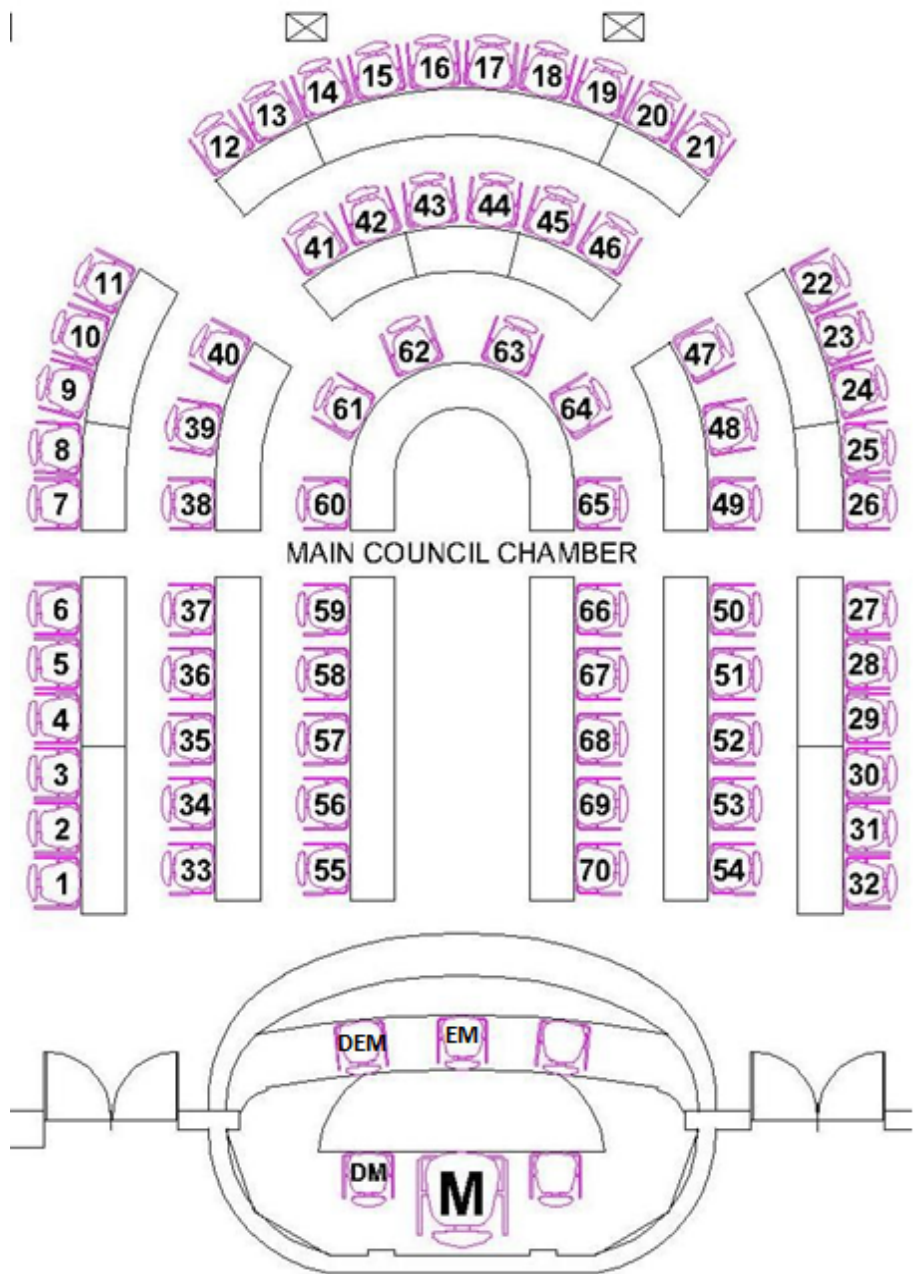




**COUNCIL
AGENDA**
for the meeting
on
17 May 2023 at
6.30 pm

1. Stuart Collins
2. Manju Shahul-Hameed
3. Ellily Ponnuthurai
4. Catherine Wilson
5. Mohammed Islam
6. Appu Srinivasan
7. Clive Fraser
8. Kola Agboola
9. Patricia Hay-Justice
10. Eunice O'Dame
11. Christopher Herman
12. Matthew Griffiths
13. Patsy Cummings
14. Humayan Kabir
15. Sherwan Chowdhury
16. Tamar Nwafor
17. Stella Nabukeera
18. Esther Sutton
19. Ria Patel
20.
21. Claire Bonham
22. Adele Benson
23. Sue Bennett
24. Endri Llabuti
25. Mark Johnson
26. Nikhil Sherine Thampi
27. Helen Redfern
28. Gayle Gander
29. Simon Fox
30. Holly Ramsey
31. Samir Dwesar
32. Luke Shortland
33. Enid Mollyneaux
34. Chris Clark
35. Amy Foster
36. Brigitte Graham
37. Mike Bonello
38. Louis Carserides
39. Sean Fitzsimons
40. Leila Ben-Hassel
41. Maddie Henson
42. Karen Jewitt
43.
44.
45. Fatima Zaman
46. Jade Appleton
47. Danielle Denton
48. Ian Parker
49. Simon Brew
50. Margaret Bird
51. Joseph Lee
52. Lara Fish
53. Alasdair Stewart
54. Robert Ward
55. Chrishni Reshekaron



56. Nina Degrad
57. Janet Campbell
58. Callton Young
59. Stuart King
60. Rowenna Davis (Scrutiny Chair)
61. Richard Chatterjee (Scrutiny Vice-Chair)
62. Michael Neal
63. Andy Stranack
64. Scott Roche
65. Jeet Bains
66. Yvette Hopley
67. Ola Kolade
68. Maria Gatland
69. Jason Cummings
70. Mario Creatura
Notes etc.
M – Civic Mayor
DM – Deputy Civic Mayor
EM – Executive Mayor Jason Perry
DEM – Deputy Executive Mayor – Councillor Lynne Hale
Please note that the numbers relate to microphone numbers.

To: To All Members of the Council

Date: 9 May 2023

A meeting of the **COUNCIL** which you are hereby summoned to attend, will be held on **Wednesday, 17 May 2023** at **6.30 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

Stephen Lawrence-Orumwense
Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Marianna Ritchie, Democratic Services
Democratic Services
Marianna.ritchie@croydon.gov.uk
www.croydon.gov.uk/meetings
9 May 2023

Members of the public are welcome to attend this meeting, or you can view the webcast both live and after the meeting has completed at <http://webcasting.croydon.gov.uk>

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 officer as detailed above.

