

LONDON BOROUGH OF CROYDON

To: All Member of Council
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STATEMENT OF EXECUTIVE DECISIONS (KEY AND NON-KEY) MADE BY THE EXECUTIVE MAYOR IN CABINET ON 24 APRIL 2024

This statement is produced in accordance with Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In accordance with the Scrutiny and Overview Procedure Rules the following decisions (those which are identified as Key Decision) may be implemented from **1300 hours on 3rd May 2024** unless referred to the Scrutiny and Overview Committee (after 13.00 hours on the 6th working day following the day on which the decision was taken [or decision notice published, if the decision notice is published later than the day of the decision]). The call-in procedure is appended to this notice. Please contact the Scrutiny team for further information if required.

The following apply to the decisions listed below:

Reasons for these decisions:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CIId=183&MIId=3581&Ver=4>

Other options considered and rejected:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CIId=183&MIId=3581&Ver=4>

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

Agenda Item **5** **SCRUTINY STAGE ONE**

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 Cabinet

RESOLVED to:

1. Receive the recommendation arising from the meeting of the Streets & Environment Sub-Committee held on 30 January 2024 (Appendix 1).
- 2.2 To provide a substantive response to the recommendation (a Scrutiny Stage 2 Report) at the Cabinet meeting on 26 June 2024

Agenda Item: 6 HOMELESSNESS AND ROUGH SLEEPING STRATEGY 2024 -2029

Key Decision no.: 0324H

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 Cabinet

RESOLVED:

- 2.1 Considered and Agreed;
 - 2.1.1 the Homelessness and Rough Sleeping Strategy 2024- 2029 as detailed in Appendix A;
 - 2.1.2 the Homelessness and Rough Sleeping Strategy Summary Review detailed in Appendix B; and
 - 2.1.3 the Summary Homelessness and Rough Sleeping Consultation Report detailed in Appendix C
- 2.2 Delegate authority to the Corporate Director of Housing to make minor amendments to the Strategy in consultation with the Executive Mayor and Cabinet Member for Homes following agreement by the Executive Mayor but prior to its recommendation and adoption by full Council.
- 2.3 For the reasons set out above **RECOMMEND TO FULL COUNCIL** the adoption of:
 - 2.3.1 the Homelessness and Rough Sleeping Strategy 2024-2029 as set out in Appendix A;
 - 2.3.2 the Homelessness and Rough Sleeping Strategy Summary Review in Appendix B; and

2.3.3 the Homelessness and Rough Sleeping Consultation Report in Appendix C.

Agenda Item: 7 NEC HOUSING SYSTEM PHASE 2 IMPLEMENTATION

Key Decision no.: 0224H

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:

- 2.1 To make a one off draw down from Housing Revenue Account reserves to fund:
 - 2.1.1 One off cost for interim technical specialists to deliver the planned 12-month continuation phase of the NEC Housing project for the year 2024/25 at a cost of £1.459m
 - 2.1.2 Purchase of the NEC Risk module at a value of £56k bringing the total one off cost of £1.515m including the amount stated in 2.1.1.
- 2.2 To note that the portion of this project met by the General Fund is £156,000 in 2024/25 for the work done on Homelessness and Allocations.
- 2.3 To note that a permanent team for the ongoing improvements and internal support of the system is to be recruited.
- 2.4 To note that any contract related decisions will be made in accordance with the Tenders and Contracts Regulations and Public Contracts Regulations 2015.

Key Decision no.: N/A

Agenda Item 8 PERIOD 10 FINANCIAL PERFORMANCE 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:

- 2.1 to note the General Fund revenue budget outturn is forecast to underspend by £1.3m at Period 10, after the budgeted utilisation of £63m capitalisation directions requested from DLUHC.
- 2.2 to note the progress in Medium Term Financial Strategy (MTFS) savings achievement of £32.4m (89.8%) against the total savings target of £36.1m as set out in paragraph 4.106.
- 2.3 to note the work that has commenced on the Council's Transformation Programme as set out from paragraph 4.101.
- 2.4 to note the Housing Revenue Account (HRA) revenue budget outturn is forecast to overspend by £12.0m.
- 2.5 to note the General Fund capital programme 2023-24 forecast underspend of £23.2m against the capital budget of £124.0m.
- 2.6 to note the HRA capital programme 2023-24 forecast overspend of £1.8m against the capital budget of £39.2m.
- 2.7 to note the Council's historic borrowing and subsequent debt burden continues to be critical to the non-sustainability of the Council's revenue budget. Dialogue with the Department for Levelling Up, Housing and Communities (DLUHC) continues, and the Council is seeking further financial support from Government in regard to its level of structural indebtedness to ensure it can deliver sustainable Local Government services.
- 2.8 to note that the Council continues to operate Spend Control Panels to ensure that tight financial control and assurance oversight are maintained.
- 2.9 to note that current forecasts are based on the best available information at the time and will be subject to review and change during the financial year.

