

MINUTES of the Meeting of the **CABINET** held on Wednesday, 21 September 2022 at 6.30 pm in the Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

Present: Executive Mayor Jason Perry (Chair); Deputy (Statutory) Executive Mayor Councillor Lynne Hale and Councillors Jeet Bains, Jason Cummings, Maria Gatland, Yvette Hopley, Ola Kolade and Andy Stranack.

PART A

47/22 **Chair's Announcements**

Before moving to the formal business on the agenda, the Executive Mayor (Chair) made the following announcements:

i) The Passing of Her Majesty Queen Elizabeth II – Efforts of Staff

The Executive Mayor wished to place on record, his thanks to all the Council's staff, volunteers and partners who had worked tirelessly over the past fortnight to ensure Croydon was able to appropriately mark the passing of Her Majesty Queen Elizabeth II.

He said that, from the many floral tributes to the attendance at the proclamation and memorial service at the Minster last Sunday, Croydon had shown the warmth with which Her Majesty would be remembered and welcomed the new King with grace. He said it was a proud civic moment for the Borough.

ii) Passing of Councillor Badsha Quadir

The Executive Mayor was sad to announce that, at the same time, the Borough had tragically lost its colleague, Councillor Badsha Quadir, who passed away on Sunday 11 September.

The Executive Mayor said that Badsha had served as a Councillor since 2010, first in Purley Ward and then, more recently, having represented the residents of Selsdon Vale and Forestdale. During that time, the Executive Mayor said that Councillor Quadir had been a committed ward Councillor and a passionate champion for the wider Muslim community and the many charities and community groups that he had supported.

The Executive Mayor went on to say that Councillor Quadir was a dear colleague and close friend, and his death was a great loss to the community and the Borough. He said that a condolence book had been opened in the Town Hall Reception for anyone who wished to leave a message or share a memory of Badsha.

All present, stood silent in his memory.

iii) Energy Costs Measures

The Executive Mayor welcomed recent announcements by the new Prime Minister on measures to help tackle increasing energy costs. He said that the unprecedented increases in the global cost of gas and electricity, resulting from the war in Ukraine, had left many households worried about how they would pay their bills.

The Executive Mayor said that, earlier in the summer, he had written to the former Chancellor calling for more support for households and small businesses and was glad to see that was exactly what was being delivered.

The Executive Mayor said that, in addition to the previous support already provided to households, people would now see energy costs capped for two years, but while the costs would still be higher than people were used to, they would be significantly lower than feared. He said that today's announcement that businesses would also see their energy fixed for six months would be a great relief to the many small businesses across the Borough.

The Executive Mayor acknowledged that the cost of living rises in the months ahead would be challenging for both the Council and its residents but these significant new initiatives by the Government would make a massive difference and the Council would be proactively signposting residents and businesses to available support such as the £3m hardship fund.

48/22

Apologies for Absence

Apologies for absence had been received from Councillor Scott Roche (Cabinet Member for Streets and Environment.)

Apologies for absence, from officers, had been received from Debbie Jones (Interim Corporate Director (Children, Young People and Education) and Katherine Kerswell (Chief Executive)).

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Disclosure of Interests

There were no declarations of interest received from Members.

50/22

Minutes of Previous Meetings

The minutes of the meetings of the Cabinet held on 21 February*, 7 March*, 22 June and 6 July 2022 were approved as a correct record, subject to the following amendment:

That, at Minute No.45/22 (General Fund and Housing Revenue Account Budget) to the minutes of the meeting of the Cabinet held on 7 March

2022, reference to Council Officer Chris Boss be amended to read Chris Buss.

* Minutes from meetings of the Cabinet, under the previous Administration.

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Urgent Business (If any)

There were no items of urgent business.

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Scrutiny Stages 1 and 2

Stage 1

Cabinet considered a report, which detailed at Appendix A, recommendations that had been developed from the Scrutiny and Overview Committee, and its Sub-Committees, since the last Cabinet meeting.

Constitutionally, it was required that an interim or full response be provided within two months of this Cabinet meeting.

