

## Cabinet

Meeting of Cabinet held on Wednesday, 24 May 2023 at 6.30 pm in Council Chamber,  
Town Hall, Katharine Street, Croydon CR0 1NX

### MINUTES

**Present:** Executive Mayor Jason Perry (Chair);

Lynne Hale (Deputy (Statutory) Executive Mayor and Cabinet Member for Homes (Vice-Chair)), Councillors Jeet Bains (Cabinet Member for Planning and Regeneration), Jason Cummings (Cabinet Member for Finance), Maria Gatland (Cabinet Member for Children and Young People), Yvette Hopley (Cabinet Member for Health and Adult Social Care), Ola Kolade (Cabinet Member for Community Safety), Scott Roche (Cabinet Member for Streets and Environment) and Andy Stranack (Cabinet Member for Communities and Culture)

**Also Present:** Councillors Mario Creatura, Rowenna Davis (Chair of Scrutiny and Overview Committee), Stuart King (Leader of the Opposition), Callton Young (Deputy Leader of the Opposition and Shadow Cabinet Member for Finance), Janet Campbell (Deputy Leader of the Opposition and Shadow Cabinet Member for Health and Adult Social Care), Amy Foster (Shadow Cabinet Member for Children and Young People), Ben Herman (Shadow Cabinet Member for Streets and Environment), Enid Mollyneaux (Shadow Cabinet Member for Community Safety), Chrishni Reshekaron (Shadow Cabinet Member for Homes), Joseph Lee (Deputy Cabinet Member for Children and Young People), Robert Ward (Deputy Cabinet Member for Contract Management).

**Apologies:** Stephen Lawrence-Orumwense (Director of Legal Services and Monitoring Officer)

### PART A

1/23 **Minutes of the previous meeting**

**RESOLVED** that the Part A and Part B (not for publication) minutes of the previous meeting of the Cabinet, held on 22 March 2023, were approved as correct records.

2/23 **Disclosure of Interests**

There were none.

**Urgent Business (If any)**

The Executive Mayor addressed that an urgent report relating to the heating element of the Housing Repairs contract was published as a supplementary agenda item, in conjunction with the Chair of Scrutiny as the Special Urgency Notice was published with details. Given this item included Part B information, the Executive Mayor considered the urgent report at the end of the published agenda.

Other Announcements:Regina Road

The Executive Mayor announced there were major steps taken towards the regeneration of Regina Road. A recent ballot of residents on the estate had shown overwhelming support of the proposal to demolish and redevelop Regina Road Estate [82% of eligible residents voting and 88% of those in favour of the plans]. The Executive Mayor thanked officers for the achievement of the ballot which was a success and looked forward to the next phase of the work to ensure Regina Road was resolved.

**Scrutiny Stage 1: Recommendations arising from Scrutiny**

The Executive Mayor considered the Scrutiny Stage 1 and Scrutiny Stage 2 reports which detailed recommendations on the newly launched £2 million pounds Council Tax Hardship Scheme and the corporate transformation programme, and also responses from the administration on Planning and building improvement and parking services.

The Chair of Scrutiny and Overview Committee, Councillor Davis, addressed the Cabinet and highlighted three points:

- Latest Financial Performance Report: Scrutiny welcomed the news that the monthly reports would have a dedicated page on the Croydon website purely for the financial performance reports, which would increase transparency and accountability. Scrutiny was concerned that they were only able to evaluate the February data in the second half of May, therefore Scrutiny had recommended to bring forward the publication date as far as possible subject to checks aiming for a maximum lag-time of 8 weeks. Other risks in the budget reviewed in more detail included the persistent overspend in temporary and emergency accommodation; continuance high vacancy rates and the delays with the ANPR cameras that are hitting enforcement rates.
- Asset Disposal Plan: Following the recent disruption at the last Scrutiny and Overview Committee meeting, the discussions were curtailed and with no formal recommendations, Councillor Davis shared what the Committee had discussed. Scrutiny welcomed conformation that the Mayor would have sign offs to any assets on

the disposal list. With the council aiming to sale £50 million pounds of assets this year, should this continue next year and the following year the council would have lost half of their total assets, which would not resolve the debt problem. Scrutiny therefore welcomed the publication of a comparative list of the rental stream income to sale income for any item on the dispersal list from the Cabinet Member of Finance; Maximum notice of sale to any users of the assets should also be considered for an opportunity to present any business case which could have a long-term financial interest for the council and public; and Ward Councillors should also be informed of any sales in their ward directly to help support those affected.