AGENDA – PART A

1. Apologies for Absence

To receive any apologies for absence from any Members.

2. Disclosure of Interests

Members are invited to declare any disclosable pecuniary interests (DPIs) they may have in relation to any item(s) of business on today's agenda.

3. Minutes of the Previous Meeting (Pages 7 - 22)

To approve the minutes of the meetings held on 8 March, 29 March (Special) and 29 March (Ordinary) 2023 as accurate records.

4. Appointment of Chair and Vice-Chair of Council for the Municipal Year 2023-24

Council will hear a short speech from the outgoing Chair of Council, after which Council will receive nominations and vote on the Chair and Vice-Chair of Council for the municipal year 2023-24.

5. Political Balance of the Council and Composition of Committees (Pages 23 - 30)

This report fulfils the Council's duty to review and determine the representation of different political groups on certain committees at its annual meeting or as soon as practicable thereafter. The subsequent duty to make appointments to those committees, giving effect to the wishes of the political groups allocated the seats, is dealt with in a separate report to be considered by Council at this meeting.

6. Appointments (Pages 31 - 36)

This report sets out appointments to committees and bodies and, where applicable, appointments of Chairs, Vice/Deputy-Chairs, and substitutes.

The appointments will be listed in appendices which will be published as supplements to this paper.

7. The Executive Mayor's Scheme of Delegation

This item is for the Executive Mayor to notify Council of any changes to his Scheme of Delegation.

8. The Mayor's Annual Statement

This item is for Council to receive a statement from the Executive Mayor reflecting on the previous year and outlining his priorities for the year ahead.

The Leader of the largest group of which the Executive Mayor is not a Member will be invited to respond.

9. Civic Awards Ceremony

Civic Awards of Honorary Aldermen and Honorary Alderwomen will be presented to the former councillors who were nominated by the Civic Mayoralty and Honorary Freedom Selection Committee and agreed by Council on 29 March 2023.

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Public Document Pack Agenda Item 3

Council

Meeting held on Wednesday, 8 March 2023 at 6.30 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

- Present:** Councillor Alisa Flemming (Chair);
Councillor Sue Bennett (Vice-Chair);
Councillors Kola Agboola, Jade Appleton, Jeet Bains, Leila Ben-Hassel, Adele Benson, Margaret Bird, Claire Bonham, Mike Bonello, Simon Brew, Janet Campbell, Louis Carserides, Richard Chatterjee, Chris Clark, Sherwan Chowdhury, Stuart Collins, Mario Creatura, Jason Cummings, Patsy Cummings, Nina Degrad, Danielle Denton, Samir Dwesar, Lara Fish, Sean Fitzsimons, Clive Fraser, Amy Foster, Simon Fox, Gayle Gander, Maria Gatland, Brigitte Graham, Matt Griffiths, Lynne Hale, Patricia Hay-Justice, Maddie Henson, Christopher Herman, Yvette Hopley, Mohammed Islam, Karen Jewitt, Mark Johnson, Humayun Kabir, Stuart King, Ola Kolade, Joseph Lee, Endri Llabuti, Enid Mollyneaux, Stella Nabukeera, Michael Neal, Tamar Barrett, Eunice O'Dame, Ian Parker, Ria Patel, Tony Pearson, Jason Perry, Ellily Ponnuthurai, Holly Ramsey, Helen Redfern, Chrishni Reshekaron, Scott Roche, Manju Shahul-Hameed, Nikhil Sherine Thampi, Luke Shortland, Appu Srinivasan, Andy Stranack, Stewart, Esther Sutton, Catherine Wilson, Robert Ward and Callton Young
- Apologies:** Councillor Rowenna Davis

PART A

34/21 **Disclosure of Interests**

There were none.

35/21 **Urgent Business (If any)**

There were no items of urgent business.

36/21 **Announcements**

Executive Mayor, Jason Perry, wished all a Happy International Women's Day, and congratulated Councillor Rowenna Davis on the recent birth of her baby. The Chair echoed the well wishes of the Mayor and entire Council.

37/21 **Council Tax and Budget 2023-24**

It was agreed that the order of the meeting would include fifteen minutes of questions to the Executive Mayor followed by fifteen minutes of questions to the Cabinet Member for Finance.

In the first round of questioning the Mayor responded that:

- The proposed increase in Council Tax was not to make savings for the future but to cut expenses as part of a package of cost-cutting measures, which would make income available to the council for future years;
- Alternative budget proposals had not come forward from the Labour group;
- The Mayor was keen for members to approach the Executive to make recommendations about how the Hardship Fund should be accessed to ensure those with differing accessibility requirements and the digitally excluded would be able to access support;
- The council would ensure that core services and functions were provided and that the Executive was ensuring the budget provided improvement to those services;
- There were around forty different projects planned for the Transformation Programme for which £10m was allocated, all with differing phases and impacts; and,
- Scrutiny had assessed that the budget was prudent, safe and deliverable;

During the fifteen minutes of questions to the Cabinet Member for Finance, Councillor Jason Cummings responded that:

- £200m worth of capital receipts were included in the Medium Term Financial Strategy (MTFS);
- The council did not owe any money to Central Government for covid-related costs;
- There were various pots of money which could be used at the discretion of the council to provide support to residents who were classed as having 'no recourse to public funds', who were noted as four times more likely to fall behind on bills with Council Tax being the most common bill of this nature;

Council then debated the amendment put forward by the Green group. Councillor Ria Patel, speaking on behalf of the amendment, explained that the improvements contained in the proposed £1m allocation of money to improving active travel infrastructure in the borough was needed to make the

borough safer and more accessible, and satisfied the Mayor's need to include environmental improvements in the budget.

Councillor Esther Sutton seconded the motion and reserved her right of reply.

Councillor Chris Clark explained that the issue of active travel had been addressed in the Mayor's Business Plan, and that he support the amendment enthusiastically.

Councillor Jason Cummings explained that, even if the Conservative group voted in favour of the amendment the Green group had made it clear that they did not support the Executive's budget proposals, and so they could not support the amendment, even though they were happy to work collaboratively on these issues going forwards.

Councillor Esther Sutton expressed that they welcomed the support from the Labour group but that it was a shame the Executive would not support the proposals.