Key Decision no.: N/A

**Agenda Item 9 HOUSING OMBUDSMAN DETERMINATIONS 2023 -
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:

2.1 To note the Housing Service responses to these severe maladministration determinations at the strategic level within the Housing Transformation Programme, and action plans at a service level to address specific service concerns raised by these HO determinations.

Signed: Monitoring Officer

Notice date: 25 April 2024

Contact: Petra Stephenson, Democratic Services,
Petra.Stephenson@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 3 May 2024** unless referred to the Scrutiny and Overview Committee (after 13.00 hours on the 6th working day following the day on which the decision was taken [or decision notice published, if the decision notice is published later than the day of the decision]). The call-in procedure is appended to this notice.
2. The Council Solicitor shall refer the matter to the Scrutiny and Overview Committee if so requested by:-
 - i) the Chair and Vice Chair of the Scrutiny and Overview Committee and 1 member of that Committee; or for education matters the Chair, Vice Chair and 1 member of that Committee; or
 - ii) 20% of Council Members (14)
3. The referral shall be made on the approved pro-forma (*attached*) which should be submitted electronically or on paper to Democratic Services by the deadline stated in this notice. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
 - i) The grounds for the referral
 - ii) The outcome desired
 - iii) Information required to assist the Scrutiny and Overview Committee to consider the referral
 - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision. The Chair of the Scrutiny & Overview Committee shall also be notified.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Overview Committee unless, in view of the Council Solicitor, this would cause undue delay. In such cases the Council Solicitor will consult with the decision taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny & Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee will give to the call in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet shall then reconsider the decision, amending the decision or not, before making a final decision.

8. The Scrutiny and Overview Committee may refer the decision to the Council if it considers that the decision is outside of the budget and policy framework of the Council. In such circumstances, the provisions of Rule 7 of the Budget & Policy Framework Procedure Rules (Part 4C of the Constitution) apply. The Council may decide to take no further action in which case the decision may be implemented. If the Council objects to Cabinet's decision it can nullify the decision if it is outside the Policy Framework and/or inconsistent with the Budget.
9. If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.
10. If the Council determines that the decision was within the policy framework and consistent with the budget, the Council will refer any decision to which it objects together with its views on the decision, to the Cabinet. The Cabinet shall choose whether to either amend, withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet of the referral from the Council.
11. The responses of the decision-taker and the Council shall be notified to all Members of the Scrutiny and Overview Committee once the Cabinet or Council has considered the matter and made a determination.
12. If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
13. **URGENCY:** The referral procedure shall not apply in respect of urgent decisions. A decision will be urgent if any delay likely to be caused by the referral process would seriously prejudice the Council's or the public's interests. The record of the decision and the notice by which it is made public shall state if the decision is urgent and therefore not subject to the referral process. The Chair of the Scrutiny and Overview Committee must agree that the decision proposed cannot be reasonably deferred and that it is urgent. In the absence of the Chair, the Deputy Chair's consent shall be required. In the absence of both the Chair and Deputy Chair, the Mayor's consent shall be required. Any such urgent decisions must be reported at least annually in a report to Council from the Leader including the reasons for urgency.

Signed: Monitoring Officer

Notice Date: 25 April 2024

Contact Officers: petra.Stephenson@croydon.gov.uk

PROFORMA

**REFERRAL OF A KEY DECISION TO THE
SCRUTINY AND OVERVIEW COMMITTEE**

For the attention of: Petra Stephenson, Democratic Services & Scrutiny e-mail to Petra.Stephenson@croydon.gov.uk

Meeting:
Meeting Date:
Agenda Item No:

Reasons for referral:

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:

The outcome desired:

Information required to assist the Scrutiny and Overview Committee to consider the referral:

Signed:

Date:

Member of _____ Committee