- New Waste Contract: With no formal recommendations, Scrutiny Members were reassured with a number of elements in the contract, particularly that there were no plans to shift to three-weekly or less frequent bin collections; Scrutiny Members welcomed the idea of giving council access to cameras on the top of refuse trucks to ensure bins were properly cleared; Reassurance that the contract had the capacity to respond to increased recycling targets; and concerns raised relating to the department not having sufficient resources to do its part to clean the borough, though officers acknowledged the council needed a stronger approach to public engagement.

The Cabinet Member for Finance, Councillor Cummings shared with Cabinet that the period monitoring reports would be published following the MAB process before Cabinet and noted that Period 11 Monitoring Report went to Scrutiny prior to being heard at Cabinet. With regards to the Asset Disposals, Councillor Cummings corrected his commitment to provide information to the Scrutiny and Overview Committee and not publicly due to commercial sensitivity.

The Executive Mayor thanked Councillor Davis for her comments.

The Executive Mayor in Cabinet **RESOLVED**: To

- 1.1. Receive the recommendation arising from the meeting of the Scrutiny & Overview Committee held on 28 March 2023 (Appendix 1)
- 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).

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.

6/23

### **Month 11 Financial Performance Report 2022/23**

The Executive Mayor considered the Month 11 Financial Performance Report 2022/23 which provided the Council's forecast outturn as at Month 11 (February 2023) for the General Fund, Housing Revenue Account and the Capital Programme. The report formed part of the Council's financial management process for publicly reporting financial performance monthly.

The Executive Mayor highlighted that the Council continued to ensure tight financial control and assurance oversight were maintained in line with the Mayor's priority to ensure the council balanced its budget. This had been a reflection following the Financial Performance report for Period 2 that had shown a projected overspend of £12 million pounds and further optional risks totalling £14 million pounds.

The Executive Mayor welcomed the positive General Fund revenue forecast outturn for Month 11 that had shown a balance position for the sixth month in a row. The report further addressed the potential risks of £0.3 million pounds and nil opportunities - risks and opportunities had diminished in the latter part of the financial year, as in-year financial forecasting accuracy had been improved and the potential impacts of risks and opportunities had been revealed.

The Executive Mayor thanked officers for their diligence in this area.

The Cabinet Member for Finance, Councillor Cummings, addressed the Cabinet and stated that the housing revenue account was in line with expectation. In terms of the capital programme there was a significant gap with the current actual and forecast overspend due to the capitalisation directions which had not been applied and an underspend of £20.4 million pounds which was to be reviewed. Further, the report highlighted an improvement with the narrative within each department. The risk highlighted was the potential for additional issues for any account, which had yet to be signed off. Finally, the service had met their target for the first account to be signed off for the end of June.

The Shadow Cabinet Member for Finance, Councillor Young, welcomed the actual forecast for General Fund for 2022-23 as a balanced budget presented to Cabinet and raised a question around the underspend on staff vacancies across departments where an underspend could affect the 2023/24 financial year.

In response, the Interim Corporate Director of Children, Young People and Education, Debbie Jones, informed Cabinet of the position Children's

Social Care were in. Recruitment to social workers had been a challenging issue. Further, the service attempted to recruit and fill all vacancies which included agency staff. There was a recruitment strategy and a positive response to senior staff, though basic grade social workers continued to be a huge challenge and therefore the service was to review the circumstances of uncovered vacancies. The turnover and vacancy rate were below the London average, which resulted in an approved underspend within the services.

Additionally, the Corporate Director for Adults Social Care, Annette McPartland, informed Cabinet that the Adult Social Care Service had considered skill mixing across with Health colleagues and partners and also across South West London to ascertain how social workers could be brought in and trained; there was also a brilliant programme for newly qualified social workers for both children and adults services, and services were also using apprenticeships. Services were doing all they could to recruit and retain staff in a difficult market.

Further, the Assistant Chief Executive Officer, Elaine Jackson shared with Cabinet on the People Strategy that this year the service had developed a co-design with colleagues within their networks. In addition, there was exciting work with Palace for Life to bring young people in through the front door apprenticeship level; further the service was working together with health colleagues in Croydon. This was positive for the organisation.

The Executive Mayor acknowledged the work all services were going through particularly in retaining and recruiting staff; and welcomed the discipline and remaining balance in the financial year.