Council then voted on the amendment and:

RESOLVED, with 35 votes in favour and 34 votes against and one abstention, not to amend the budget proposals in accordance with that put forward by the Green group.

Council then debated the substantive motion, which was the Executive Mayor's original budget proposal. Members argued that:

- There were no possible alternatives to this budget;
- The rise in Council Tax would deepen existing inequalities that existed especially in Croydon;
- The £2m Hardship Fund would be in place to support the most vulnerable;
- It would be fairer to allow the residents of Croydon to vote on the increase in a referendum;
- The tens of thousands of residents who signed the petition against the increase were being ignored;
- Not passing this budget would bring the entire council to a halt, and that was not in the best interests of residents; and,
- If this budget was not passed members would need to take upon themselves the personal liability that the repercussions would entail.

Council then voted and:

RESOLVED, with 34 votes for and 36 votes against, to reject the budget proposals put forward by the Executive Mayor.

The Chief Finance Officer then outlined the requirement for members to pass a budget, and the Chair **MOVED** that members withdraw from the meeting to hold discussions in private for up to forty minutes This was **SECONDED** by Councillor Mario Creatura and **RESOLVED** to adjourn the meeting for up to forty minutes.

Members withdrew from the Chamber at 8.50 pm and returned at 9.36 pm.

Mayor Jason Perry **MOVED** the budget proposals as contained in the report. This was **SECONDED** by Councillor Jason Cummings.

Councillor Stuart King, Leader of the Opposition, on behalf of the Labour group stated that the party did not believe that the Executive had properly followed the process for increasing Council Tax by this amount, but that they understood the significance of the impact of not setting a budget, and so the members had no choice other than to abstain from the vote.

Councillor Ria Patel, speaking on behalf of the Green group, stated that they had been given no alternatives, and that they had no choice other than to vote against this budget.

Councillor Claire Bonham, Liberal Democrat member, stated she too would not be voting for this budget.

The Chair put the recommendations to the vote and Council:

RESOLVED, with 34 votes for, 3 against, and 33 abstentions to:

- 2.1 To agree an increase in the Croydon element of the 2023/24 council tax charge by 12.99% (Band D £203.95)
- 2.2 To agree a 2% increase (Band D £31.40) in the 2023/24 Adult Social Care precept levy.
- 2.3 To agree the calculation of the council tax requirement of £247.759m and council tax as set out in Appendix B (to the addendum to the Council Report of 1 March 2023 – Appendix B update) and note that the inclusion of the Greater London Authority precept will result in a total increase of 13.93% (Band D £273.90) in the overall Croydon council tax bill.

- 2.4 To approve the setting of the Council's own total net expenditure budget for 2023/24 at £340.911m (Appendix C – to the Council Report, 1st March 2023).
- 2.5 To agree the detailed programme of revenue savings, income, demand pressures and legacy budget corrections, by directorate, as recommended by Cabinet of 22 February 2023 (Appendix D – to the Council Report, 1st March 2023).
- 2.6 To agree a £10m budget in 2023/24 to support the transformation programme.
- 2.7 To agree that the Corporate Director of Resources be authorised to collect and recover National Non-Domestic Rate and council tax in accordance with the Local Government Finance Act 1988 (as amended), the Local Government Finance Act 1992.
- 2.8 To agree the Council's 2023/24 to 2026/27 General Fund Capital Programme which includes planned expenditure of £305.67m (including capitalisation directions) across the four years as recommended by Cabinet on 22 February.
- 2.9 To agree the Council 2023/24 Housing Revenue Account Capital Programme with a total investment planned of £32.62m with borrowing of nil as recommended by Cabinet on 22 February.
- 2.10 To agree the Council's Capital Strategy, drafted with the support of PwC, as detailed within Appendix A of the Capital Programme and Capital Strategy 2022/23 to 2026/27 Report to Cabinet on 22 February 2023.
- 2.11 To agree The Treasury Management Strategy Statement 2023/24 as set out in the Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2023/24 Report to Cabinet on 22 February
- 2.12 The Prudential Indicators as set out in the Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2023/24 Report to Cabinet on 22 February.
- 2.13 The Annual Minimum Revenue Provision Policy Statement (required by the Local Authorities (Capital Financing and Accounting) (England) (Amendment) Regulations 2008SI 2008/414) as set out in Appendix B

of the Minimum Revenue Provision Policy Statement and Annual
Investment Strategy 2023/24 Report to Cabinet on 22 February.

The meeting ended at 9.52 pm

Signed:

Date:

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Public Document Pack

Council

Meeting held on Wednesday, 29 March 2023 at 6.30 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

- Present:** Councillor Alisa Flemming (Chair);
Councillor Sue Bennett (Vice-Chair);
Councillors Kola Agboola, Jeet Bains, Leila Ben-Hassel, Adele Benson,
Margaret Bird, Mike Bonello, Simon Brew, Janet Campbell, Louis Carserides,
Richard Chatterjee, Chris Clark, Sherwan Chowdhury, Stuart Collins,
Mario Creatura, Jason Cummings, Nina Degrad, Danielle Denton,
Samir Dwesar, Lara Fish, Clive Fraser, Amy Foster, Simon Fox,
Gayle Gander, Maria Gatland, Brigitte Graham, Matt Griffiths, Lynne Hale,
Maddie Henson, Christopher Herman, Yvette Hopley, Mohammed Islam,
Karen Jewitt, Mark Johnson, Humayun Kabir, Stuart King, Ola Kolade,
Joseph Lee, Endri Llabuti, Stella Nabukeera, Michael Neal, Tamar Barrett,
Eunice O'Dame, Ian Parker, Ria Patel, Tony Pearson, Jason Perry,
Ellily Ponnuthurai, Holly Ramsey, Helen Redfern, Scott Roche, Manju Shahul-
Hameed, Nikhil Sherine Thampi, Luke Shortland, Appu Srinivasan,
Andy Stranack, Aladair Stewart, Esther Sutton, Catherine Wilson, Robert Ward
and Callton Young
- Apologies:** Councillor Jade Appleton, Claire Bonham, Patsy Cummings, Rowenna Davis,
Sean Fitzsimons, Patricia Hay-Justice, Enid Mollyneaux and
Chrishni Reshekaron

PART A

38/21 **Disclosure of Interests**

There were none.