The recommendations arose from consideration of business transacted at the meetings of the Council's Streets, Environment and Homes Sub-Committee, held on 20 July 2022, and the meeting of the Scrutiny and Overview Committee held on 21 July 2022.

Stage 2

Cabinet considered a report, seeking its approval to approve the full response reports arising from the Stage 1 reports presented to the Cabinet meeting held on 6 July 2022, which included action plans for the implementation of agreed recommendations, or reasons for rejecting the recommendations and that these be reported to the Scrutiny and Overview Committee or relevant Sub-Committees.

The Executive Mayor said that he had met with Councillor Rowenna Davis, Chair of the Council's Scrutiny and Overview Committee, last month to discuss how he and the Cabinet could continue to build a strong working relationship. He said that, as part of that discussion, was the Cabinet's continued desire for effective pre-scrutiny to be carried out on Cabinet reports before decisions were made, together with what steps could be taken to facilitate that, for example, a better alignment of committee dates in the new municipal year to minimise any unnecessary delays.

The Executive Mayor said that while there were many recommendations before the Cabinet, agreement could not be met on all of them but he did commend the work of the Scrutiny and Overview Committee and its sub-committees on its work and in drafting these.

At the invitation of the Executive Mayor, Councillor Davis said that she welcomed information received and that the Executive Mayor had provided a response within the prescribed two-months' period.

Councillor Davis went on to say that she wished to focus on the following three areas, which were most pressing and relevant to Croydon.

1. The Cabinet Member for Housing and the Executive Mayor's response on the Committee's work in respect of the housing repairs contract.

The Committee welcomed their commitment to build better communication with tenants and a commitment to culture change, which would ensure tenants being treated with the empathy and respect they deserved.

Specifically, Councillor Davis said she was disappointed that Cabinet had rejected the recommendations submitted in respect of proposed compensation for any botched jobs, which occurred under the housing repairs contracts. Councillor Davis said she hoped that this could be reviewed in the future and that Scrutiny be involved in that process.

She said that the Committee was also disappointed that the recommendation to issue a revised tenants' handbook (detailing tenants' rights) had also been rejected.

2. Financial Performance Report (Agenda Item 7 to this evening's meeting)

Councillor Davis said that Scrutiny had looked at this in detail, earlier in the month and had been impressed by the candid honesty and openness by Councillor Jason Cummings (Cabinet Member for Finance), which seemed symptomatic of a culture change, which was to be welcomed.

She expressed her concern, however, of a potential overspend by the Council of up to £19m, particularly when there was so little time to remedy this. She said that Scrutiny was keen that all Members be kept advised as to progress in tackling this and key milestones to be put in place to assist in this.

3. Violence against Women and Girls

Councillor Davis referred to the Tackling Violence against Women and Girls; Statement of Intent item, which was due to be considered later at this meeting and said that this had been particularly relevant since her committee had considered, at its last meeting, the Council's Community Safety Strategy. She said that half of the women or girls in the Borough had felt "a bit" or "not at all" safe where they lived. She said that domestic

abuse cases had risen year-on-year with 5,154 reported cases last year alone (the highest level in London).

Councillor Davis said that the problem for Scrutiny was that domestic abuse was already listed as a top priority for the Safer Croydon Partnership. She said that greater community engagement (including with victims themselves) would be welcomed and she acknowledged the work that the Executive Mayor and senior officers were doing in this area.

In response to the issues of botched jobs and the tenants' handbook, Councillor Lynne Hale (Cabinet Member for Homes) appreciated the concerns raised regarding disrepairs and said that everyone accepted that the time people had waited had been unacceptable and there was a lot of work to be done with regards to the housing repairs contract. She said that the Council could look at paying compensation for botched jobs but that the money for this would be met from within the Housing Revenue Account, which was funded by residents and that the priority now was to bring homes back into a decent state of repair.

Regarding the tenants' handbook, Councillor Hale said that she was aware of a lot of work, which was going on within the Housing Directorate at the moment in terms of restructuring and that the Council wait until it had a correct and accurate handbook, which would be of greater use to residents than the current version, which would likely be out of date before too long.

