# Council

Meeting held on Monday, 11 October 2021 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

# MINUTES

**Present:** Councillor Sherwan Chowdhury (Chair);

Councillors Kola Agboola, Hamida Ali, Muhammad Ali, Jade Appleton, Jamie Audsley, Jeet Bains, Leila Ben-Hassel, Sue Bennett, Margaret Bird, Mike Bonello, Janet Campbell, Robert Canning, Louis Carserides, Richard Chatterjee, Stuart Collins, Jason Cummings, Mario Creatura, Nina Degrads, Jerry Fitzpatrick, Sean Fitzsimons, Alisa Flemming, Clive Fraser, Maria Gatland, Lynne Hale, Patricia Hay-Justice, Maddie Henson, Simon Hoar, Yvette Hopley, Karen Jewitt, Stuart King, Ola Kolade, Oliver Lewis, Stephen Mann, Stuart Millson, Ian Parker, Andrew Pelling, Jason Perry, Scott Roche, Manju Shahul-Hameed, Gareth Streeter, Robert Ward and Callton Young

**Apologies:** Councillor Felicity Flynn, Councillor Chris Clark

# PART A

# 19/21 Minutes of the Previous Meeting

The minutes of the meetings held on 25 January 2021 and 8 February 2021 were agreed as an accurate record.

The minutes of the meeting held on 8 March were agreed as accurate with the following amendments:

- The minutes stated, on Page 66 in the agenda pack, that Councillor Patricia Hay-Justice was the Cabinet Member present for Homes; however, she was not the Cabinet Member at this time. It was therefore suggested that the wording "Cabinet Member for Homes" following her name was redacted.
- The second correction is that the HRA stands for Housing Revenue Account, as opposed to Housing Resident Account as stated in the minutes, also on Page 66 in the agenda pack.

# 20/21 **Disclosure of Interests**

Councillor Pelling declared that he would leave the meeting for the item discussing Brick by Brick.

## 21/21 Urgent Business (if any)

There were no items of urgent business.

### 22/21 Appointments of Interim Statutory Chief Officers

The Mayor invited the Leader, Councillor Hamida Ali to move the recommendations in the report.

The Mayor invited Councillor Perry to second the recommendations in the report.

The recommendations were put to the vote and were unanimously carried. The

**RESOLVED**: Council **AGREED** the recommendations in the report:

- 1.1 Appoint John Jones as the Council's Interim Monitoring Officer from the date of this meeting pending recruitment to the Director of Legal Services and Monitoring Officer post on a permanent basis; and
- 1.2 Note the appointment of Richard Ennis as the Council's interim statutory Section 151 Chief Finance Officer and Corporate Director of Resources on 2 September 2021.

The Mayor congratulated both John Jones and Richard Ennis on their appointments.

#### 23/21 Announcements

#### The Mayor

The Mayor gave his announcements to the Members of Council.

The Mayor began his announcements by offering his thanks to Her Honour Judge Alice Robinson, who was the resident judge at Croydon Crown Court, and had been the Honorary Recorder of Croydon since 4 December 2017. On behalf of the Council, he wished her wll in her new role at Norwich Crown

Court. The Mayor also welcomed the new Resident Judge at Croydon on behalf of all Members.

The Mayor went on to highlight his upcoming fundraising events. The Croydon mayor's Dinner & Charity Launch on Thursday 14 October, which all Members were invited to. Also he was holding a Golf Day Fundraiser on Thursday 28 October and a Bollywood Dinner & Dance Fundraiser in November, and the Mayor will confirm the date of this to Members shortly.

## The Leader

The Mayor invited the Leader, Councillor Hamida Ali, to make her announcements.

The Leader confirmed that she had no announcements to make.

# The Chief Executive

The Mayor invited the Chief Executive, Katherine Kerswell, to make her announcements.

The Chief Executive stated that later in the agenda Members would be voting to amend the Constitution to enable an Independent Chair of the General Purposes & Audit Committee to be appointed. In anticipation of those changes being made, a meeting of the Appointments Committee was held on 17 August 2021 where a number of candidates for this role were shortlisted and subsequently interviewed. Subject to Council agreeing the recommendations to amend the Constitution as set out in agenda item 12, the Appointments Committee has resolved that Olu Olasode be appointed as the Council's first Independent Chair of the General Purposes & Audit Committee.