39/21 **Nominations - Civic Awards**

RESOLVED, to:

Agree, under and by virtue of the provisions of the Local Government Act,
1972, to confer the title, as indicated, of Honorary Alderman / Alderwomen /
Freeman / Freewomen of The London Borough of Croydon to the named
individuals listed in Appendix A.

The meeting ended at 6.50 pm

Signed:

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Date:

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Public Document Pack

Council

Meeting held on Wednesday, 29 March 2023 at 6.35 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

- Present:** Councillor Alisa Flemming (Chair);
Councillor Sue Bennett (Vice-Chair);
Councillors Kola Agboola, Jade Appleton, Jeet Bains, Leila Ben-Hassel, Adele Benson, Margaret Bird, Mike Bonello, Simon Brew, Janet Campbell, Louis Carserides, Richard Chatterjee, Chris Clark, Sherwan Chowdhury, Stuart Collins, Mario Creatura, Jason Cummings, Patsy Cummings, Nina Degrads, Danielle Denton, Samir Dwesar, Lara Fish, Sean Fitzsimons, Clive Fraser, Amy Foster, Simon Fox, Gayle Gander, Maria Gatland, Brigitte Graham, Matt Griffiths, Lynne Hale, Maddie Henson, Christopher Herman, Yvette Hopley, Mohammed Islam, Karen Jewitt, Mark Johnson, Humayun Kabir, Stuart King, Ola Kolade, Joseph Lee, Endri Llabuti, Stella Nabukeera, Michael Neal, Tamar Barrett, Eunice O'Dame, Ian Parker, Ria Patel, Tony Pearson, Jason Perry, Ellily Ponnuthurai, Holly Ramsey, Helen Redfern, Chrishni Reshekaron, Scott Roche, Manju Shahul-Hameed, Nikhil Sherine Thampi, Luke Shortland, Appu Srinivasan, Andy Stranack, Aladair Stewart, Esther Sutton, Catherine Wilson, Robert Ward and Callton Young
- Apologies:** Councillor Claire Bonham, Rowenna Davis, Patricia Hay-Justice and Enid Mollyneaux

PART A

40/21 **Minutes of the Previous Meeting**

It was noted that there was a typographical error in the spelling of Councillor Alasdair Stewart's name.

The minutes of the meeting held on 1 March 2023 were agreed as an accurate record with the above correction.

41/21 **Disclosure of Interests**

There were none.

42/21 **Urgent Business (if any)**

There were no items of urgent business.

43/21 **Announcements**

The Chair moved to suspend Council Procedure Rules to allocate 80 minutes to the item for Questions to the Executive Mayor, and to limit each of the Maiden Speeches to two minutes.

This was seconded by Councillor Mario Creatura and agreed by Council.

The Chair then announced that they would reinstituting the Council multi-faith Chaplaincy to support members with the work they do for the community, and introduced Bishop Rosemary to say a few words about the meaning of the Chaplaincy.

The Chair also announced that there would be a Beer Festival taking place to raise money for the Civic Mayoral Charities, and also that they would be celebrating Councillor Stuart Collins' thirtieth year as a councillor, and that Councillor Collins had arranged a reception to take place after the meeting to which all members were invited.

The Chair then asked Council to stand and hold a minute's silence as a mark of respect for the death of former councillor, Dick Adamson.

The Chair then invited Executive Mayor Jason Perry to make any announcements. Mayor Perry welcomed Bishop Rosemary and the Chaplaincy team and thanked them for taking up the role.

Mayor Perry then mentioned to members there had been multiple stabbings in the area and that the council was coordinating a response with the community. There had also been increased financial support from the Violence Reduction Unit to keep young people safe in the town centre.

Mayor Perry also mentioned that DLUHC had agreed to formalise arrangements with the Assurance and Improvement Panel so that there was enough assurance to allocate more funding to support Croydon Council through the current financial hardship.

Mayor Perry finally mentioned that the Penn and Kroll investigation reports would be shared with the Metropolitan Police for them to pursue an investigation into reclaiming monies paid to the former Chief Executive and other staff and members who oversaw the bankruptcy of the council.

44/21 **Croydon Question Time**

Council received two public questions. The first was from Maureen Simpson relating to the causal factors behind the Brick by Brick and Fairfield Halls management, and how the situation can be avoided in future.

Councillor Jason Cummings, Cabinet Member for Finance, responded that a full investigation into how Brick by Brick was set up and managed had been undertaken, and that the council was in the process of winding down the company and seeking to minimise costs to taxpayers. Another investigation into the situation with Fairfield Halls, the Kroll Report, had also taken place, and that dramatic changes to governance arrangements had been made as a result. Councillor Cummings assured Council that processes were being put in place to ensure that these things never happened again.

A supplementary question around the criteria for the membership of the Cabinet board was posed, to which Councillor Cummings explained the membership would be based on the positions people held within the council and would be made up of elected members and officers.

In response to a question on Council Tax from Mark Samuel, Mayor Jason Perry responded that a cross-party committee had met and voted to refer the matter of previous financial misconduct to professional authorities and the police and that the council was pursuing the exit payment made to the former Chief Executive.

45/21 **Section 24 Statutory Recommendations Report from Grant Thornton**

Councillor Jason Cummings presented the report to Council and introduced Paul Dossett from Grant Thornton, the council's external auditor, to answer members' questions on the Section 24 Notice that had been published on the council's website.

Councillor Stuart King, Leader of the Opposition, moved to debate the recommendations which was seconded and agreed by Council.

Opening the debate, Councillor King thanked Paul Dossett for attending, and stated that the Labour Group felt the response to the Section 24 Notice was appropriate and adequate, but that members were disappointed that the recommendations did not come before Council before the budget-setting process had been concluded.

Councillor Alasdair Stewart, speaking on behalf of the Administration, welcomed the recommendations from Grant Thornton, stating that the leadership had committed to fixing past financial mistakes.

Councillor Leila Ben-Hassell, on behalf of the Opposition, stated that members had demonstrated rigorous scrutiny on spending over the last two years and that the council had been unable to cut services as quickly as Central Government had cut its funding provision, and that she hoped there would be better engagement on the budget-setting in subsequent years.

Councillor Jason Cummings summed up the debate stating that the external auditor's recommendations had been issued in response to serious issues and that they should be accepted by Council. Councillor Cummings argued that it was a good opportunity to update Grant Thornton's advice based on additional historic issues uncovered this year.