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.

7/23

### **Waste and Street Cleansing Service Commissioning approach for service delivery (Re-procurement Waste and Street Cleansing Service)**

The Executive Mayor considered the Waste and Street Cleaning Service Commissioning approach for service deliver (Re-procurement Waste and Street Cleaning Service) report which presented the Councils approach to reshape the future waste collection and street cleansing service in line with the Executive Mayor Business Plan.

The Executive Mayor addressed that as part of his pledge to improve the quality and appearance of the street scene, ensuring contractors were held to account and delivering value for money, he did not extend Croydon's eight-year contract with Veolia beyond March 2025 following views of the residents and the recommendations of the South London Waste Partnership to which this council was a member.

The Executive Mayor was pleased to announce that the council were taking important steps to procure a new waste and street cleaning service for the borough from April 2025. Additionally, following feedback from residents, set expectations had been designed which would assist what the Council required from potential bidders. The council proposed to ensure the new contract provided better value to residents, whilst focusing on promoting increased recycling performance, proactively tackling fly-tipping across the borough and provide a consistent bin collection service for residents.

The Executive Mayor thanked colleagues and officers in particular Councillors Scott and Ward for all the work they had achieved and a special thank you to the Director of Sustainable Communities, Steve Iles, and his team.

The Cabinet Member for Streets and Environment, Councillor Roche informed Cabinet that the report was built on an early decision in November of 2022 to not extend the service and this was the only decision made. Three key areas were highlighted to Cabinet which were the service delivery model; the procurement strategy; and specification and scope of services. The report noted the options for provision namely Direct Service Organisation (which would service in-house), outsourced contracted services, and local authority trading company. The report further highlighted the best value which illustrated financial risks; and that the contract out of service was the best option. Councillor Roche continued to acknowledge the specification scope of the current services to be robust.

In response to the report, the Shadow Cabinet Member for Streets and Environment, Councillor Herman raised a question relating to the decarbonisation of the waste service, and what changes the Executive Mayor would like to see in the waste service for goals to be met.

In response, the Executive Mayor shared that there was an effective waste service cleaning the streets and ensuring deliverance was valued for money, further, decarbonisation was part of the council's overall strategy and would play a part in the contract.

The Corporate Director for Sustainable Communities, Regeneration and Economic Recovery, Nick Hibberd, added that the design of the waste and recycling collection services would play a key role contributing to the council's emergency climate action plan. Further, the service proposed a two-stage dialogue process with potential bidders, to address the innovation they could bring relating to contributing to the climate change and carbon neutral agenda.

The Executive Mayor in Cabinet **RESOLVED:**

- 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

8/23

### **A Public Space Protection Order (PSPO) in Croydon Thornton Heath**

The Executive Mayor considered the Public Space Protection Order (PSPO) in Croydon Thornton Heath report and addressed that making Croydon a safer, cleaner and healthier place to live for all was a top priority as Executive Mayor and also for the residents.

Building on the successful role out of the Town Centre PSPO, the report had set out proposals to introduce another PSPO targeting antisocial behaviour in Thornton Heath to ensure residents and visitors felt safe and welcomed. As Thornton Heath was highlighted a priority area in the Safer Croydon Partnership's Community Safety Strategy, in conjunction with this proposal, the Partnership continued to work with the community to develop a safety plan for the area.

The Executive Mayor added that antisocial behaviour would not be tolerated in the borough, and introducing a PSPO in Thornton Heath would give the police more powers to tackle problem behaviours as they arise, and from positive results following the new town centre PSPO, these additional powers could make a major difference.

The report also outlined plans for a formal six-week consultation for residents to have their say on the introduction of a Public Space Protection Order in the area.

The Cabinet Member for Community Safety, Councillor Kolade informed Cabinet that this was the second Public Space Protection Order following the Town Centre. Thornton Heath had a higher level of antisocial crime in the borough (6% overall). The council had removed street furniture to



deter street drinking and antisocial behaviour and had received positive feedback from residents. This was also strongly supported by the local police who had increased patrols in the area. Further, the service proposed in working with local residence to reduce anti-social behaviour and crime. Councillor Kolade thanked staff for the work they had achieved.

The Leader of the Opposition, Councillor King, addressed Cabinet highlighting they were in support for the Public Space Protection Order though was disappointed that no consultation had taken place with Ward Councillors prior to the development proposals. Councillor King acknowledged the exclusion for Thornton Heath Pond in the proposal, and proposed for an amendment in the recommendations to include Thornton Heath Pond which would have no impact on the timescale.