# 24/21 Croydon Question Time

The Mayor explained that Croydon Question Time would be taken in two parts.

The first part was public questions to the Leader and Cabinet, which was followed by questions from Members to the Leader and Cabinet. Wherever possible, the Cabinet Member provided an answer during the meeting, but if a question required detail that the Cabinet Member did not have with them then a written response would be published on the Council website within the following three weeks.

# **Public Questions**

There were 30 minutes allocated to public questions, firstly from those who were in attendance and had emailed in their questions in advance.

The first question was from Kostandinos Dexiades.

"Why is the complaints system at Croydon council so convoluted, whenever I submit a complaint I am told that I have to go to 'My Account' on the councils website to get a reference number. Once I get a reference number and try to get back in touch with the council I then receive an automated response telling me that I need to go back to 'My Account' in order to get a reference number and the cycle goes on and on. Throughout this whole process the initial issue that I complained about has gotten even worse. When will Croydon improve its ability to deal with the complaints of its residents? And specifically what changes do you intend to make in order to fix this issue moving forwards?"

In his response the Cabinet Member for Resources and Financial Governance, Councillor Young apologised for the experience that Mr Dexiades had experienced and offered to write to him with a full explanation. However, Councillor Young did set out all the methods that people could use to make a complaint. However, complaints cannot be made through the "My Account" function as that is for services such as ordering new bins or paying for services.

In his supplementary question, Mr Dexiades stated that he had received an email from the council's complaints department that told him to go into the "My Account" function.

In response, Councillor Young stated that he would look into this specific case and include it with his written reply that he mentioned earlier.

The next question was from Samir Dwesar.

"Croydon residents overwhelmingly rejected the status quo in last Thursday's referendum thanks to a residents-led campaign. In every single Council ward there was a majority for a Mayoral system. But there are dozens of examples of many Labour Councillors insulting, degrading and demeaning the supporters of the successful campaign. One councillor took to social media to attack 'elderly people'. One attacked 'white people, middle class people and residents' associations'. Do you think this is acceptable? And if not, what are you going to do about it?"

In her response, the Leader Councillor Hamida Ali stated the debate earlier had discussed the borough wide support for a Mayoral system. However the question highlighted some very serious allegations about the use of social media and all councillors needed to take their responsibilities seriously in being respectful of others and the language used when using social media. The Leader requested that Mr Dwesar send through any particular examples that he was concerned about to the councils Monitoring Officer.

In his supplementary question, Mr Dwesar asked what the Leader was going to do about the anti-Mayoral tweets from incumbent Labour councillors.

In reply, the Leader reiterated her request Mr Dwesar to bring forward any complaints to the Monitoring Officer.

The next question was from Colette Luke.

*"Why did Croydon Council not apply for funding to reopen Purley Pool from Sport England's Community Leisure Recovery Fund?* 

This funding would have enabled the council to reopen the pool and enable local schools to provide swimming lessons for pupils.

Currently, the majority of primary school children in the south of the borough have no access to school swimming lessons - what does the council propose to do about this?

*It is a statutory requirement of the National Curriculum that primary schools teach swimming - and an important safeguarding issue for pupils.* 

How does the Council propose to give pupils in the south of the borough access to a swimming pool NOW?"

In his response the Cabinet Member for Culture and Regeneration, Councillor Lewis stated that Croydon Council did apply for funding for eligible leisure centres but unfortunately Purley Pool was not eligible as it could not be reopened in line with Government Covid-19 guidelines. There are however, other facilities than can be used in Waddon and New Addington.

In her supplementary question Mrs Luke stated that neither Waddon nor New Addington were suitable so when was Purley Pool being reopened.

In his response, Councillor Lewis stated that a consultation will be undertaken soon so that all those affected residents can have their say and he encouraged Mrs Luke to raise her concerns as part of that process so that mitigation can be put into place.

The next question was from Dev Parashar.

*"We have serious problem of "Homeless people" in Croydon-north (Thornton Heath) who hang out on streets in groups and pose serious threat for women and children (especially in the late evening and night).* 

At the same time, these homeless people are involved into organized-begging activities and work in "SHIFTs".

Though, I have sympathy for them and always try to buy them food whenever I can, they have become nuisance and follow pedestrians for long distance for "money". Local police seems to be helpless.