The recommendations were then put to the vote and Council:

RESOLVED, unanimously:

1. To accept the recommendations presented by Grant Thornton in Section 24 Statutory Recommendations Report attached as Appendix A to the report; and,
2. To approve the actions in response to those recommendations as set out in Appendix B to the report.

46/21 **Recommendations of Cabinet or Committees to Council for decision**

Councillor Amy Foster, Chair of General Purposes Committee, moved the recommendations as contained in the report, noting that the changes to the Council Procedure Rules were reflected in the appendices. This was seconded by Councillor Mario Creatura, and Council:

RESOLVED, unanimously, to:

1. Agree the updated version of Part 4! (Council Procedure Rules) of the Constitution (as set out in Appendix A and Appendix B); and,
2. To authorise the Monitoring Officer to make necessary updates to the Constitution.

47/21 **Quarterly Report on the use of Special Urgency Procedures in respect of Key Decisions**

The Chair moved the recommendations as set out in the report. This was seconded by Councillor Mario Creatura and Council:

RESOLVED, unanimously, to:

1. Note the use of Special Urgency for the key decision listed at section 4.4 of the report during the period January to March 2023; and,
2. To note the use of exception from call-in for the key decisions listed at section 5.3 of the report during the period January to March 2023.

48/21 **Mayor and Cabinet Questions**

Members asked questions of the Executive Mayor and Cabinet, and were informed by the Chair that the time dedicated to the item be reduced to 45 minutes so that all business on the agenda could be considered.

In response to questions, Mayor Jason Perry, assisted by Cabinet Members, stated that:

- The council continued to fund Voluntary, Community and Faith Sector activity in the borough;
- Community safety was a priority and that the council had responded by implementing a community safety plan, a Violence Against Women and Girls (VAWG) Strategy, and that the council would be delivering a youth safety plan;
- The council was working on modal shift to tackle air pollution as it opposed the expansion of the ULEZ and the Mayor believed that was a better strategy for dealing with the problem in Croydon;
- The Hardship Fund had been put in place to support residents with the rise in Council Tax and any residents who were concerned about meeting the costs of living should seek advice from the council's website;
- The Mayor recognised that access to information and digital exclusion were issues for many residents and that information was available at libraries, but that the council was investigating all avenues to improving this;
- There had been some governance failings involved in the meeting during which former and some current members resolved to grant the exit payment to the former Chief Executive, but that Mayor Perry himself had voted against the settlement agreement as he did not feel members had been given sufficient information;
- The Low Traffic Neighbourhood Schemes, the implementation of which was not completed, would be looked into when the council had more resource available for it;
- The council was looking into active travel schemes, and that the Mayor would be happy to look into the Walk for Health Scheme and liaise with members who requested information directly;
- The Assurance and Improvement Panel would make little difference to the day-to-day running of business but that its powers had been increased from advisory to statutory; and,
- The Mayor would visit the dangerous road junction referred to by Councillor Mohammed Islam and ascertain whether any LIP funding would be available to improve its safety.

49/21 **Maiden Speeches**

Council heard Maiden Speeches from:

- Councillor Holly Ramsey, Purley and Woodcote Ward;
- Councillor Chrishni Reshekaron, West Thornton Ward;

- Councillor Tony Pearson, New Addington South Ward;
- Councillor Stella Nabukeera, South Norwood Ward; and,
- Councillor Mohammed Islam, Selhurst Ward.

50/21 **Appointments**

It was moved by Councillor Mario Creatura to appoint Councillor Leila Ben-Hassell as Chair of the Scrutiny and Overview Committee for the duration of Councillor Rowenna Davis's maternity leave. This was seconded by Councillor Louis Carserides and agreed by Council.

51/21 **Council Debate Motions**

Moving the Conservative Group Debate Motion, Mayor Jason Perry stated that he shared the anger of residents and that the police would be considering whether to take action on misconduct in public office, and that legal action would be taken against the former Chief Executive.

Councillor Karen Jewitt, speaking on behalf of the Opposition, stated that the issues were collective and systematic and that lessons should be learnt, instead of seeking to blame individuals. Councillor Jewitt argued that the council did not have the time or resources to put into these investigations.

Councillor Callton Young stated that it was not clear from the council's announcement that the decisions of the former committee was cross-party, and that it was the then Monitoring Officer who informed Council that the external auditor's report would be reviewed if there were further concerns over fraud.

Councillor Lynne Hale, Deputy Mayor and Cabinet Member for Homes, stated that the financial impact from those actions would be felt by residents for many years to come, and that it was unfair and appalling that residents were now to pay for the actions of former well-remunerated public office holders, and that it was only right those people should be held to account now.

Councillor Lynne Hale seconded the motion. The Chair put the motion to the vote and Council:

RESOLVED, to:

Hold to account those who caused Croydon Council's financial downfall, and to pursue all avenues to ensure that residents' anger and desire for accountability were recognised.

The Chair then moved to extend the meeting time for up to a maximum of thirty minutes. This was seconded by Councillor Mario Creatura and agreed by Council.

Councillor Stuart King, Leader of the Opposition, then spoke in support of the Labour Group Debate Motion, stating that they had long acknowledged the financial and governance weaknesses and their role in contributing to the situation. However, Councillor King argues that the council was not meeting its best value duty and that members needed to put their differences aside to improve.

Councillor Jason Cummings, on behalf of the Administration, argued that the recent direction from the Assurance and Improvement Panel was disappointing but reasonable given the level of support required from Central Government to set a balanced budget. Councillor J Cummings also stated that collaboration had improved on previous years and that he pledged to continue to do cross-party engagement to improve outcomes.

Councillor Richard Chatterjee expressed the need to listen to each other for the betterment and protection of the council's communities, and that Scrutiny had been achieving this by collectively adopting an independent mindset for good decision-making, as advised by the Centre for Governance and Scrutiny (CFGs).

Councillor Chris Clark welcomed commitment to cross-party talks to ensure that together members were able to achieve the changes needed in the community now and over the next three years.

Councillor Chris Clark seconded the motion. The Chair then put the motion to the vote, and Council:

RESOLVED, to:

Call on the Mayor to set out how he intended to work more collaboratively with councillors from all political parties represented on the Council to ensure the authority continued its improvement journey at greater pace.