The Executive Mayor welcomed the consultation proposals from Councillor King and requested for a submission of his request and his points raised which would not delay the timescale.

In response to the report, the Shadow Cabinet for Community Safety, Councillor Mollyneaux raised a question on the proactive steps that would be taken during the initial period should the Public Space Protection Order go ahead to ensure avoidance of displacement. The Executive Mayor informed that the town centre report recognised the displacement around the boundaries, and the council ensured to monitor boundaries to review the displacement elsewhere.

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

9/23

### **Household Support Fund April 2023 – March 2024 Allocation Proposal**

The Executive Mayor considered the Household Support Fund April 2023 – March 2023 Allocation Proposal report.

The Executive Mayor informed that earlier this year Croydon secured an additional £6 million pounds from the Government through the extension of the Household Support Fund. This extension ensured that the Council could help thousands more vulnerable households to cope with increased cost of food and energy bills.

The report outlined the Council's proposals to distribute the Household Support Fund and so working closely with schools, health and wellbeing practitioners as well as voluntary and community sector organisations. Over the next 12 months the Council aimed to deliver targeted funding to

those most in need, ensuring it reached the maximum number of people possible.

The Executive Mayor added that using a targeted approach, the Council aimed to reach residents who may have missed out on other cost of living support and had not previously been helped through the Housing Support Fund. The scheme would be reviewed at the six month point to ensure the council continued to meet the needs of residents.

The Statutory Deputy Executive Mayor and Cabinet Member for Homes, Councillor Hale informed Cabinet that the service proposed to stagger the payments of the housing funds back to ensure sufficient funds were reserved for the colder months and the duration of the scheme.

The Shadow Cabinet Member for Homes, Councillor Reshekaron queried on the cost of living challenges that many residents were facing and queried the approach the council would take if actual demands required for all funding used before the winter arrived.

in response, the Corporate Director of Housing, Susmita Sen informed that the budget had monitored its spending year on year, and the service had reviewed the areas that were underspent, areas on demand and on excessive demand, and this was repurposed with the authority delegated Section 151 officer if required. The service was conscious that the budget was still available during the winter months.

The Executive Mayor added that the voluntary and community sector often worked with the community that the council were unable to reach, and this was the first time the council was working through the process to deliver support with the voluntary sector.

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

10/23

### **Council Approach to Damp and Mould**

The Executive Mayor considered the Council Approach to Damp and Mould report which detailed the Council's approach to manage damp and mould in council properties and the private rented sector in response to the directive from the Secretary of State for the Department of Levelling Up, Housing & Communities and the Regulator of Social Housing.

The Executive Mayor addressed on the commitment he made to invest in and improve standards in council homes and put residents at the heart of decisions about the housing service. He noted that improving the housing stock would take time to achieve.

Additionally, earlier this year the Secretary of State for the Department of Levelling Up, Housing & Communities announced Awaab's Law, following the tragic death of two-year-old, Awaab Ishak. In response, new legislation required Social Landlords to fix damp and mould issues within a strict timescale. The report detailed the Council's wider approach to managing damp and mould in council properties and the private rented sector in line with Awaab's Law and provided detailed stock conditions.

The Statutory Deputy Mayor and Cabinet Member for Homes, Councillor Hale informed Cabinet that the report provided an update for the council's progress in responding to the recent national directives regarding the management of damp and mould in the council homes and private sector. A damp and mould task force met weekly with other services for joint work, providing a proactive approach to ensure damp and mould appropriately and effectively reported as a serious risk to health and safety. There was also zero tolerance approach to resolve high levels of damp and mould in private sectors.

The Shadow Cabinet Member for Homes, Councillor Reshekaron noted that the report was silent on the engagement with the residents and requested for more information on how the council tenants and representatives from housing association and private sector tenants and partners would be involved going forward.

In response, the Corporate Director for Housing, Susmita Sen, informed Cabinet that the housing association were landlords and were responsible for tackling damp and mould for their homes; additionally, the service was working closely with the private sector team. Council would refer tenants

to their landlord to assist on their issue and would only intervene through the environmental health team if action was not addressed by their landlord.

