policies and procedures.

Approved by: Jennifer Sankar, Head of HR Place and Housing on behalf of the Director of Human Resources

16. EQUALITIES IMPACT

- 16.1 The Council has a statutory duty to comply with the provisions set out in the Equality Act 2010. In summary, the Council must in the exercise of all its functions, "have due regard to" the need to the need to comply with the three arms or aims of the general equality duty. Case law has established that you should analyse the potential effect on equality when you start to develop or review a policy, informing policy design and final decision making.
- 16.2 The Equalities Manager in the Royal Borough of Kingston where the procurement was undertaken has been consulted and was fully sighted on this procurement. The RBK Equalities Impact Assessment Form has been completed and agreed with the Equalities Manager. The advice he gave the project team was incorporated into the specification and evaluation criteria. The Equalities Impact Assessment carried out by the Royal Borough of Kinston is appended to this report as **Part A, Appendix 1**.
- 16.3 Suppliers should be encouraged to commit to the equality standards and pledges determined by the Council

Approved by Denice McCausland, Equalities Manager

17. ENVIRONMENTAL IMPACT

- 17.1 The solutions recommended in this report have significant beneficial environmental implications, transforming around 70,000 tonnes of residents' waste each year into non-fossil fuel energy and products that are used in horticulture and agriculture. None of the waste processed by the successful bidders will go to landfill; even the small percentage of contaminants in the waste collected will be treated to create refuse derived fuel.
- 17.2 The use of biogas generated from food waste to power a number of local waste haulage vehicles will have a beneficial impact on local air quality. The specification and evaluation criteria incorporated the requirement that all heavy goods vehicles used by successful tenderers should be compliant with the air quality standards specified for the Mayor of London's Ultra Low Emissions Zone.
- 17.3 There are major implications for sustainability involved in decisions about how best to treat food and green garden waste. The solutions recommended in this report deliver optimal treatment outcomes for these wastes in conformity with

the Mayor of London's Environment Strategy and the recommendations from LBC's Climate Emergency Strategy and Delivery Plan.

18. CRIME AND DISORDER REDUCTION IMPACT

- 18.1 Section 17 of the Crime and Disorder Act 1998 says that without prejudice to any other obligation imposed on it, it shall be the duty of the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions, and the need to do all that it reasonably can to prevent crime and disorder in its area.
- 18.2 By Section 6 of the same Act the Council and its partners are required to formulate and implement a strategy for the reduction of crime and disorder in the area.
- 18.3 Therefore there are two duties. The first is to formulate and implement a crime reduction strategy. This is about crime which already exists. The second is crime and disorder prevention. Every function shall be exercised to prevent crime and disorder.
- 18.4 There are no implications for the reduction/prevention of crime and disorder resulting from the recommendation in this report.

19. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 19.1 It is recommended that members support the recommendations and content of this report as it ensures the continuation of existing front line waste collection services to all Croydon residents. Meets the likely future statutory requirements for the collection of food wastes and allows for the Inter Authority Agreement to be updated to reflect the requirements of this new contract with the operational and financial arrangements between SLWP partners. Approval will also provide medium and long term surety to the council for the management and treatment of these waste streams and allows for the current local, regional and national recycling targets to be maintained as a minimum but increased in future years.

20. DATA PROTECTION IMPLICATIONS

- 20.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

- 20.2 **HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

YES - by RBK officers as part of RBK's decision making process. Assessment states that the contract does not have public users, does not include the

handling of personal or sensitive data, and does not manage or handle the transfer of any data.

The Director of Sustainable Communities comments that there are no data protection impacts arising from this report

Approved by: Steve Iles, Director of Sustainable Communities

CONTACT OFFICER:

James Perkins, Head of Environment and Neighbourhood Operations.

APPENDICES TO THIS REPORT:

The following documents accompany this report as Appendices to Part A and also Commercially Confidential Part B Appendices:

- Part A Appendix 1 – Copy of the Equalities Impact Assessment carried out by RB Kingston as the awarding body
- Part A Appendix 2 – The SLWP Joint Waste Committee (JWC) papers relating to the creation, delivery and award of this procurement

- Part B Appendix 1 – Copy of Inter Authority Agreement to support the procurement and award

BACKGROUND PAPERS:

None.