The meeting ended at 9.40 pm

Signed:

Date:

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LONDON BOROUGH OF CROYDON

REPORT:	Council	
DATE OF DECISION	Wednesday 17 May 2023	
REPORT TITLE:	Political Balance of the Council and Composition of Committees	
CORPORATE DIRECTOR / DIRECTOR:	Stephen Lawrence-Orumwense <i>Director of Legal Services and Monitoring Officer</i>	
LEAD OFFICER:	Adrian May Interim Head of Democratic Services	
DECISION TAKER:	Council.	
KEY DECISION?	No	N/A
CONTAINS EXEMPT INFORMATION?	No	Public
WARDS AFFECTED:	<i>All</i>	

1 SUMMARY OF REPORT

- 1.1 This report fulfils the Council's duty to review and determine the representation of different political groups on certain committees at its annual meeting or as soon as practicable thereafter. The subsequent duty to make appointments to those committees, giving effect to the wishes of the political groups allocated the seats, is dealt with in a separate report to be considered by Council at this meeting.

2 RECOMMENDATIONS

For the reasons set out in the report Council is recommended to:

- 2.1 Note that the Council is comprised of 34 Labour Group members, 34 Conservative Group members (including the Executive Mayor), two Green Group members, and one Liberal Democrat member; and,
- 2.2 Agree the size of committees and the allocation of seats on committees as set out in this report.

3 REASONS FOR RECOMMENDATIONS

- 3.1 The Council has a statutory duty to review and determine the representation of different political groups on certain committees at its annual meeting or as soon as practicable thereafter. This report fulfils that duty for the municipal year 2023-24.

4 BACKGROUND AND DETAILS

- 4.1 The rules on political balance and committees are set out in sections 15 to 17 of the Local Government and Housing Act 1989 (the 1989 Act) and supplemented by the Local Government (Committees and Political Groups) Regulations 1990.
- 4.2 The Council is required to review the representation of different political groups on certain committees at, or as soon as practicable, after its annual meeting.
- 4.3 As soon as practicable after the review, the Council then has a duty to determine the allocation to the different political groups all the seats on the relevant committees. The allocation is determined by applying the political balance rules prescribed by section 15(5) of the 1989 Act. These rules are set out in the next paragraph and are designed to ensure that the political composition of the Council's committees, as far as possible, replicates the political composition of the Council.
- 4.4 The rules are that seats on relevant committees must be allocated to different political groups (i.e. a group of two or more members), so far as reasonably practicable, in accordance with the following four principles:
- (a) That not all the seats on the body are allocated to the same political group. In other words, committees/sub-committees comprising solely of members of the same political group are not allowed.
 - (b) That the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership. As no political group has an overall majority, this rule is not applicable.
 - (c) Subject to paragraphs (a) and (b) above, that each political group is allocated the same proportion of the total seats across all the ordinary committees of the Council as the proportion of the members of the Council that belong to that group. In other words, the total number of seats on certain committees (see **Table** below) have to be taken together and then allocated proportionately to each political group so far as is possible.
 - (d) Subject to paragraphs (a) to (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the

proportion of the members of the Council that belong to that group.

- 4.5** Following the elections on 5 May 2022, the two main political groups in the Council remain as the Labour Group and the Conservative Group. The Council also has two Green Party members and one Liberal Democrat member. There have also been two by-elections since the May 2022 elections; both were won by Conservative group members.
- 4.6** The political balance calculations for the purposes of the Annual Council Meeting are therefore based on 71 Members (70 Councillors plus the Executive Mayor).
- 4.7** The Constitution, as changed with the approval of Full Council in March 2022, states that the Executive Mayor: “if a member of a political group will be taken into account when calculating seat allocations on Committees and Sub-Committees of which they are a member ...”.
- 4.8** Accordingly, political balance calculations will be based on the following split:
- Labour: 34/71 = 47.9%
- Conservative: 34/71 = 47.9%
- Green: 2/71 = 2.8%
- Liberal Democrat: 1/71 = 1.4%
- 4.9** Principle (c) refers to “ordinary committees” which, under the 1989 Act, means those committees appointed under Section 102(1)(a) of the Local Government Act 1972. These committees are listed in the **Table** below as well as proposed committee sizes and seat allocations. Provided that the prescribed number of seats are allocated based on statutory entitlement, ultimately, it is for Members to decide which political group is allocated seats on which particular committee:

Committee	Size	Lab 47.9%	Cons 47.9%	Green 2.8%	Lib Dem 1.4%
Appointments and Disciplinary	6	3	3		
Appeals *	6	3	3		
Audit and Governance**	7	3	3		1
Ethics	6	2	3	1	
General Purposes	8	4	4		
Licensing	12	6	5	1	
Civic Mayoralty and Honorary Freedom Selection	6	3	3		
Pension****	8	4	4		
Planning	10	5	5		
TOTAL	69	33 (47.92)	33 (47.9)	2 (2.89)	1 (1.44)

* Members who shall not be members of Appointments and Disciplinary Committee but **must** include at least one member of the Executive.

** Membership includes one independent, suitably qualified Chair who may not be a member or officer of the Council. The membership also comprises one independent, suitably qualified co-optee.

*** Membership includes one Staff Side non-voting co-opted member and two Pensioner Side co-opted Members (one voting co-opted member and one non-voting co-opted member).

4.10 The Licensing Committee is included because it is established as an ordinary committee of the Council and, at the same time, as the Council's mandatory committee under the Licensing Act 2003. In other words, it is a hybrid committee which discharges all the Council's licensing functions at Member level.

4.11 Applying the political balance rules, the 3 political groups of the Council are entitled to 67 of the ordinary 68 seats and the remaining seat has to be given to the Liberal Democratic Member under section 16(2A) of the 1989 Act as amended by the

regulations already referred to.

