

LONDON BOROUGH OF CROYDON

To: All Member of Council
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STATEMENT OF EXECUTIVE DECISIONS MADE BY EXECUTIVE MAYOR IN CABINET ON 24 MAY 2023

This statement is produced in accordance with Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. Further to the associated public notice of Key Decisions no scrutiny call-in has been received, and therefore the following decisions can be implemented.

The following apply to the decisions listed below:

Reasons for these decisions:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3571>

Other options considered and rejected:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3571>

Details of Conflicts of Interest declared by the Decision Maker: None

Note of dispensation granted by the head of paid service in relation to a declared conflict of interest by that Decision Maker: None

The Executive Mayor has made the executive decisions noted out below:

Key Decision no.: N/A

Decision Title: SCRUTINY STAGE 1: RECOMMENDATIONS ARISING FROM SCRUTINY

Details of decision:

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

RESOLVED: To

1. Receive the recommendation arising from the meeting of the Scrutiny & Overview Committee held on 28 March 2023 (Appendix 1)
2. To provide a substantive response to the recommendation (a Scrutiny Stage 2 Report) within two months (i.e. at the Cabinet meeting on 26 July 2023).

Decision Title: SCRUTINY STAGE 2: RESPONSES TO RECOMMENDATIONS ARISING FROM STREETS & ENVIRONMENT SUB-COMMITTEE

Details of decision:

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

RESOLVED:

To approve the response and action plans attached to this report at Appendix A and that these be reported to the Scrutiny and Overview Committee or relevant Sub-Committees.

Key Decision no.: N/A

Decision Title: MONTH 11 FINANCIAL PERFORMANCE REPORT 2022/23

Details of decision:

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

RESOLVED: To

- 1.1. Note the General Fund revenue budget outturn is forecast to be balanced at Month 11.
- 1.2. Note the forecast elimination of the planned contribution to General Fund Reserves of £6.9m for 2022-23.
- 1.3. Note the progress of the MTFS savings as summarised in Table 4 and detailed in Appendix 3.
- 1.4. Note the Housing Revenue Account (HRA) forecast overspend of £1.2m.
- 1.5. Note the Capital Programme spend to date for the General Fund of £25.6m (which excludes forecast capitalisation direction of £186.6m to come) against a budget of £254.5m) with a forecast underspend of £19.7m.
- 1.6. Note the Housing Revenue Account Capital Programme spend to date of £21.6m (against a budget of £27.4m), with a forecast underspend of £0.7m.
- 1.7. Note the above figures are predicated on forecasts from Month 11 to the year end and therefore could be subject to change as forecasts are made based on the best available information at the time.

- 1.8. Note the Council continues to operate Spending Control Panels to ensure that tight financial control and assurance oversight are maintained. A new financial management culture is being implemented across the organisation through increased scrutiny such as the monthly assurance meetings, improved communication, and budget manager training from CIPFA.

Key Decision no.: 0523EM

Decision Title: WASTE AND STREET CLEANSING SERVICE COMMISSIONING APPROACH FOR SERVICE DELIVERY (RE-PROCUREMENT WASTE AND STREET CLEANSING SERVICE)

Details of decision:

Having carefully read and considered the Part A report, the associated confidential part B report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED: To

- 1.1. To approve the procurement strategy set out in this report for the procurement (via a Competitive Dialogue process) of waste and recycling collections, footway winter maintenance, vehicle maintenance and street cleaning, for a term of 8 years, with an option to extend for a further two periods of 8 years each by mutual consent for a maximum contract value of £432m over the maximum contract term of 24 years
- 1.2. To agree that better and more economic options for the provision of a Clinical Waste Service will be explored as a separate procurement
- 1.3. To agree that the procurement of new recycle off-take contracts for the Council's domestic recycling material will be explored through the South London Waste Partnership and that any proposed commissioning of such services will be subject to the Council's governance process.
- 1.4. To note the findings from the recent resident engagement survey and focus groups to help shape the design and specification of the new service.
- 1.5. To note that the final specification to be issued with the Invitation to Submit Final Tenders (following the discussions with bidders under the Competitive Dialogue process) will be subject to the approval of the Corporate Director of Sustainable Communities, Regeneration and Economic Recovery in consultation with the Executive Mayor and Lead Cabinet Member for Street and Environment
- 1.6. To note that a report will be presented to Cabinet in June 2024 highlighting the outcome of the proposed procurement along with recommendation of Preferred Bidder and their proposed fully costed solution. This will include

details of the proposed governance arrangements to manage the contract supported by the resourcing levels for the monitoring of the services performance

Key Decision no.: 3523EM

Decision Title: A PUBLIC SPACE PROTECTION ORDER (PSPO) IN CROYDON THORNTON HEATH

Details of decision:

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

RESOLVED:

To authorise consultation with members of the public and partners on implementing a PSPO in the Thornton Heath and surrounding area.

Key Decision no.: 1023EM

Decision Title: HOUSEHOLD SUPPORT FUND APRIL 2023 – MARCH 2024 ALLOCATION PROPOSAL

Details of decision:

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

RESOLVED:

- 1.1. To agree to accept the UK Government allocation of £6,027,379 Household Support Fund (HSF) extension for Croydon for the period 1 April 2023 – March 2024, and make the necessary budget provisions.
- 1.2. To consider and agree the proposed allocation and administration of the HSF as defined in the HSF Allocation Proposal (Appendix 1 to this report)
- 1.3. To note the requirement for and to delegate authority to Cllr Lynne Hale Deputy Mayor and Cabinet Member for Homes and Jane West Corporate Director of Resources to sign off the delivery plan for submission to the DWP by 2 June 2023, and for Jane West Corporate Director of Resources and S.151 Officer to sign off the periodic Management Information (MI) reports for DWP thereafter.