**SLWP food and green garden waste: receipt, bulking, haulage and treatment
Project CB 136**

FULL EQUALITIES IMPACT ASSESSMENT FORM B
<p>Function being assessed:</p> <p>South London Waste Partnership - food and green garden waste: receipt, bulking, haulage and treatment</p> <p>There is no direct impact on residents; this is a contractor-to-contractor service.</p>
<p>Is this a new function or a review of an existing function?</p> <p>Reprocurement of existing function</p>
<p>What are the aims/purpose of the function?</p> <p>The receipt at a waste transfer station of food and garden waste collected from residents, and its haulage to treatment facilities to be turned into fuels and/or compost. The aim is to minimise the generation of carbon from the process, or indeed to substitute for carbon elsewhere in the economy.</p>
<p>Is the function designed to meet specific needs such as the needs of minority ethnic groups, older people, disabled people etc?</p> <p>No.</p> <p>This function does not have a direct impact on residents as it is a secondary service in the recycling chain and is a contractor-to-contractor service.</p>
<p>What information has been gathered on this function? (Indicate the type of information gathered e.g. statistics, consultation, other monitoring information)? Attach a summary or refer to where the evidence can be found.</p> <p>Tonnage and technical data on the amount of material collected in each borough, by month. Number of tips of each type of waste by borough by month.</p> <p>The SLWP's collection methodology was formed following public consultation with residents across the Partnership area. The consultation was some time ago, but waste collection and disposal strategies typically commit boroughs to 10-30 year timescales:</p> <p>http://www.slwp.org.uk/residents-have-their-say-on-waste-sites-and-policies/</p>
<p>Does your analysis of the information show different outcomes for different groups (higher or lower uptake/failure to access/receive a poorer or inferior service)? If yes, indicate which groups and which aspects of the policy or function contribute to inequality?</p> <p>No. Any different outcomes occur upstream from the activities under consideration, ie at the point of collection – not at the point of disposal and treatment of wastes, by which time any individual resident's waste is indistinguishable from all other residents' waste.</p>

<p>Are these differences justified (e.g. are there legislative or other constraints)? If they are, explain in what way.</p> <p>N/a</p> <p>It is a contractor-to-contractor service.</p>
<p>What action needs to be taken as a result of this Equality Impact Assessment to address any detrimental impacts or meet previously unidentified need? Include here any reasonable adjustments for access by disabled people. Include dates by which action will be taken. Attach an action plan if necessary.</p> <p>N/a. However the Partnership will require bidders to submit their equalities policy during the procurement and require conformity with the Equalities Act in its service specification; we will encourage other relevant forms of social value such as training opportunities for local people, recruited with regard to equalities and diversity; we will require the submission of an equalities performance report annually as part of the contractor(s) annual report.</p>
<p>When will you evaluate the impact of action taken? Give review dates.</p> <p>Annually on receipt of the contractors' annual reports.</p>
<p>Assessment completed by:</p> <p>NAME: Peter Ramage</p> <p>SERVICE: Project Consultant for SLWP</p> <p>DATE: 1 October 2020; modified in discussion with Francis Arokiasamy on 7 October 2020</p>

SOUTH LONDON WASTE PARTNERSHIP JOINT COMMITTEE

THURSDAY 17 DECEMBER 2020

6:30 – 21:10

London Borough of Croydon

Councillor Nina Degradis – Deputy Cabinet Member for Clean Green Croydon

Councillor Muhammad Ali – Cabinet Member for Sustainable Croydon

Royal Borough of Kingston upon Thames

Councillor Hillary Gander - Portfolio Holder for Environment & Sustainable Transport

Councillor Tim Cobbett – Deputy Leader and Portfolio Holder for Communities and Engagement

London Borough of Merton

Councillor Natasha Irons - Cabinet Member for Local Environment and Green Spaces

Councillor Tobin Byers – Cabinet Member for Finance

London Borough of Sutton

Councillor Manuel Abellan - Chair of the Environment & Neighbourhood Committee

Councillor Ben Andrew – Vice-Chair of the Environment & Neighbourhood Committee

* Absent

Councillor Hanna Zuchowska, London Borough of Sutton, attended as substitute.

Councillor Nick Matthey, London Borough of Sutton, also attended.

1. Apologies for absence and attendance of substitute members

Councillor Andrew sent his apologies and Councillor Hanna Zuchowska attend as his substitute.

2. Minutes

RESOLVED: That the minutes of the previous meeting held on 9 September 2020 be confirmed and approved as the correct record.