- 4.12** Principles (a), (b) and (d) apply to a “body” to which the Council makes appointments. The 1989 Act provides that the bodies to which this principle applies include ordinary committees (see **Table** above), ordinary sub- committees, advisory committees and sub-committees and certain joint committees where at least 3 seats are filled by appointments made by the Council.
- 4.13** Principle (c) does not apply to the Scrutiny and Overview Committee but the other principles do which means that the Labour and Conservative groups are entitled to an allocation of 3 seats each. This reflects the membership of the Council so far as is possible based on the size of the committee.
- 4.14** As soon as possible after Full Council has changed the membership of committees following a review of the representation of different political groups on committees (as set out above), committees which have sub-committees are required in turn to review political balance, allocate seats and make appointments in accordance with the wishes of political groups in respect of their own sub-committees.
- 4.15** In the past, the allocation of seats and appointment of Members to the sub-committees of the Scrutiny and Overview Committee has been dealt with at the Annual Council Meeting itself. Technically, this must be done at a meeting of the Scrutiny and Overview Committee. This year, on the rise of Annual Council, a short single item meeting of the Scrutiny and Overview Committee will be arranged so that it can fulfil its statutory political balance duties.
- 4.16** The political balance rules do not apply to the Health and Well-being Board.
- 4.17** The Local Pension Board is constituted under the Public Service Pensions Act 2013 and the Local Government Pensions Scheme (Amendment) Regulations 2015. It is not a committee of the Council and the proportionality rules do not apply to the Board which has three employer representatives and three employee representatives and an Independent non-voting Chair. One of the Employer representatives is a Councillor. The other employer representatives are employers who are Admitted Bodies.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1** The law does allow councils to depart from the political balance rules but only if notice of proposals to adopt alternative arrangements is given in the summons to attend the meeting and, at the meeting, no member votes against them. No such

notice is included in the summons to this meeting and therefore that option is not available to Members.

6 CONSULTATION

- 6.1** Political Group leads have been approached in advance of this meeting to ensure arrangements are made in accordance with the rules of political balance.

7. CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1** This report contributes to priority 4: Ensure good governance is embedded and adopt best practice.

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

8.1.1 There are no financial implications in this report.

8.1.2 Comments approved by Lesley Shields, Head of Finance for Assistant Chief Executive and Resources on behalf of the Director of Finance. 09/05/23

8.2 LEGAL IMPLICATIONS

8.2.1 The law relevant to the decisions to be made by Members is explained and applied in the body of report. By sections 101 and 102 of the Local Government Act 1972 the Council has the power to arrange for its functions to be discharged in a number of different ways. These include by appointing committees.

8.2.2 Comments approved by Looqman Desai, Deputy Monitoring Officer on behalf of the Director of Legal Services and Monitoring Officer. (Date 24/04/2023)

8.3 EQUALITIES IMPLICATIONS

8.3.1 Whilst political parties are not bound by law to implement the Public Sector Equality Duty, the underlying principle of the Equality Act 2010 is that everyone should be treated fairly and has opportunities to fulfil his or her full potential. However, by virtue of providing leadership in the provision of Public Sector Services, members appointed to Local Government committees are bound by the requirements of the Public Sector Equality Duty.

8.3.2 As a public body, the Council is required to comply with the Public Sector Equality Duty (PSED) as set out in the Equality Act 2010. The PSED requires the

Council to have due regard to the need to eliminate discrimination, harassment or victimisation and advance equality of opportunity and foster good relations between different people when carrying out their activities and functions.

- 8.3.3** The Equality Act 2010 can help increase diversity and improve participation in the democratic institutions. By fully reflecting the people they serve and the society in which they live, political parties can be more inclusive and make decisions that work for everyone.

John Mukungunugwa, Equalities Officer on behalf of Denise McCausland the Equalities Programme Manager . (Date: 04/05/2023)

8.4 HR IMPLICATIONS

- 8.4.1** There are no immediate HR implications arising from the content of this report.

- 8.4.2** Comments approved by Gillian Bevan, Head of HR Resources and Assistant Chief Executives Directorates on behalf of the Chief People Officer. (Date: 2/5/23)

9. APPENDICES

- 9.1** None.

10. BACKGROUND DOCUMENTS

- 10.1** None.

11. URGENCY

- 11.1** None.

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LONDON BOROUGH OF CROYDON

REPORT:	Council	
DATE OF DECISION	Wednesday 17 May 2023	
REPORT TITLE:	Appointments	
CORPORATE DIRECTOR / DIRECTOR:	Stephen Lawrence-Orumwense <i>Director of Legal Services and Monitoring Officer</i>	
LEAD OFFICER:	Adrian May Interim Head of Democratic Services	
KEY DECISION?	No	N/A
CONTAINS EXEMPT INFORMATION?	No	Public
WARDS AFFECTED:	<i>All</i>	

1 SUMMARY OF REPORT

- 1.1** This report fulfils the requirements for the Council to make appointments to various committees and other bodies. This includes making appointments after reviewing and determining the representation of different political groups on certain committees giving effect to the wishes of the political group allocated the seats.
- 1.2** This report also sets out appointments to other committees and bodies and, where applicable, appointments of Chairs, Vice/Deputy-Chairs, and substitutes.

2 RECOMMENDATIONS

For the reasons set out in the report Council is recommended to:

- 2.1** Make appointments to committees giving effect to the wishes of the relevant political groups as set out in Appendix A to this report, where political balance rules apply;

- 2.2** Make appointments to other committees, panels, working groups, boards and outside bodies as set out in Appendix B to this report;
- 2.3** Agree the suspension of paragraph 2.3 of the Non-Executive Procedure Rules (Part 4F of the Constitution) for the 2023/24 municipal year;
- 2.4** Wherever applicable, to appoint Chairs and Vice/Deputy-Chairs and substitutes to those non-executive committees detailed in Appendix A to this report, without prejudice to the provisions set out in paragraph 2.4 of Part 4F of the Constitution, which would continue to apply enabling in-year vacancies to either the Chair or Vice/Deputy-Chair to be filled by election at the first meeting of the relevant committee or sub-committee, following notification to the Monitoring Officer;
- 2.5** Receive, for information, the following executive appointments made by the directly elected Mayor;
- i) The appointments of Cabinet Members, Cabinet Committees and Deputy Cabinet Members (as appropriate) (Appendix A);
 - ii) The appointments to Joint Committees (as appropriate) (Appendix A);
 - iii) The appointments to London Councils Committees (as appropriate) and panels and Local Government Association bodies (Appendix B); and,
- 2.6** Receive, for information:
- i) The appointments by the directly elected Mayor to those outside bodies, which relate to the exercise of an executive function (marked (*) as detailed in Appendix B);
 - ii) The appointments of Leader of the Opposition and Shadow Cabinet (Appendix A); and,
 - iii) The appointments of political party group officers (Appendix A).

3 REASONS FOR RECOMMENDATIONS

- 3.1** The recommendations fulfil the Council's statutory and constitutional requirements.