In response to the financial performance report issues, Councillor Jason Cummings (Cabinet Member for Finance) thanked Councillor Davis for her feedback on the meeting he had attended and was pleased that the Committee felt that he and the Administration were being transparent in what they were saying.

Regarding financial reporting, Councillor Cummings said that the Council was able to provide financial reporting, but this was taking time to check figures and the process was not as slick as might have been hoped at this time.

Regarding forecast financial position, in-year, Councillor Cummings said that this had been stated as being between £9.5m and £19m but that the projected position was for a £9.5m overspend but that this was in a range between £19m over and £3.6m underspend and said it was important to refer to this range when quoting these figures.

Regarding tackling violence against women and children, the Executive Mayor said this was an ongoing piece of work and was very much about a delivery plan, not just a new strategy and a new piece of paper, but about ongoing wider engagement, meetings with the Council's partners and those affected.

Councillor King asked why the Executive Mayor was rejecting over half of the recommendations, and marking his own homework, which Councillor King said the Executive Mayor had said he would be doing had he not elected a non-Conservative Member as Chair of the Council's Scrutiny and Overview Committee.

In response, the Executive Mayor said that the whole premise was that Scrutiny should be led by the Opposition, which it was, and that there was also cross-party working on Scrutiny, which he thought was working well. He said that the Administration was moving towards much more pre-decision scrutiny, but he was not marking his own homework. He said that there had been several meetings held and a number of recommendations had come forward from the Scrutiny and Overview Committee, some of which, he said, had been accepted, others had perhaps gone beyond the remit of the Committee, and it was about listening and responding to the comments and moving forward in a practical manner. He said the Administration was resetting the relationship with scrutiny in the Council, which had been given its due credit and was being worked appropriately.

Having listened to the contributions and considered the detail in the report, the Executive Mayor, in Cabinet, **RESOLVED** that:

1. The recommendations arising from recent Scrutiny meetings be responded to in due course; and
2. The substantive responses provided to previous recommendations as set out in the report, be agreed.

53/22

Tackling Violence against Women and Girls - Statement of Intent

Cabinet considered a report, which outlined the prevalence and levels of Violence against Women and Girls (VAWG) in Croydon; the Council's work to tackle this and the Executive Mayor's commitment to tackling VAWG.

The report referenced the United Nations Declaration (1993) on the Elimination of Violence Against Women, which defined VAWG as:

"Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."

The report affirmed that the term '*violence against women and girls*' referred to acts of violence and/or abuse that disproportionately affected women and girls.

Whilst the United Nations' declaration was based on the concept of disproportionate impact, the Council understood the gendered nature of

these types of abuse and crimes, and that men and boys could also be victims of these types of abuse and crimes. Accordingly, it was reported that it was important that men and boys were included in all aspects of the Council's work on all forms of violence against women and girls (particularly work on prevention and awareness raising).

It was further reported that the Council was committed to ensuring that any victim would receive a sensitive and appropriate response, according to their needs and that the Family Justice Service would continue to support male victims of domestic abuse and sexual violence (DASV) as well as all victims of crime related VAWG regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Executive Mayor said that the matter had come about arising from growing community concerns that surrounded the disappearance of Owami Davies. He said that, in early August, the Safer Neighbourhoods Chair, the Police Borough Commander and himself had convened a public meeting to update and reassure the community about the steps that were being taken to find Owami and keep women safe in the Borough. He said that whilst Owami had been found, thankfully safe and well, the community wanted to see more clarity about what the Council was going to do to tackle violence against women and girls within the Borough.

In the spirit of cross-party working, the Executive Mayor said he was pleased to bring this report to Cabinet this evening following a request from Councillor Mollyneaux, which set out the Council's commitment to tackling violence against women and girls in Croydon.

