

LONDON BOROUGH OF CROYDON

To: All Members of Council
Croydon Council website
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PUBLIC NOTICE OF KEY AND NON KEY DECISIONS MADE AT THE CABINET MEETING ON WEDNESDAY, 16 OCTOBER 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 Key Decisions may be implemented from **1300 hours on 25 October 2024** unless referred to the Scrutiny and Overview Committee (ie after 13.00 hours on the 6th working day following the day on which the decision was taken). The call-in procedure is appended to this notice.

The following apply to each decision listed below

Reasons for these decisions:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3916>

Other options considered and rejected:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3916>

Details of any consultation and representations received not included in the published report: N/A

Details of conflicts of Interest declared by any Cabinet Member: N/A

Cabinet has made the decisions set out below:

Agenda Item: 4 URGENT BUSINESS (IF ANY)

Key Decision No.: N/A

Details of decision:

Please note: Stage 1: Recommendations arising from Scrutiny on 14 October 2024 was taken as an item of Urgent Business, as the recommendations related to Item 7. Period 4 Financial Monitoring Report and Item 8. 2025-29 Medium Term Financial Strategy Update.

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,

Cabinet **RESOLVED**, to;

1. Receive the recommendations arising from the meeting of the Scrutiny & Overview Committee on 14 October 2024 (Appendix 1)
2. Provide a substantive response to the recommendations (a Scrutiny Stage 2 Report) at the Cabinet meeting on 30 October 2024.

Agenda Item: 5 LONDON BOROUGH OF CULTURE IMPACT REPORT

Key Decision No.: N/A

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,

Cabinet **RESOLVED**;

- 2.1 To endorse the findings of the 'This is Croydon London Borough of Culture 2023 Impact Report' as attached as Appendix 1, and note the success of the program and the rich diversity of events offered throughout the borough.
- 2.2 To endorse the lessons learnt and next steps elements of the Impact report.
- 2.3 To support the ongoing work with Culture Croydon and the culture sector to build on the success of the new partnership approach.

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In accordance with the Scrutiny and Overview Procedure Rules the following decisions may be implemented from **1300 hours on** unless referred to the Scrutiny and Overview Committee (ie after 13.00 hours on the 6th working day following the day on which the decision was taken). The call-in procedure is appended to this notice.

Agenda Item: 6 EXECUTIVE MAYOR'S BUSINESS PLAN 2022-2026 PERFORMANCE REPORT

Key Decision No.: N/A

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,

Cabinet **RESOLVED** to;

2.1 Note the Mayor's Business Plan performance report (attached as Appendix A and B) with latest data available on 30 June 2024 (unless otherwise stated) regarding overall Council and partnership performance, and actions being taken to improve outputs.

2.2 To consider and approve the amended Housing Measures as detailed in attached Appendix C. Page 56

2.3 Note the enhanced escalation process, and latest position, for areas where performance requires improvement, as detailed in section 6 of this report.

Agenda Item: 7 PERIOD 4 FINANCIAL PERFORMANCE REPORT

Key Decision No.: 0724CAB

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,

Cabinet **RESOLVED**;

2.1 To note the General Fund revenue budget outturn is forecast to overspend at financial year end by £20.6m at Period 4, after the budgeted utilisation of £38m capitalisation directions requested from the Ministry of Housing, Communities and Local Government (MHCLG), utilisation of the £5.0m risk contingency budget and utilisation of £13.0m corporate earmarked reserves.

2.2 To note that all service directorates have been asked to reduce their net expenditure so that the annual budget can be balanced at the end of the year. It should not be underestimated what a challenge this will be against the background of increased demand pressures which are continuing to build across local government and increased market prices. Forecast overspend pressures are also demonstrated in the Month 2 and Quarter 1 reports published by other London councils. However, the Council will still strive to bring its 2024-25 budget into balance including through the in-year Financial Recovery Plan as set out from para 4.8.