What Croydon Council is proposing to tackle the problem of these Homeless people?"

In her response, the Cabinet Member for Homes, Councillor Hay-Justice stated the Administration was committed to ending homelessness and spoke about the Homeslessness Prevention Strategy. At the last count there were approximately sixteen people classed as rough sleepers in the borough. Rough sleepers are referred to Croydon Reach with the goal of addressing the issues and helping them into permanent accommodation.

In his supplementary question Mr Parashar stated that he believed that much more needed to done to assist these people and asked what the council was doing.

In her reply Councillor Hay-Justice stated that those who were classed as rough sleeping at the last count had been targeted with support and will continue to be supported to find permanent accommodation. However it should be noted that some of these people have complex needs.

The next question was from Siva Parameswaran.

"I live at 12 More Close, Purley and I have a question for Councillor Muhammad Ali concerning a development at 2 More Close, a few doors down from my house. After having obtained planning permission, I have put the reference in number in my question, he applied twice seeking planning permission to exchange the position of the garden with car parking spaces. The planning applications were rejected on both occasions but the developer has completely disregarded the decisions of the planning division and has switched the garden with parking spaces. He has now completed building car parking spaces in contravention of the approved plan.

Mr Philip, our MP, brought this matter to the attention of the Planning Management Team and a member of the Planning Management Team has responded to one of my neighbours, saying that he had spoken to the developer and the developer said that the work has not been completed. It was clear that no one from the Planning Management Team had visited the site. I can confirm that the developer has built the parking spaces, tarmacked it and has put in a number of lights to illuminate the car park contravening the decision of the Planning Division of the London Borough of Croydon.

My question is councillor, what action do you intend to take to ensure that the development in 2 More Close is completed in accordance with the approved planning permission?"

In his response, the Cabinet Member for Sustainable Croydon, Councillor Muhammad Ali stated he will ensure that this matter is taken to the planning enforcement meeting as it was a planning enforcement issue. The Cabinet Member for Culture and Regeneration, Councillor Lewis added that this matter would be raised with officers to ensure that it complies with the agreed planning approvals.

The next question was from Gemma Patient.

"There have been Planning Applications submitted to Croydon Council for a proposed development to knock down Bungalows and build flats in Downsview Road, Upper Norwood. These applications do not meet the boundary restrictions of the Covenant Law within that area as all residents must agree to such developments and most are against it. I would like to ask the Council as to why they have granted planning permission to build flats which don't comply with covenant rules and of which the residents have opposed?"

In his response Councillor Lewis stated he was not aware of this particular case but that officers had informed him that the presence of a covenant would not necessarily stop development but that it would be one of the factors taken into account during the planning process. The most contentious decisions are decided that the Planning Committee taking into account all the factors and representations received. He agreed to look into this specific case and provide a fuller response in writing.

In her supplementary question Ms Patient asked when will the council stop giving these developments planning permission.

In replying Councillor Lewis reiterated that the most contentious decisions are decided at the Planning Committee and it was important to recognise that it was independent of the Council's Executive. He encouraged any residents who had concerns about any development to channel them through the normal planning process so that they can be considered by the Planning Committee.

The next question was from James Hillam.

"Across Croydon in the past few weeks, there have been a significant number of bins that have not been collected by Veolia. This has been reported by the council for being as a result of the national HGV driver shortage and congestion around petrol stations. I understand that the council has decided to prioritise landfill and food waste collections, leaving recycling missed.

Residents have been told by the Council, not to report missed bin collections via the council website as usual. When you login to my account, the next collection day displayed just rolls over to the following day every time it is missed, giving residents no reassurance for when their recycling will be collected.

The National driver shortage has been around for a long time, but it seems quite coincidental that when there is a media frenzy on fuel driver shortages, the council fails to be able to collect the bins. The only rational reason that could be used so far, is that the queues around the petrol stations could slow collections. The statement from the council seems much more like a cop out, using the fuel driver shortage as an excuse, and as a result of Labour's poor contract management. I'd like to ask what is the council's strategic direction is for working with Veolia and other partners in the South London Waste Partnership to resolve this issue and make sure collections are made on time?"