The Executive Mayor went on to say that the statistics went on to paint a picture which should be of concern to everyone and, since the pandemic, had seen increases in domestic violence cases and other forms of violence against women and girls. Tackling this, he said, was a long-term priority for the violence reduction network, which included support to victims, supporting the Police through challenge and arresting perpetrators and working closely with all the Council's partners to work on initiatives to improve safety across the Borough. He recognised that this was not a problem the Council could tackle alone, and this report tasked the Safer Croydon Partnership to develop a new, high-level, three-year plan to tackle violence against women and girls.

The Plan, he said, would set out a clear, multi-agency, long-term approach to tackling and preventing violence against women and girls and to take this work to the next level by involving more people and partners to reduce violence against women and girls.

The Executive Mayor welcomed to the meeting, Donna Murray Turner (Chair of Croydon Safer Neighbourhood) and invited her to address Cabinet.

Ms Murray Turner said that, as a Borough, Croydon was fortunate in that it had a stand-alone family justice centre, but that people had to be culturally competent in how they applied and delivered services to women and girls across the Borough and to take into consideration diversity and sensitivity.

She said it was important to note that this was a very real statistic for Croydon and it was something that should always remain on Croydon's agenda in terms of not only keeping women and girls but often the children within those homes and that nurturing environment. In conclusion, she said that there were online platforms where misogyny and hate could be peddled and that now was the time to show leadership, awareness and tackling it.

The Executive Mayor thanked Ms. Murray Turner for her wise words and said Cabinet would welcome her input moving forward. He also thanked Members for their contributions and said that everyone recognised that tackling violence against women and girls should be a clear priority for Croydon's community. He said that this renewed commitment between the Council, police, voluntary sector and others would help improve the Safer Croydon Partnership's work to crack down on offenders and improve the safety of women and girls across Croydon.

Accordingly, the Executive Mayor, in Cabinet, **RESOLVED** that the 'Tackling Violence Against Women and Girls (VAWG)' Statement of Intent, be endorsed.

54/22

Financial Performance Report - Month 4 (July 2022)

Cabinet considered a report, which provided the Council's annual forecast as at Month 4 (July 2022) for the Council's General Fund (GF), Housing Revenue Account (HRA) and the Capital Programme (CP). The report formed part of the Council's financial management process of publicly reporting financial performance against its budgets on a monthly basis. Reports for Month 2 and Month 3 were attached for information as this was the first Cabinet meeting since the Month 1 position was reported as part of the Opening the Books Cabinet report in July.

The Executive Mayor said that the Opening our Books programme of work was already finding significant issues with the Council's Budget, which would need to be addressed. He said that this was disappointing, but not unexpected.

The Executive Mayor went on to say that balancing the Council's books and getting its finances back on track was the top priority for his Administration. The report, he said, set out a worrying but honest appraisal of the Council's current position as well as a deficit recovery plan, which would deliver an underspend by year end.

In conclusion, the Executive Mayor said that the coming years would be difficult for the Council, but it was a challenge it must rise to.

The Executive Mayor, in Cabinet, **RESOLVED** that:

1. To Note the General Fund was projecting a net overspend of £9.483m as at Month 4 (Service directorates were indicating a £24.252m overspend with a £14.769m underspend corporately.)
2. To note that a further number of risks and compensating opportunities may materialise which would see the forecast year-end variance change (these indicated a net opportunity of £3.290m (risks £9.807m and opportunities of £13.097m) and were reported within Section 3 of this report. Should all these risks materialise, and none of the mitigations be effective, the Council was forecast to overspend by £19.290m. However, if none of the risks materialised and all the opportunities were delivered, the Council would underspend by £3.614m.)
3. To note the further actions being taken, through development of the Deficit Recovery Plan, to mitigate the projected overspend with a view to eliminating it by the end of the financial year (further details were in paragraph 2.15.)
4. To approve that the MTFS savings within Table 2b were not deliverable.
5. To note the Housing Revenue Account (HRA) was projecting an end of year position of a £3.147m overspend, mainly due to inflation in energy costs.
6. To note the Capital Programme spend to date for the General Fund of £7.882m (against a budget of £112.069m) with a projected forecast underspend of £5.207m for the end of the year.
7. To note the Housing Revenue Account Capital Programme spend to date of £3.478m (against a budget of £22.083m), with a projected forecast underspend of £4.819m for the end of the year.
8. To note, the above figures were predicated on forecasts from Month 4 to the year end and therefore could be subject to change as forecasts were made based on the best available information at this time.
9. To note, the Council continued to operate with the Spend Control Panel to ensure that tight financial control and assurance oversight were maintained, and a new financial management culture was being implemented across the organisation through increased

scrutiny, such as the Assurance meetings, improved communication and budget manager training from CIPFA.