2.3 To approve the budget movement between directorates to match the movement of the Bereavement and Registrars service from Assistant Chief Executive (ACE)

Directorate to Sustainable Communities, Regeneration & Economic Development (SCRER) Directorate (£1.081m).

2.4 To approve the budget movement from Resources Directorate to Adult Social Care and Health (ASCH) Directorate to set up the premises cost recharge budget for the Community Equipment Service (£0.502m) as set out in para 4.11.

2.5 To note the progress in Medium Term Financial Strategy (MTFS) savings achievement of £20.8m (75.1%) against the total savings target of £27.7m as set out in paragraph 4.125.

2.6 To note the work that is continuing on the Council's Transformation Programme as set out from paragraph 4.123.

2.7 To note the Housing Revenue Account (HRA) revenue budget outturn is forecast to overspend by £2.0m.

2.8 To note the General Fund capital programme 2024-25 forecast underspend of £7.6m against the revised capital budget of £118.5m.

2.9 To note the HRA capital programme 2024-25 forecast underspend of £8.1m against the revised capital budget of £57.2m.

2.10 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 as set out from para 4.144. Dialogue with MHCLG continues around options of further financial support from Government in regard to the level of structural indebtedness to ensure the Council can deliver sustainable Local Government services.

2.11 To note that the Council continues to operate Spend Control Panels, and tightened the criteria from July 2024, to ensure that stringent financial control and assurance oversight are maintained.

2.12 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.

Agenda Item: 8 2025-29 MEDIUM TERM FINANCIAL STRATEGY UPDATE

Key Decision No.: 0824CAB

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,

Cabinet **RESOLVED**;

1. To note the updated Medium Term Financial Strategy (MTFS) and related assumptions set out in this report.
2. To note the positive dialogue to date with MHCLG to develop a further package of support in order to set a sustainable and balanced budget for the future years 2025-26 to 2028-29.
3. To note the changes the Council needs to consider resulting from the work to develop a new target operating model, set out in paragraph 4.58 of this report.
4. To approve a period of public engagement, as set out from paragraph 4.66, on the proposals for returning the Council to financial and operational sustainability including the savings and growth proposals set out in Appendices B and B1.
5. To note the outcome of the public engagement will be reported back to Cabinet as part of the budget and council tax setting decision making.
6. To consider the outcome of the review of the Council Tax Support scheme as set out from paragraph 4.40 of this report.
7. To approve the recommendation to Full Council that the Council Tax Support scheme is not changed from that agreed by Full Council resolution on 6 March 2024.
8. To note the budget timetable set out in Appendix E.

Agenda Item: 9 CROYDON COMPANIES SUPERVISION AND MONITORING PANEL - UPDATE REPORT

Key Decision No.: N/A

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,

Cabinet **RESOLVED**;

- 2.1 To approve the nominated Council contact named in paragraph 4.6 for the Wettern Tree Garden and Woodcote Village Green charities
- 2.2 To note the status of Croydon Council companies as set out in Appendix 1.
- 2.3 To note the actions proposed by Croydon Affordable Housing to improve debt collection.
- 2.4 To note the forthcoming shareholding changes to Croydon Central Management Company Ltd.

2.5 To note the status of Croydon Enterprise Loan Fund (CELF) and Non-Executive Director recruitment.

2.6 To approve that update reporting to Cabinet from the Croydon Companies Supervision and Monitoring Panel (CCSMP) changes from twice per year to annually.

Agenda Item: 10 REVIEW OF THE HOUSING ALLOCATION SCHEME

Key Decision No.: 0224CAB

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,

Cabinet **RESOLVED** to;

2.1 Approve the proposed changes to the Housing Allocation Scheme 2025 set out in Section 5 and attached in Appendix 1 and authorise Officers to carry out a formal consultation with residents and key partners on the proposed changes.

2.2 Authorise the Corporate Director of Housing to consider the responses and outcome of the consultation on the proposed changes.