- 1.4. To delegate authority to allow for the flexibility of repurposing funds to Jane West Corporate Director of Resources and S.151 Officer in consultation with DWP.
- 1.5. To agree the proposal for officers to update the Executive Mayor and Cllr Lynne Hale Deputy Mayor and Cabinet Member for Homes on progress on the delivery of the fund in November 2023.

Key Decision no.: N/A

Decision Title: COUNCIL APPROACH TO DAMP AND MOULD

Details of decision:

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

RESOLVED:

To note the Council's approach to damp and mould in council homes and the private rented sector.

Key Decision no.: 3723EM

Decision Title: ANNUAL ASSET DISPOSAL PLAN 2023/24 AND LEASE RENEWALS AND RENT REVIEW SETTLEMENTS FOR VARIOUS COMMERCIAL PROPERTIES

Details of decision:

Having carefully read and considered the Part A report, the associated confidential part B report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED:

- 1.1. To approve the Annual Assets Disposal Plan (AADP) for the financial year 2023/24, which includes lettings and re-lettings, as set out in Appendix 1 of this report together with indicative values in Appendix 2 (exempt appendix).
- 1.2. To delegate authority to the Corporate Director of Resources and s151 Officer to agree the terms and final price for each disposal included within the AADP.
- 1.3. To delegate authority to the Corporate Director of Resources and S151 Officer, in consultation with the Cabinet Member for Finance and Executive Mayor, to agree any variance to the list of proposed disposals.

- 1.4. To delegate authority to the Corporate Director of Resources and s151 Officer to agree terms for all lettings, leases and rent review settlements for all Council assets.
- 1.5. The delegations in this report shall only be exercised following:
 - i. sign off of a business case by the Corporate Management Team (CMT) including full financial assessment;
 - ii. formal Red Book valuation, if required on a property to be sold; and
 - iii. formal marketing unless there is a clear special purchaser or offer made considerably in excess of the market value.
- 1.6. To note that the target value for disposals for 2023 /2024 is a minimum of £50m.
- 1.7. To note that progress against the AADP and any variations, shall be reported to Cabinet annually.
- 1.8. To approve a re-drafting of the Financial Regulations to reflect the proposed decision-making changes relating to Assets, set out in this report (and any clarifications thereto), to be reported to the Constitution Working Group with a view to seeking recommendations from the General Purposes Committee and/ or the Cabinet Member for Finance and the Executive Mayor in Cabinet for onward recommendations to Full Council.

Key Decision no.: N/A

Decision Title: CROYDON COUNCIL COMPANIES (EXCLUDING BRICK BY BRICK CROYDON LTD) UPDATE REPORT

Details of decision:

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

RESOLVED:

- 1.1. To approve the expansion of the Croydon Companies Supervision and Monitoring Panel (CCSMP) Terms of Reference to include oversight of charities.
- 1.2. To approve that the Interim Director of Commercial Investment & Capital may seek the dissolution of Croydon Affordable Dwellings LLP and Croydon Affordable Homes (Taberner House) LLP (subject to formal decision making of the LLPs) and delegate authority to the Corporate Director of Resources

and Section 151 Officer to take any steps to finalise and sign any relevant documents to give effect to a dissolution (if approved).

- 1.3. To delegate authority to the Corporate Director of Resources and Section 151 Officer to review, and remove where appropriate, Council Officers from being Directors of companies and charities in those cases whereby the companies/charities are not controlled by the Council.
- 1.4. To delegate authority to the Corporate Director of Resources and Section 151 Officer to approve indemnities for Directors, following the protocol for outside bodies and in consultation with CCSMP.
- 1.5. To note the update on the current position of Croydon Affordable Homes and Croydon Affordable Tenures.
- 1.6. To note the status of companies that the Council has an ownership interest or other interest in, included in the Company companies' matrix in Appendix 1.

Key Decision no.: N/A

Decision Title: ADULT SOCIAL CARE & HEALTH MARKET POSITION STATEMENT

Details of decision:

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

RESOLVED:

- 1.1. Support the content of the ASCH Market Position Statement (Appendix 1) to ensure ASCH can signal clear intentions and opportunities to the market;
- 1.2. Note the feedback from residents and local providers following consultation on the contents of the Market Position Statement at our Resident Voice Group and Provider Forums as outlined in section 4.4;
- 1.3. Note the publication of the ASCH Market Position Statement on the London Borough of Croydon website.

Key Decision no.: N/A

Decision Title: LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN REPORT FINDING OF FAULT CAUSING INJUSTICE AND REPORT BY THE MONITORING OFFICER UNDER SECTION 5A OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989

Details of decision:

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

RESOLVED: To

- 1.1. Consider the public interest report dated 29 November 2022 regarding the events from 2016 – 19, and the recommendations made by the Local Government & Social Care Ombudsman (LGSCO) in relation to Croydon Council set out in Appendix 1.
- 1.2. Accept the findings and agree the recommendations set out in the public interest report.
- 1.3. Endorse the actions taken by the Council and note the steps, progress, and timeline to implement the recommendations set out in section 7 of this report.
- 1.4. Adopt the report as the Council's formal response under section 31 of the Local Government Act 1974 to be communicated to the Ombudsman.
- 1.5. Adopt the report as the Executive's formal response as required by section 5A of the Local Government and Housing Act 1989 for distribution to all members and the Monitoring Officer.

Signed: Monitoring Officer

Notice date: 05 June 2023