10. To note the full Financial Performance Reports for month 3 (June) and month 2 (May) were provided as Appendices 3 and 4 respectively to this report.
11. To agree the capital schemes listed in paragraph 6.3 be removed from the Capital Programme as following a detailed review, it had been established that they did not meet capital expenditure criteria (these schemes would be assessed as to whether they were still relevant and if so, whether resources were available to deliver them within the General Fund budget for 2022/23.)

55/22

Increase of Fees and Charges

Cabinet considered a report, which sought approval to changes in fees and charges that were made in respect of supplies and services supplied by the Council to the extent that these fell within the authority of the Executive to determine. It was reported that Cabinet should be aware that many regulatory functions had statutory fees, which were set or were required to be considered by the relevant regulatory committees as these were precluded from being executive functions.

The Executive Mayor asked officers to note that he expected next year's fees and charges report to be brought to Cabinet far earlier in the municipal year, ideally alongside the Budget report in March.

The Executive Mayor, in Cabinet, having had due regard to the Equalities Impact Assessment, as set out in Appendix 2 to the report, **RESOLVED** that the fees and charges, as set out in Appendix 1 to the report, be approved.

56/22

Croydon Partnership - Early Years' Strategy

Cabinet considered a report, which presented the final draft of Croydon's Partnership Early Years Strategy. The draft Strategy set out Croydon's vision for Early Years, the priorities, the principles, and the outcomes the Council wanted to achieve for children from before they were born up to the age 5 at the end of the foundation stage, and their families. This draft strategy would span a three-year timeframe from 2022 to 2025 with proposals to create a child-centred system with joined-up policies and services to support the Borough's youngest residents and their families.

The Executive Mayor said that this was an important strategy, which would shape the Council's support to the Borough's youngest residents for years to come. It was, he said, an excellent example of partnership working – that brought together contributions from parents, carers, the NHS, schools and others to put forward a new collaborative approach to early year provision in Croydon.

Accordingly, the Executive Mayor, in Cabinet, **RESOLVED** that:

1. The final draft of Croydon's Partnership Early Years Strategy 2022 – 2025, be approved; and
2. The publication of the Strategy and development of its Delivery Plan, be approved.

57/22

Adult Social Care Reform

Cabinet considered a report, which summarised the recommendations of the Government's Adult Social Care White Paper, 'People at the Heart of Care', which was published in December 2021. The White Paper identified opportunities and challenges, which would be faced by the Council arising from it and made recommendations on implementation.

The Executive Mayor in Cabinet, **RESOLVED** to:

1. Note the opportunities and challenges set out in this report regarding the reform of Adult Social Care.
2. Endorse the financial and transformational planning and operating model changes required, which would and be delivered through the Adult Social Care & Health Directorate's service and improvement plans, aligned to the Croydon Health and Care Plan, the Council's medium term financial strategy and the Executive Mayor's priorities.
3. Agree that the Executive Mayor would receive regular updates on the progress of the programme and receive assurance of the Directorate's readiness for the inspection assurance process.

58/22

Corporate Departmental Priorities - Final Report

Cabinet considered a report (final), which monitored performance against the Corporate Priorities. It was important to note that this report reflected on progress against priorities set prior to the election of the Executive Mayor and would be replaced with a new performance report, which would monitor progress against the Executive Mayor's new Corporate Plan.