The Leader of the Opposition, Councillor King noted that the Secretary of State announced the plans to set timeframes for landlords to investigate necessary repairs which the suggested timeframe was fourteen days to commence work, and queried on what proportion of the work began within fourteen days of notice.

In response, the Damp and Mould Manager, Jolene Lorraine responded that the council aimed to attend all properties within six working days to carry out a mould wash and conduct a whole house inspection, before the remedial work.

The Executive Mayor thanked the team and staff for work they have carried out.

The Executive Mayor in Cabinet **RESOLVED:**

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

11/23

### **Annual Asset Disposal Plan 2023/24 and Lease Renewals and Rent Review Settlements for Various Commercial Properties**

The Executive Mayor considered the Annual Asset Disposal Plan 2023/24 and Lease Renewals and Rent Review Settlements for Various Commercial Properties report which sought approval to delegate the authority to approve the terms for all lettings, leases and rent review settlements to the Corporate Director Resources and S151 Officer.

The Executive Mayor took the opportunity to thank the Head of Estates, Asset Management and Facilities, Stephen Wingrave, who was retiring from his service in Asset management after thirteen years. Stephen had managed his role with expertise and professionalism and had always been willing to support Members and colleagues across the Council and would surely be missed.

The Executive Mayor reminded Cabinet of the debt the council was in which accumulated to over £1.6 billion pounds, where large amounts were unbacked by assets, and led to £161 million pounds of additional Capitalisation required from Government, who had requested for Croydon to do all they could to reduce its debt by reducing the size of the asset base.

The report had additionally set out this financial year's proposed Annual Assets Disposal Plan, targeting income of at least £50 million pounds from asset sales.

The report further proposed streamlined governance arrangements which enabled the Council to act in a faster and more commercial manner, maximising returns and increasing pace.

Many of the assets were familiar as they had previously appeared on previous lists. Many of the proposed disposals listed in Appendix 1 were offered to market with existing leases which would protect current tenants. The council was also consulting with the NHS as the preferred partner for specific sites in Coulsdon and New Addington which would result in new health facilities for the community.

The Executive Mayor acknowledged that whilst asset disposals were often challenging, this was an important element of work to reduce the current debt and reduce the size of the council's estate to make it more cost-efficient for taxpayers.

The Cabinet Member for Finance, Councillor Cummings reinforced that that disposal value was a minimal of £50 million pounds and it was the expectation and target to overachieve against that figure. The more the council could bring in terms of assets receipt would better the model.

The Shadow Cabinet Member for Finance, Councillor Young welcomed the asset disposal 2023/24 plan and its target set.

The Executive Mayor highlighted that balancing books and reducing the council debt was a priority and demonstrated to the Government that the council were fixing its finances.

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.

12/23

### **Croydon Council Companies (excluding Brick by Brick Croydon Ltd) Update Report**

The Executive Mayor considered the Croydon Council Companies (excluding Brick by Brick Croydon Ltd) Update report, which provided an update from the Croydon Companies Supervision and Monitoring Panel established as a response to the Report in the Public Interest 2020. Additionally, the report provided an update on the status of Council companies that existed and made a recommendation to dissolve companies that were no longer required.

The Cabinet Member of Finance, Councillor Cummings informed Cabinet that Croydon had a significant number of companies that was operating, though the service were reducing the number of companies involved. The Head of Finance, Allister Bannin, referred Cabinet to the appendix which highlighted the property management companies and noted that Croydon owned some residences as a leaseholder. A representative for Croydon would attend annual meetings in relation to those properties to discuss freeholders doing improvements of repairs to roof, external walls, and windows of the whole block.

The Shadow Cabinet Member for Finance, Councillor Young welcomed the report and queried on the benefits of the relationship between the council and freeholders.

In response, the Corporate Director for Resources (Section 151), Jane West, addressed that this information would be explained within the next updated report.

The Executive Mayor thanked officers for their work.

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.

13/23

### **Adult Social Care & Health Market Position Statement**

The Executive Mayor considered the Adult Social Care and Health Market Position Statement report.

The Executive Mayor highlighted that the Market Position Statement was intended to be used by providers to plan for the future and to inform business choices such as future investment.

The report reflected on the current picture of demand for care and support alongside the design, supply and utilisation of provision across the market. This ensured the changing needs from the local people were met,

despite the challenging financial context for both Croydon and across health and social care.

The Market Position Statement was considered to be best practice and would support the council to work with providers to deliver services more efficiently to get the best outcomes for the people of Croydon.