Voting: Unanimous

3. Declarations of interest

There were no declarations of interest.

4. Contract Management Report A and B Q2

Appendix 1

The Interim Strategic Partnership Manager presented the update report. There were no issues to report with Contract 1 (Waste transfer station bulking and haulage, operated by Viridor Waste Management Ltd.).

An update was provided for Contract 2 (Management of the Household Reuse and Recycling Centres, operated by Veolia). It was highlighted that the HRRC sites received 47% less green waste than would normally be expected by this point in the year. This was due to the sites being closed during April and May following government guidance to help slow the spread of coronavirus.

There were no performance issues to note in regards to food and garden waste within the Contract 3 services (Materials Recycling Services, Composting, and additional treatment services carried out by Viridor Waste Management Ltd.).

An update was provided on the Phase B Residual Waste treatment Contract, operated by Viridor South London Ltd. The Partnership delivered just over 108,000 tonnes of residual waste to the Beddington plant from 1 April 2020 - 30 September 2020, an increase of 7% for the same period last year. During Q1 and Q2 Viridor treated 100% of residual waste with none being sent to landfill in the face of unprecedented challenges arising this year. 4 exceedances of the VOC half-hourly average Emissions Limit Value (ELV) were reported during the April 2020 - September 2020 period, with Viridor attributing these to the variable nature of municipal waste.

It was noted that Viridor are forecasting an exceedance of the Environment Agency's Permit for the Beddington ERF which allows Viridor to treat 302,500 tonnes of waste per annum. This is attributed to the lack of the scheduled maintenance downtime that was due to take place in spring this year which is a similar issue faced by ERF sites across the country due to the coronavirus pandemic and a restriction on travel. Viridor consequently made an application to the EA for a dispensation, allowing a 15% increase to the amount of waste they are allowed to process in 2020. The Interim Strategic Partnership Manager updated the meeting that according to Viridor it was the EA who then advised Viridor to submit a formal permit variation requesting to permanently increase the maximum amount of waste that can be processed in a calendar year as opposed to applying for a one-year dispensation.

The Committee raised concerns regarding the Environmental Permit increase. In response to why Viridor were due to exceed their current permit limit, it was suggested to be likely in part due to the 7% increase in waste produced by Partner boroughs, as well as the issue that Viridor were unable to carry out maintenance due to Covid as specialist engineers were unable to travel to the UK due to travel restrictions. It is assumed that the EA decision to request that Viridor apply for a permanent dispensation to increase the permitted waste processed was in order to afford more flexibility in the future if further adjustments were deemed necessary. It was also noted that the SLWP could not speak on behalf of the Environment Agency.

The Committee wished to note some concerns about the proposed permanent permit variation and sought further discussions with the Environment Agency to seek reassurances on, as well as question, the change in the ERF's operations and the expected emissions that could arise from this request. It was noted that Members of the Committee had written to the Environment Agency seeking reassurances about how the issues of emissions and vehicle movements would be considered when determining the permit variation application. Given the concerns raised at the meeting, Members requested that officers set up a meeting with

Environment Agency representatives to discuss these issues with them directly. The Committee also reiterated their request that Viridor be in attendance at future SLWP Committee meetings in order to directly answer questions from members and local residents.

In response to queries on the effect of the Covid lockdown tiers on the SLWP's waste management efficacy and the HRRCs, it was reiterated that there are no plans to fully close the HRRC sites again.

Councillor Nick Matthey from Sutton Council was permitted by the Chair and Committee members to attend the meeting, make a short statement and ask a question. Councillor Matthey raised concerns with the levels of Nitrous Oxide currently being emitted by the Beddington ERF and the likelihood of these increasing as a result of the EA's permit to allow the site to process up to 15% more waste.

The Interim Strategic Partnership Manager explained that the emissions levels limits are set by the Environmental Agency at a sufficiently safe level so that there is no negative impact to the local community and surrounding environment. Furthermore, the EA are responsible for regulating Viridor to ensure that they operate within those boundaries, on the occasions these levels are breached the EA are able to issue CCS scores that have both a financial and reputational impact and they have done so at the Beddington ERF. It was stressed that although the EA are proposing to allow an increase in capacity to process waste, it is not increasing the limits of permitted emissions.