Before replying to the question, Councillor Muhammad Ali thanked both the council staff and Veolia for their hard work during this time. In response, Councillor Muhammad Ali stated that Veolia advised the council in June that they were experiencing difficulty in recruiting new drivers due to the backlog in HGV driver training and the loss of European drivers. It had therefore been necessary to deploy the Business Continuity Plan, together with Veolia to ensure that the service continued to be delivered. This meant that statutory services had to be prioritised but the website had been updated daily to keep residents informed.

Veolia have been working hard to recruit new drivers including offering bonuses to qualified drivers, funding aspiring drivers to obtain qualification and offering retention bonuses. The council was also working with Veolia to lobby the Government to ease restrictions on European HGV drivers coming into the UK labour market.

In his supplementary question Mr Hillam asked why Brexit was being used as the reason when this is just another failing in the Labour Administration.

In replying Councillor Muhammad Ali stated that the council was working very hard with Veolia to resolve the situation and again thanked the frontline service for the work that they were doing and that until 19 September all collections had taken place on time.

The Mayor confirmed that a number of written questions from people who were unable to attend had been received and a written response to these will be published on the Council website within the next three weeks.

# 25/21 Member Petitions

The following petition was presented by Councillor Pelling on behalf of residents:

c) "Request for a Low Traffic Neighbourhood (LTN, or Safe Street) by excluding through traffic along Woodplace Lane from/to Surrey."

In his response, Councillor Muhammed Ali explained the criteria for such schemes and stated that he would ask officer to consider this route in any future funding from TfL subject to public consultation. The following petition was presented by Councillor Mann on behalf of residents:

a) 'Petition to Lower the Speed Limit to 20 mph on Crown Dale from the Students and Parents of the Norwood School and the St Josephs Federation.'

In his response, Councillor Muhammed Ali stated that it was an ambition to reduce the speed limit but it would require engagement with Lambeth Council and Transport for London. Officers had been asked to explore this further.

The following petition was presented by Councillor King on behalf of residents:

b) 'Please introduce a controlled parking scheme in the Gonville, Blakemore and Trafford Roads, Thomton Heath, CR7 so that residents can park close to their homes, children can cross roads safely, visibility for drivers is improved, and out of area commuters, recreational and commercial vehicles are not parked on a long-term basis. The recent introduction of a controlled parking zone in a nearby area has increased congestion on these roads and a controlled parking scheme is required to reduce this.'

In his response, Councillor Muhammed Ali explained that the council had a programme for proposed CPZs (Controlled Parking Zones) and he had asked officers to consider this petition and for them to report back to Councillor King with possible timescales.

#### 26/21 Maiden Speeches

Councillor Kola Agboola, in delivering his maiden speech, stated that he was privileged and humbled to be representing New Addington which was a deprived area. He continued by saying that although New Addington had benefited from recent developments such as the Leisure Centre, Skate Park and new school he would be asking the council to embark on new projects with the local community. In ending he paid tribute to his predecessor Councillor Simon Hall.

Councillor Jade Appleton, in delivering her maiden speech thanked the electors of Park Hill and Whitgift for putting their trust in her to present them. She went on to thank her predecessor Councillor Vidhi Mohan for the fifteen years of service to the community. She continued by listing the great facilities, residents' associations and community groups in the area and looked forward to working with them. Special mention was made of the residents' associations who work hard to oppose inappropriate development in their areas. She was determined to work to ensure that the residents of Park Hill

and Whitgift get the services that they deserve, and it was an honour to represent them.

Councillor Mike Bonello, in delivering his maiden speech stated that he was truly honoured to serve the people of Woodside and paid tribute to his predecessor Councillor Tony Newman and to his many years of service to Croydon. He continued by saying that he believed that all councillors in the chamber were there because they wanted to do their best for their communities and also paid tribute to council officers for the work that they did.

Councillor Ola Kolade, in delivering his maiden speech thanked the residents of Kenley for voting for him the represent them and went on the thank Councillor Steve O'Connell for his nineteen years of service. In addition, he thanked the other ward councillor, Councillor Jan Buttinger for her advice. Also thanked the trustees of Kenley Memorial Hall for asking him to joint their Board of Trustees and looked forward to working with them.

Councillor Kolade continued by listing a number of the community groups in Kenley who care for and support the community.