4 BACKGROUND AND DETAILS

- 4.1** This report follows on from a report also to be considered by Members at the Annual Council Meeting on 'Political Balance of the Council and Composition of Committees'. That report deals with the Council's duty to review and determine the representation of different political groups on certain committees and allocate seats.
- 4.2** This report is concerned with the subsequent duty to make appointments to those committees, giving effect to the wishes of the political groups allocated the seats. The appointments, including the appointment of substitutes (if applicable) are set out in Appendices A and B. The wishes of the party-political groups represented on the Council are listed in the attached appendices and are marked 'For agreement'.
- 4.3** This report is also concerned with all other appointments Council has to make or is being asked to receive/note as set out in Appendices A and B.
- 4.4** Although the Corporate Parenting Panel is not established as a formal committee of the Council, its terms of reference are included in the Constitution (Part 6E) and it has been re-established annually since 2007 as an informal advisory body to the Cabinet Member with responsibility for Children's Services and provides that four Members of the Administration, including, and to be chaired by, the Cabinet Member with responsibility for Children's Services, and four members of the Opposition will form the composition of the Board.
- 4.5** In accordance with Article 7 of the Council's Constitution, the power to make Executive Appointments is reserved to the Mayor of the Council under the 'Directly Elected Mayor and Cabinet' model of decision making. This includes positions such as Cabinet Members and portfolios, Cabinet Committees and Joint Committees exercising Executive functions.
- 4.6** Those Executive appointments made by the Mayor of the Council are listed in Appendices A and B and are marked 'For information'.
- 4.7** In accordance with Part 4A and Part 6A of the Council's Constitution, Annual Council is also asked to receive for information, those appointments made by political parties represented on the Council.
- 4.8** Those appointments are also detailed in the appendices' appointment schedules attached to this report and are marked 'For noting'. Council is asked to note those appointments.
- 4.9** Appointments to outside bodies are made for four years following local elections. Annual appointments in following years are restricted to those organisations that require annual appointments or where Members are unable to continue their membership.

- 4.10** In respect of Executive appointments to outside bodies, Article 4.1 (g) of the Constitution provides that the Mayor or the Monitoring Officer, after consultation with the relevant Cabinet Member, may make appointments to outside bodies as necessary during the year. In respect of non-Executive appointments, the General Purposes Committee or the Monitoring Officer, after consultation with the Chair of the General Purposes Committee, may make appointments to outside bodies as necessary during the year.
- 4.11** Over the last few years, with the exception of the Licensing Act Sub-Committee, Chairs and Vice-chairs were appointed by Annual Council instead of being appointed at the first meeting of each committee. For different reasons, because on some committees the Labour and Conservative Groups have the same number of Members, Council is therefore recommended to consider suspending the Constitution (i.e. Part 4F, Non-Executive Procedure Rules, para 2.3) so that Chairs and Vice/Deputy-Chairs are appointed by Annual Council instead.
- 4.12** This is without prejudice to the provisions in paragraph 2.4 of Part 4F of the Constitution which provides that in the event of an in-year appointment to the position of Chair or Vice Chair, this may continue to be filled at the first meeting of the relevant committee or sub-committee following notification to the Monitoring Officer.
- 4.13** As soon as possible after Council has appointed to committees, committees who have sub-committees are required in turn to review political balance, allocate seats and make appointments in accordance with the wishes of political groups in respect of their own sub-committees.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1** Not applicable.

6 CONSULTATION

- 6.1** Political groups have been approached in advance so that arrangements for committees and other decision-making bodies can be managed in advance of this Council meeting.

7. CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1** This report contributes to priority 4: Ensure good governance is embedded and adopt best practice.

8. IMPLICATIONS

- 8.1 FINANCIAL IMPLICATIONS**

- 8.1.1** The Scheme of Members' Allowances was approved by the General Purposes Committee on 21 February 2023 and was adopted by Council at its meeting on 1 March 2023. The various appointments may involve Special Responsibility Allowances, which are included in the existing budgets and approved in the Scheme of Members' Allowances which is detailed in Part 6A of the Constitution of the London Borough of Croydon.
- 8.1.2** Comments approved by Lesley Shields, Head of Finance for Assistant Chief Executive and Resources on behalf of the Director of Finance. 09/05/23

8.2 LEGAL IMPLICATIONS

- 8.2.1** The law relevant to political balance and composition of committees is explained and applied in an earlier report of the same title to be considered by Members before this report.
- 8.2.2** By sections 101 and 102 of the Local Government Act 1972 the council has the power to arrange for its functions to be discharged in a number of different ways. These include by appointing members to committees.
- 8.2.3** Comments approved by Looqman Desai, Deputy Monitoring Officer on behalf of the Director of Legal Services and Monitoring Officer. (Date 24/04/2023)

8.3 EQUALITIES IMPLICATIONS

- 8.3.1** Whilst political parties are not bound by law to implement the Public Sector Equality Duty, the underlying principle of the Equality Act 2010 is that everyone should be treated fairly and has opportunities to fulfil his or her full potential. However, by virtue of providing leadership in the provision of Public Sector Services, members appointed to Local Government committees are bound by the requirements of the Public Sector Equality Duty.
- 8.3.2** As a public body, the Council is required to comply with the Public Sector Equality Duty (PSED) as set out in the Equality Act 2010. The PSED requires the Council to have due regard to the need to eliminate discrimination, harassment or victimisation and advance equality of opportunity and foster good relations between different people when carrying out their activities and functions.
- 8.3.3** The Equality Act 2010 can help increase diversity and improve participation in the democratic institutions. By fully reflecting the people they serve and the society in which they live, political parties can be more inclusive and make decisions that work for everyone. However, positive action cannot be legally forced on political parties.
- 8.3.4** Comments approved by John Mukungunugwa, Equalities Officer, on behalf of the Equalities Programme Manager on 04/05/2023.

8.4 HR IMPLICATIONS

8.4.1 There are no immediate HR implications arising from the content of this report.

8.4.2 Comments approved by Gillian Bevan, Head of HR Resources and Assistant Chief Executives Directorates on behalf of the Chief People Officer. (Date: 2/5/23)

9. APPENDICES

9.1 *A Appointments – Blues – Appointments to Cabinet, Cabinet Committees, Deputy Cabinet Members, Statutory Executive Joint Committees, Leader of the Opposition and Shadow Cabinet, Non-Executive Committee appointments, Political Party Group Officers – May 2023*

B Appointments – Pink – Appointments to London Councils, Local Government Association, Internal Panels, Consultative Bodies, Outside Bodies, Strategic Partnerships - May 2023

10. BACKGROUND DOCUMENTS

10.1 None.

11. URGENCY

11.1 N/A