Councillor Matthey also sought clarification on the apparent conflict between the 4 borough councils' aims to become carbon neutral alongside the use of a residual waste incinerator. The Interim Strategic Partnership Manager stressed the importance of reducing Carbon emissions as a global aim and not necessarily just localised to the South London area and that the carbon impact is not allocated to the treatment facility but instead to the waste producer. It was emphasised that the SLWP essentially has a choice of either landfilling waste, exporting to ERF sites elsewhere in the UK or Europe or treating waste through the Beddington ERF, which is judged to be a clean, safe and proximate solution. Continued emphasis will be placed on making sure that the amount of household waste produced is reduced and therefore reducing the need for it to go to the Beddington ERF site.

The Committee received several questions from members of the public which are outlined, alongside the Committee's responses, in **Annex 1**.

RESOLVED: To note the contents of the report.

Voting: Unanimous

5. Partnership Budget Update - Month 6

Appendix 2

The head of Finance Operations and Resident Support provided an update on the SLWP's budget outturn position for month 6 (September). There is a forecasted £17,600 underspend with the major variances being the expected acceptance of the

SLWP staff resource review causing a £205,000 underspend and the Internal and External Advisors budget causing a £194,000 underspend.

The Committee did seek clarification on when the expected staffing structure will be achieved after the ongoing reviews have concluded and what the expected benefits will be from it. The head of Finance Operations and Resident Support explained that the Director role will be in place by the end of March 2021 which will then enable the recruitment of the final outstanding positions. It was explained that the new staffing structure would benefit from a more centralised knowledge base and a more holistic team approach rather than a divided structure by individual services.

RESOLVED: To note the contents of the report.

Voting: Unanimous

6. Partnership Budget 2021/22

Appendix 3

The head of Finance Operations and Resident Support presented the proposed Partnership draft forecast for the 2021/22 financial year. The proposed budget, if approved, delivers a saving of £28,290 (£7,073 per borough).

RESOLVED: To agree the proposed budget for the core activities of the Partnership.

Voting: Unanimous

7. Communications Update

Appendix 4

The Communications Advisor for the SLWP provided an update on communications and stakeholder engagement activities. The work surrounding the 'Recycle Week' initiative in September 2020 was reported to the Committee. A targeted social media advertising campaign was run using both the Partnership's own funds as well as from the London Waste and Recycling Board (LWARB) matched funding package. The campaign was judged to be particularly successful due to its return on investment, with an estimated cost of 1p per person 'reached' on social media. The London Repair Week 2020 used the Partnership's Borough's own organic social media content for promotion at no external cost to the respective Councils. Various communications campaigns surrounding the HRRC sites have been judged to be successful.

The Committee sought more in-depth information on the demographics and location of the people that were reached by the SLWP's social media campaign. The Communications Advisor explained that they are able to provide a further breakdown of the key data from the social media campaign and clarified that the 16-34 year old age group usually respond best to campaigns such as this one. Although, it was emphasised that the return of investment in terms of overall 'reach' is likely to diminish the more demographic/location-based targeting the advertisements are. The wider awareness campaigns required a similarly wide and generic approach.

The Communications Advisor explained that a Communications plan for 2021 was underway with Veolia to ensure that local residents were aware that the HRRC sites

were back open again and Covid-secure as well as various campaigns with the aim of reducing waste and improving recycling rates within the four boroughs.

RESOLVED: To note the contents of the report.

Voting: Unanimous

8. Risk Report Q2

Appendix 5

The Interim Strategic Partnership Manager presented the report and updated the Committee on the primary risks facing the Partnership. The risks associated with the impact of Covid was brought forward to this report as well as with the consequential 7% increase in kerbside residual waste. Similarly to what was reported at the previous meeting the ongoing risk associated with Brexit was carried forward, with the increasing likelihood of a 'No-deal Brexit'. Work is ongoing with contractors to ensure that contingency plans are in place. The Interim Strategic Partnership Manager does not anticipate any forms of Brexit will prohibit the ability for the Partnership to safely dispose of residual, food and green waste. Ongoing challenges remain with regards to strategizing and formulating responses to the impact of Covid on overall waste management.

RESOLVED: To note the contents of the report.

Voting: Unanimous

9. Exclusion of the Press and Public

RESOLVED: that the Press and Public be excluded from the meeting temporarily on the basis that exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 would be disclosed and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Voting: Unanimous

10. Contracts 1 and 3 Reprourement

Appendix 6

RESOLVED: To note the progress to date on reprocurring elements of the Phase A Contracts 1 and 3 and endorse the sourcing strategy set out in paragraph 3 of this report.