Councillor Louis Carserides, in delivering his maiden speech paid tribute to his predecessor, Councillor Jane Avis. He went to state that he was honoured to be able to serve the community that he grew up in and thanked the people of South Norwood for giving him the opportunity to represent them. He went on to highlight the groups within South Norwood which were set up by members of the community who have pride in their area.

In addition, he stated that he believed that it was important to make sure that the council works with the community to achieve the best outcomes particularly at a time of rising costs and wage stagnation. He then made a commitment that the views of the residents will be heard.

# 27/21 Council Debate Motions

The Mayor informed Members that he had been notified that both political groups had agreed to withdraw their Council Debate Motions for this meeting. On that basis the Mayor moved the meeting directly to agenda item 11.

### 28/21 Recommendations of Cabinet or Committees to Council for decision-Part One

(i) Members' Code of Conduct

The Mayor confirmed that this recommendation had been listed earlier in the agenda than the standard order outlined in Part 4A of the Constitution, as this recommendation needed to be considered prior to the subsequent item on the agenda, Revisions to the Council's Constitution.

The Mayor also stated that he had been notified that, following the meeting of the Ethics Committee on 30 September 2021, both political groups were in support of a proposed amendment to the recommendations to Council agreed by the Ethics Committee.

The Mayor explained that the proper process for allowing such an amendment is described in paragraphs 3.50 to 3.56 of part 4A of the Council's Constitution. This would require two councillors to ask for the recommendation from the Ethics Committee be deferred for debate.

The Mayor had been given notice by the two group whips that they wished to defer these recommendations for debate in order for the amendment to be agreed. He had also been informed that both political groups were happy to forego the additional speaking time that would ordinarily be allowed in the event of a deferral debate.

On that basis, The Mayor asked Councillor Fitzpatrick to move the recommendation contained in the Ethics Committee report, subject to the amendment that the Mayor had just read.

Councillor Fitzpatrick clarified the amendment and requested that Members should read it together with Appendix A, the Nolan Principles and Disclosure of Interests, and stressed the importance of all Members attending the training sessions that were being arranged.

Councillor Creatura seconded the recommendation.

The recommendation was put to the vote and was unanimously carried.

**RESOLVED:** Council **AGREED** the recommendations in the report as below:

- 1. Agree the adoption of the revised Code of Conduct and appendices A & B and
- To note Appendix C to enable Council Members to attend training sessions on the Code of Conduct and to raise comments and questions about Appendix C which will be considered by the Ethics Committee at its meeting on 17 November 2021.

# 29/21 **Revisions to the Council's Constitution**

The Mayor invited the Leader, Councillor Hamida Ali to move the recommendations in the report.

The Mayor invited Councillor King to second the recommendations in the report.

**RESOLVED**: Council **AGREED** the recommendations in the report:

- 1. Approve and make amendments to the Members' Allowance Scheme as set out in Appendix 1 to this report.
- 2. Approve the further changes to the Constitution as detailed in section 4 and set out more fully in Appendix 1.

# 30/21 **Corporate Parenting Panel Annual Report**

The Mayor asked Councillor Flemming, in her capacity as Chair of the Corporate Parenting Panel, to provide an introduction to the report.

In her introduction, Councillor Flemming thanked all the ichildren and young people and partners who were engaged in this work and special thanks to care leaver Ashleigh for her contribution. Councillor Flemming continued by highlighting the five areas that were concentrated on this year and reminded Members that this report was completed against the background of Covid -19.

In her question, Councillor Gatland also thanked those involved especially the children and young people who had showed great resilience and courage but stated that she was disappointed that the voice of the child was not reflected in the report. It would be good to hear this so that improvements could be made to councillors corporate parenting responsibilities. The Panel should continue to challenge where policies impact on children and young people in our care.

In closing Councillor Gatland thanked the foster carers on the panel.

In her response, Councillor Flemming offered an apology to Councillor Gatland for not thanking her for her support. She agreed with Councillor Gatland that the voice of the child was not as strong as previous reports and that it was partly due to the fact that face to face discussions were not possible this year.