2.3 Agree that if there are no significant objections to the proposals following the consultation, authorise the Corporate Director of Housing to make a final decision on the proposals, make any minor amendments, and publish the revised Housing Allocation Scheme 2025.

2.4 Agree that if there are significant objections to the proposals following the consultation, a report on the responses and outcome of the consultation will be brought back to Cabinet for decision.

2.5 Note that feedback has been received from the Resident Scrutiny Panel on the proposed Housing Allocations Scheme which will be considered as part of the consultation process.

Agenda Item: 11 PLACEMENT POLICY FOR TEMPORARY ACCOMMODATION AND PRIVATE RENTED SECTOR OFFERS (PRSO)

Key Decision No.: 0324CAB

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,

Cabinet **RESOLVED** to;

2.1 Approve the new draft Placement policy for temporary accommodation and Private Rented Sector Offers (PRSO) attached at Appendix A.

2.2 Agree delegated authority to the Corporate Director of Housing to make minor amendments (i.e., slight wording changes to make more accessible, formatting etc.) in consultation with the Executive Mayor and Cabinet Member for Homes.

Agenda Item: 12 ACCOMMODATION AND SUPPORT FOR CARE EXPERIENCED YOUNG PEOPLE (PART A)

Key Decision No.: 0924CAB

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,

Cabinet **RESOLVED**;

2.1 To approve that the Council disposes of 90 Central Parade to MV Developments and any associated partners ("Investor"), which will be conditional upon receiving planning permission, and enter into Heads of Terms and subsequently a Conditional land sale agreement (or similar) for the value set out in the confidential Part B report; and an Agreement for Headlease with the Investor or an associated entity for the provision of an exempt supported accommodation scheme for care experienced young people.

2.2 To note that the disposal meets best consideration as detailed within the confidential Part B Appendix C.

2.3 To approve that the Council enters into Heads of Terms and subsequently into an agreement for underlease at 90 Central Parade with YMCA.

2.4 To delegate to Corporate Director of Children, Young People and Education, in consultation with the Executive Mayor, Cabinet Member for Finance, Cabinet Member for Homes, Cabinet Member for Children and Young People, Corporate Director of Resources, Corporate Director of Housing and Director of Commercial Investment and Capital to finalise and enter into all relevant final agreements related to the Conditional sale purchase agreement, Headlease, Underlease and Nomination agreement, including Heads of Terms and Agreement for Leases,

subject to final financial and legal due diligence; and to take all steps to implement those agreements.

2.5 To note that the proposal set out in this report can only progress once MV Developments receive necessary planning approval and reach practical completion in relation to the development. The full planning and development risk remains with the developer.

2.6 To delegate authority to the Corporate Director of Children, Young People and Education, in consultation with Corporate Director of Resources, the Executive Mayor, Cabinet Member for Finance and Cabinet Member for Homes, to renegotiate terms of the Headlease or Underlease along with any documents preceding the main leases, should this be required prior to completion, but not to deviate by more than £1 million from reported benefits of this proposal as set out within this report.

2.7 To delegate to Corporate Director of Children, Young People and Education in consultation with Cabinet Member for Housing and Corporate Director of Housing to finalise and enter into a Nominations Agreement.

2.8 To note, subject to Recommendation 2.3, 2.4 and 2.7, that the Council will hold 100% Nomination rights for all 34 residential units for the period of the lease.

2.9 To note risks identified as part of this project are detailed within section 10 of this report.

Signed: Monitoring Officer

Notice date: 17 October 2024

Contact Officers: hannahcretney2@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 28 October 2024** (the 6th working day following the day on which the decision was taken) unless referred to the Scrutiny and Overview Committee.
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: 17 October 2024

Contact Officers: hannahcretney2@croydon.gov.uk

PROFORMA

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

For the attention of: Hannah Cretney, Democratic Services & Scrutiny e-mail to:
Hannah.cretney2@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