Voting: Unanimous

11. Urgent items authorised by the Chair

There were no urgent items authorised by the Chair. The meeting finished at 21:10.

Signed.....Date.....
Chair

Annex 1

Questions	Responses
<p>Stephen Hart</p> <p>Living with a global pandemic which affects the human respiratory system and having a home in the shadow of the incinerator makes for a challenging mix. This becomes more pronounced when the operator is unable to meet even the low standards set by the toothless EA. Viridor recently published its full November emissions, with yet another breach (SO₂), so a total of three in November, in addition to previous months where they continually flout standards.</p> <p>What is the maximum number of breaches SLWP is happy to ignore before addressing the issue? They are building up every month. Further, when will any of the committee's Councillors stand up for their constituents and challenge their contractor to clean up their act? I am of the opinion that failure to meet legal emissions should result in a period of closure. Repeated violations should mean permanent closure. This would be an incentive for the operator and Councillors to ensure responsibility and safety for residents across London.</p>	<p>It is incorrect to describe the emissions limits set for the Beddington Energy Recovery Facility (ERF) by the Environment Agency as 'low'. They are incredibly strict. This is why, for example, the total emissions of dioxins from all energy from waste plants in the UK in 2017 was 10 times less than those from bonfire night. And it's why in 2017 domestic wood burning stoves produced 570 times more particulate emissions than all the UK's energy from waste plants combined.</p> <p>We are confident that the Beddington ERF is operating safely. Any exceedances of the permit limits must be reported to the Environment Agency (EA) by Viridor immediately. It is the EA who are responsible for regulating the facility and they would force it to suspend operations if they felt at any point it was not operating safely.</p> <p>In November 2020, there were two exceedances of the half hourly average for Sulphur Dioxide (SO₂) and one exceedance of the half hourly average for Volatile Organic Compounds (VOC). On all three occasions, the exceedances were momentary spikes: the issues were quickly identified and corrective action taken. This meant the daily average readings remained well within permit requirements.</p> <p>It is important to put these momentary 30-minute average exceedances into context. Between January and November 2020, the Beddington ERF has been 99.96% compliant in the case of VOCs and 99.99% compliant in the case of SO₂. Of course the SLWP demands the highest standards from our commercial partners. We want the ERF to be 100% compliant, and that is why we have formally requested a Rectification Plan from Viridor.</p> <p>Any exceedance of the emissions limits is taken seriously by Viridor, the EA and SLWP. The EA can, and usually do, levy financial penalties in the form of Compliance Classification Scheme (CCS) scores, which provide Viridor with a clear financial incentive to ensure permit conditions are met.</p>

<p>Gina Mudge</p> <p>How many tonnes of Carbon Dioxide are emitted by the Beddington ERF (incinerator) each month into the atmosphere?</p> <p>How many megawatt hours of electricity are exported each month from the ERF (incinerator)?</p>	<p>Thanks to the Beddington ERF, 100% of the SLWP boroughs' residual household waste was diverted away from landfill. Treating waste in energy recovery facilities delivers significant carbon savings over landfill.</p> <p>The Beddington ERF emitted an estimated 135,898 tonnes of fossil-derived carbon emissions last year; it is variable because it depends on the composition of the waste being sent to the facility. This figure is apportioned to each of the four SLWP boroughs based on how much residual waste they sent to the ERF. In the case of Sutton, for example, their apportionment would be an estimated 18,075 tonnes.</p> <p>A Carbon Working Group has been established to explore what can be done to reduce the carbon impact of our waste treatment activities and contribute to the boroughs' ambitions of becoming carbon neutral. Residents have a really important role to play: they can help reduce the carbon impact of the ERF by reducing plastic waste and recycling as much of their unavoidable plastic waste as possible.</p> <p>The Beddington ERF produces 26MW of electricity each year – enough to power the facility itself plus 55,000 homes.</p>
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Jim Duffy

Can I ask what was Viridor's response to our request for an apology for the July 2019 fire?