The Cabinet Member for Health and Adult Social Care, Councillor Hopley added that the up to date Market Position Statement outlined the carers support needs and provided innovative ideas; this further formed a solid base for commissioning's and future development in the Adults Social Care and health practitioners.

The Shadow Cabinet Member for Health and Adult Social Care, Councillor Campbell thanked officers for the informative report, and raised a question on the plans to increase the older population and dementia care whilst promoting early intervention, equity of access and the retention of resilience for social care workforce in the midst of the budget cuts.

In response, the Cabinet Member for Health and Adult Social Care, Councillor Hopley informed that the service was managing demand, particularly on the deliverance in working with sectors through innovative ways to help shape the pathway for people and changing the way services were delivered to the people who were in most need. The Corporate Director for Adults Social Care, Annette McPartland added that evidence base practice would be managed through data to ensure all needs on demand were met.

The Executive Mayor in Cabinet **RESOLVED**: To

- 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.

**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**

The Executive Mayor considered the Local Government and 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 report which outlined recommendations made by the Local Government & Social Care Ombudsman following findings that the Council was at significant fault for events that took place between 2016 – 2019. The report related to a young person leaving foster care and the Council's failure to provide the support required as a young, single parent. It was also found that the Council failed to safeguard Miss Y and her young child from the risk of gang-related violence when her brother moved into her property in late 2018.

The Executive Mayor informed that the Council has since accepted all recommendations and ensured that all staff in the care leavers service were clear on their duty to ensure that care experienced young people were supported to find suitable and affordable accommodation.

It was further outlined in the report that a comprehensive review of the Council's response and provision for care experienced young people had undertaken and continued through a programme of transformation to deliver a 'Whole Council' approach to corporate parenting.

The Executive Mayor concluded that the council must accept the findings and agree the recommendations set out in the public interest report included in Appendix A and endorsed the actions taken by the Council to date to implement the recommendations set out in section 7 of the report.

The Cabinet Member for Children and Young People, Councillor Gatland addressed Cabinet with an apology to the former care experienced young person who did not receive the care she was entitled to at the time. The accommodation issue would be addressed through a revised protocol for care experienced adults accessing housing which would be heard at the June Cabinet meeting. Councillor Gatland further informed that it was the responsibility of all key agencies including the council to ensure adequate care to care experienced young people; there was better improvements in responding to complaints relating to children's services; and the Corporate Parenting Strategy was in development and would be heard at Cabinet in the later future.

The Shadow Cabinet Member for Children and Young People, Councillor Foster shared an apology to the former care experienced young person and queried on the details of work around better listening and more understanding in safeguarding care experienced young people.

In response, the Corporate Director for Childrens also shared an apology to the former care experienced young person and highlighted that Children's Services was rated inadequate by Ofsted at the time of the reported incident and the risks of placement had not been adequately assessed, though the difference now was considerable and the lessons learned had shown that a huge amount of work would be done to assess risks for care experience young person and their relatives that remained in the property.

The Executive Mayor extended his apologies on behalf of the council to the former care experienced young person for what she and her family had experienced.

The Executive Mayor **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

15/23

### **Heating Services Procurement - Revised Award Report**

The Executive Mayor considered the urgent report and shared that the new Housing Repairs contract was to improve the way the social housing stock was maintained. It was agreed that a separate heating services contract was awarded to British Gas Social Housing Ltd trading as PH Jones, though the company had since withdrawn their tender for this contract following internal business decisions unrelated to Croydon.

Cabinet heard that the new housing repairs contracts were due to mobilise in the coming months, and this report had set out urgent recommendations to appoint an alternative bidder.

The Statutory Deputy Mayor and Cabinet Member for Homes, Councillor Hale added that it was important to have a good quality to long term best value heating services to residents and for contract to be awarded to bidder I.

The Executive Mayor in Cabinet **RESOLVED**:

- 1.1. To agree the award of a contract to deliver Heating Services to Bidder K & T Heating Services Ltd for a period with an initial

contract term of 6 years and 8 months with a break option at that point and a total maximum contract duration of 10 years and 8 months (plus a 1year defects liability period) for the maximum contract value of £40.9m.

- 1.2. To note, the break options referred to in recommendation 1.1 above shall follow the same governance process as a permitted extension under the Tenders and Contracts Regulations (as amended).

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### **Exclusion of the Press and Public**

This was not required.

The meeting ended at 8.00pm