The Executive Mayor, in Cabinet, **RESOLVED** to:

1. Review the Performance report (Appendix A) as of 30 June 2022 (unless otherwise stated) regarding overall performance against the Corporate and Departmental priorities.
2. Note that this was the final report monitoring performance against the Corporate Priorities.

Temporary Workers' Staffing Contract

Cabinet considered a report, which recommend that the Council award a replacement contract for the supply of temporary workers to enable the delivery of Council services. It was reported that having a managed service provision for an area of high spend within the Council provided economies of scale and avoided ad-hoc and therefore potentially more expensive recruitment processes.

In addition, it was noted that expert market knowledge could source temporary staff with appropriate skills and on-board those staff using a standard recruitment process that was cost effective.

The recruitment of a skilled workforce was essential for the Council to deliver its services, however, the recruitment market was challenging and required specialist skills to attract talented staff, and to do this in a timely manner to avoid service delivery being impacted.

The Executive Mayor introduced the report and said that it comprised both Part A and Part B, the latter of which, set out the maximum approved cost of the contract and given that the information contained therein was commercially sensitive, it had not been published. He reminded Members that if there were any questions to be put in respect of the Part B report then he would move to exclude the press and public for the duration of that item.

Councillor Cummings said that this was an important contract for the Council and there were multiple situations where agency staff could be required to be used and having a professional, easy to use, easy to monitor contract, helped significantly, both in terms of budget management and also in securing adequate resources in a timely manner.

Councillor Cummings said that agency staffing was not an additional spend but, rather it was managed from within existing staffing budgets within departments. He said that should agency staffing be forecast to have an impact on budgets, then this would require accrual, as would any other cost leverage.

Councillor Cummings said that the report also detailed alternative options considered and why these were not recommended.

Councillor King said that opposition Councillors were challenging the decision to put the "up to" value of the contract into the Part B papers since they fully accepted why a priced bid from an individual company in relation to a contract, was commercially sensitive. He said that opposition Members felt that the "up to" value was not commercially prejudicial to the proposed contractor in letting Croydon's residents know the maximum value of the contract, especially given it was a significant award.

Councillor King asked how specifically had he (the Executive Mayor, as decision-maker) satisfied himself that by directly awarding the contract to a sole supplier on a framework that had expired and without securing bids or proposals from any other qualified provider?

In response to the “up to value” question, the Council’s Monitoring Officer said that identity of the supplier and also the value of the award should have appeared in Part B rather than Part A. He said that officers did not want to be put in a position whereby they were being seen to be putting in information in the public domain, which actually said to the market that a decision had been made in this matter. He said that, in any event, the final decision rested with the Executive Mayor, but it was also important to have in mind, that once his decision had been made, it would be subject to due process in that the decision would be published and would be in the public domain.

The Executive Mayor, at this point said that when he considered the number of decisions he had to make since coming into office, which had been left over from the previous Administration, contracts worth lots of money had not had due process, had not been considered by Cabinet Members and had been left without any consideration, to now start querying an individual contract was, he said, quite remarkable. He said that the number of contracts that had not been signed by the previous Administration in the run up to the last election, and the matters that he and Councillor Cummings had had to deal with on the contract management side post-election, he queried why this particular contract would be questioned.

The Council has undertaken an extensive market engagement and benchmarked utilising data from other Councils to deliver a value driven recommendation for an award of a new contract.

The Executive Mayor, in Cabinet, **RESOLVED** that the award of a four-year contract called off from the ESPO Mstar3 Framework London Collaboration Lot1 Temporary Workers Staffing to Adecco Plc for a maximum contract value of £100m.

60/22

Exclusion of the Press and Public

It was moved by Executive Mayor Jason Perry, seconded by Councillor Lynne Hale and **RESOLVED** that the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A, as amended, of the Local Government Act 1972.

61/22

Temporary Workers' Contract

Following consideration and discussion of the content in the report (Part B – private session), the meeting continued in open session and the

Executive Mayor, in Cabinet, **RESOLVED** that the recommendations, as detailed in the Part A (open session) report (Agenda Item No.12 to the agenda), be approved.

The meeting was declared closed at 20.28pm