Unfortunately the recent waste policy consultation, to which I contributed, was not discussed at the last Sutton full council meeting. I recommended that, in order to maximise recycling rates and reduce the incineration of some toxic waste materials, that kerbside waste collections be extended eg to electronics, batteries and metals. Does the committee agree this would help reduce toxin and carbon emissions? And perhaps reduce the risk of fire from batteries included in domestic waste? I also submitted that non-recyclable plastic should be landfilled instead of burnt. Plastic is inert and does not emit methane when landfilled, unlike organic matter. The plastic could be mined in the future when the technology exists to recycle the plastic. Does the committee agree this action would significantly reduce carbon dioxide, furan and dioxin emissions from the incinerator which burns about fifty percent plastic? I applaud Chair, Hilary Gander's statement in July that plastic shouldn't be incinerated.

If Viridor's request to forgo annual maintenance outages is permitted, can the committee say what effect this will have on air quality, eg if filters are not routinely replaced will clogging cause extra pollution emissions?

The issue of the fire at the Beddington Waste Transfer Station in July 2019 was discussed at great length at the July 2020 meeting of this committee. The minutes for that meeting can be found [here](#). Viridor has reiterated that the fire was an extremely regrettable and unfortunate incident.

Reducing the risk of waste transfer station fires is a top priority for the SLWP boroughs and Viridor. All our key collection service information materials make it clear to residents that electronic items and batteries should not be placed in general waste bins.

The collections contract we hold with Veolia is not in the remit of the SLWP Joint Committee, but it should be noted that:

Household batteries are already collected from the kerbside from most properties across the SLWP region, as is metal packaging such as tins, cans, aerosols and tin foil. Electronic items and larger metal items can be taken by residents for free to their local Household Reuse and Recycling Centre. We welcome the fact that from January 2021, large electronic retailers will be obliged to take back waste electrical and electronic equipment (WEEE) in-store on an old-for-new basis. All four boroughs also offer a kerbside bulky waste collection service.

We are aware that the pros and cons of landfilling plastics is something that is being explored at a national policy level. For now, our view is that the priority should be reducing plastic waste rather than landfilling it, which feels like a backward step. The more plastic waste we can take out of the residual waste stream the better. It is by far the most effective way we can reduce the carbon impact of our waste treatment activities.

We need residents to help; by reducing their plastic waste and recycling or reusing as much of their unavoidable plastic waste as possible. We also need the government to help; by introducing legislation that incentivises manufacturers and retailers to reduce their reliance on plastic and that stimulates demand for recovered plastics amongst UK packaging manufacturers. This would allow us to collect and process a wider range of plastic materials. Residents of the SLWP region are reminded that they can already recycle plastic bottles, pots, tubs and trays using their recycling collection service.

Viridor is upgrading the ERF to enable it to operate within its permit limits with fewer planned outages. There will be no impact on air quality because the Environment Agency will continue to regulate the facility against its existing permit.

<p>Verity Thomson</p> <p>We're disappointed that Viridor is seeking a 15 percent increase in waste for incineration to 347,422 tonnes per year as it cannot perform its annual planned maintenance outage. This step is taking things in entirely the wrong direction regarding climate change. Can the committee please refuse this request?</p>	<p>This has been an extraordinary and challenging year: COVID-19 restrictions meant that Viridor's planned spring maintenance shutdown period for the Beddington ERF had to be deferred to 2021, resulting in more waste than forecast being processed.</p> <p>Having access to a secure, reliable and local waste treatment facility was a key factor in our ability to keep waste collection services running without significant disruption during the spring lockdown.</p> <p>The decision about whether or not to allow the application to vary the permit sits with the Environment Agency, not the SLWP boroughs. The Members of the SLWP Joint Committee have written to the EA seeking reassurances that issues around emissions and traffic movements will be carefully considered when determining the application.</p>
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<p>David Tchilingirian</p> <p>A proposal to levy an incineration tax is currently being considered as part of a government carbon tax bill. This would help local authorities take serious steps to make good their calls for a 'climate emergency'. Would the committee support a carbon tax on incineration to encourage a reduction in CO2 emissions and increase in recycling, if not why?</p>	<p>The government has stated that it would consider an 'incinerator tax' in the future if long-term waste ambitions to maximise the amount of waste sent for recycling are not met. The SLWP boroughs are proof that sending waste for energy recovery does not need to hamper efforts to reduce, reuse and recycle. The SLWP average recycling rate has increased by 7 percentage points over the last three years, one of the highest in the country.</p> <p>The SLWP boroughs believe the government should be prioritising legislation that helps reduce the volume of residual waste councils collect from households, rather than penalising the safest, most environmentally-sustainable option available to those councils for dealing with that waste.</p>
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