# 31/21 Recommendations of Cabinet or Committees to Council for decision-Part Two

### **RECOMMENDATIONS FROM CABINET HELD ON 12 JULY 2021**

# Ongoing Review of Brick by Brick Croydon Ltd and the future of the company

The Leader, Councillor Hamida Ali, informed Members that Cabinet rejected the proposal to sell the company but instead to build out the remaining sites that were already underway as this offered the greatest return on the council's investment. As a result the number of sites had been reduced from 29 to 23 and those six sites which had not been started were now going to go straight to the market instead.

The Leader went on to confirm that external consultants and the Improvement and Assurance Panel had agreed with this course of action. Twenty one of the sites were near to completion. As a result 800 new homes will have been built in the borough with half of them genuinely affordable. Over 100 will be added to the council's own housing stock.

Councillor King seconded the recommendation.

The recommendation was put to the vote and was carried.

**RESOLVED**: Council **AGREED** the recommendation in the report:

**1.1** Council is asked to note the recommendations set out in Appendix 1, which were considered by Cabinet on 12th July 2021 and note that Council shall receive a verbal update in respect of the outcome.

# **RECOMMENDATIONS FROM CABINET HELD ON 16 AUGUST 2021**

### **Libraries Consultation Phase 2 Results**

Councillor Lewis informed Members that a full and detailed consultation had been carried out and he thanked the thousands of residents who had taken part. At the start of the process there had been a risk that some libraries would close but all the libraries will now remain open but with reduced opening hours.

Councillor Fitzpatrick seconded the recommendation.

The recommendation was put to the vote and was unanimously carried.

**RESOLVED**: Council **AGREED** the recommendations in the report:

- **1.2** Consider the outcome of the consultation and the consultation responses as set out in Appendix 5 [as listed as Appendix 1 to the Cabinet report] and the assessment of those responses.
- **1.3** Consider the equalities assessment at Appendix 6 [as listed as Appendix 2 to the Cabinet report] and the Public Sector Equality Duty (PSED) requirements under Section 149 of the Equalities Act 2010 as detailed in paragraph 10;
- **1.4** Consider the assessment regarding the Council's ability to deliver a statutory library service in accordance with the requirements of Section 7 of the Libraries and Museums Act 1964 if the recommended option is agreed;

- **1.5** Having due regard to the contents of Appendices 5 and 6 [Appendices 1 and 2 in the Cabinet report] and the assessment referenced in 1.3.3, agree that it implement changes to the statutory Library service by reducing hours by an average of 21% across the borough as detailed in paragraphs 3.13 achieving £506,980 of savings.
- **1.6** Note that a delegation will be sought from Full Council regarding the implementation of the recommended option and further engagement with service users of the boroughs' 13 Libraries regarding the implementation at individual sites.

# RECOMMENDATIONS FROM APPOINTMENTS COMMITTEE HELD ON 21 SEPTEMBER 2021

# Review of temporary chief officer cover arrangements

The Leader, Councillor Hamida Ali, informed Members that the temporary extensions were part of the progress towards a permanent executive structure working with a recruitment partner Penna.

Councillor Perry seconded the recommendation.

The recommendation was put to the vote and was unanimously carried.

**RESOLVED**: Council **AGREED** the recommendations in the report:

**1.7** To note the extension of the temporary chief officer role appointments, for:

- i) Corporate Director of Children, Young People and Education
- ii) Assistant Chief Executive

# RECOMMENDATIONS FROM GENERAL PURPOSES & AUDIT COMMITTEE HELD ON 16 SEPTEMBER 2021

# Recruitment and appointment of independent Chair of General Purposes and Audit Committee (GPAC)

Councillor Jewitt stated that she agreed with the recommendations and had nothing more to add.

Councillor Mann seconded the recommendation.

The recommendation was put to the vote and was unanimously carried.

**RESOLVED**: Council **AGREED** the recommendations in the report:

**1.8** To agree to retain one independent co-opted member on the General Purposes & Audit Committee, alongside the independent Chair, with effect from a decision of Full Council to implement the new arrangements.

**1.9** Endorse the proposed changes to the Constitution set out in section 4 of Appendix 8.

The Mayor stated that with Council now having agreed to update the Constitution, he took the opportunity on behalf of all Councillors to congratulate Olu Olasode on his appointment as the Council's first Independent Chair of the General Purposes & Audit Committee and wished him good luck in his new role.

# 32/21 Exclusion of the Press and Public

This item was not required.

The meeting ended at 9.57pm

Signed: Date: