

Cabinet

Meeting of Cabinet held on Wednesday, 31 January 2024 at 6.31 pm in Council Chamber,
Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: 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 Margaret Bird (Deputy Cabinet Member for Health and Adult Social Care), 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), Amy Foster (Shadow Cabinet Member for Children and Young People), Janet Campbell (Shadow Cabinet Member for Health and Adult Social Care), Chris Clark (Shadow Cabinet Planning and Regeneration), Nina Degrad (Shadow Cabinet Member for Communities and Culture) and Richard Chatterjee

Apologies:

PART A

103/23 **Minutes of the previous meeting**

The minutes of the Cabinet meeting held on Wednesday 06 December 2023 were agreed as an accurate record, with the inclusion of adding Councillors Yvette Hopley and Andy Stranack as present for the record.

104/23 **Disclosure of Interests**

There were none or the following disclosures of interest were made:

105/23 **Urgent Business (If any)**

The Executive Mayor addressed an item of business to Cabinet namely the processing problems that had occurred with issuing Penalty Charge

Notices (PCNs), where the first notice of contravention was not received through the post for an opportunity for motorists to pay the discounted rate. It was noted that the problems came to light early this year when the service were following up with letters earlier this month. The Executive Mayor gave his sincere apologies for the problems that had occurred on behalf of the council to those effected, addressing that all identified motorists effected would soon receive a letter to confirm that their PCN would be cancelled, and those effected motorists who had made a payment would receive a full refund. Further, the Executive Mayor informed that following these issues, new procedures had been put into place to mitigate the processing problems from occurring in the future.

106/23

STAGE 1: RECOMMENDATIONS ARISING FROM SCRUTINY

The Executive mayor introduced both the Stage 1 and Stage 2 Scrutiny reports – Recommendations and Responses to Recommendations. Both reports were taken together.

The Chair of Scrutiny and Overview Committee, Councillor Rowenna Davis, shared with Cabinet that:

- On the continued focus on the council's budget, the Scrutiny and Overview Committee (the Committee) noted the £6m gap that was still to be filled within the budget and that the council were considering options to fill this. The Committee noted the real improvement in governance in the management of the capital accounts and in procurement, though the council's financial situation continued to get worse, with the debt increasing each year, where high interest payments had caused for sales in assets.
- The council's failure to issue the first penalty charge notice (PCN) for traffic contraventions to approximately 3100 residents had caused public outcry. Officers were however commended for prioritising the impact this had caused residents and noted the investigations to understand lessons learned including the new procedures put in place.
- With the future of libraries, the Committee's first step would be to help the council listen to the community supporting its consultation, where lesser heard residents also take part in the consultation.
- With the regeneration of the Croydon Town Centre, the Committee hoped to be of service by visiting other areas and councils who had managed to regenerate their local areas to bring back lessons for Croydon to consider.
- Concluding on the Residents Survey, Councillor Davies noted the importance to have a clear insight to the voices of residents to help guide the work of scrutiny and the council.

The Cabinet Member for Finance, Councillor Jason Cummings, highlighted a point for clarification, that the council's debt levels were not increasing, noting that the council did not expect to undertake any external borrowing which included next year as predicted within the forecasts, though it remained factual that should the council not reach its financial position in the future, the council would have to return to a position of borrowing.

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

- 1.1. Receive the recommendations arising from the meetings of the Children & Young People Sub-Committee held on 10 October 2023 (Appendix 1), the Streets and Environment Sub-Committee held on 1 November 2023 (Appendix 2) and the Scrutiny & Overview Committee held on 21 November 2023 (Appendix 3).
- 1.2. To provide a substantive response to the recommendation (a Scrutiny Stage 2 Report) at the Cabinet meeting on 27 March 2024.

107/23

Scrutiny Stage 2 Responses to Recommendations arising from Scrutiny & Overview Committee held on 26 September (Appendices 1 & 2)

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

- 1.1. Approve the responses and action plans attached to this report as Appendices 1 & 2; and
- 1.2. Delegate authority to the officers identified in Appendices 1 & 2 to report back to the Scrutiny and Overview Committee, or relevant Sub-Committee, within the periods specified in the agreed responses and action plans, and on progress made in implementing any action plan.

108/23

Residents Survey

The Executive Mayor in Cabinet introduced the Residents Survey Report which was held in autumn 2023 and gave the Council a better understanding of the views and priorities of the borough's communities as it continued to make improvements to services. The results of the survey would be used to shape and inform service planning and improvement in the coming year. Additionally, the updated transformation strategy that was currently in development, would set out how the Council would reshape services to rebuild trust. A follow up survey was to be conducted in 2025 to compare progress and ensure the continuation to deliver for residents.

The Cabinet Member for Communities and Culture, Councillor Andy Stranack, shared with Cabinet that 81% of residents felt Croydon was a place that communities came together and help, illustrating a positive place for residents to reside.

The Shadow Cabinet Member for Health and Adult Social Care, Councillor Janet Campbell, asked a question on what specific actions and policies would be implemented to bridge the gap between promises made and residents experiences; and how did Cabinet plan to rebuild trust in its commitment to generally representing the interests of the community.

The Executive Mayor responded that by rebuilding the council in governance and its financial position there would be a rebuild of trust. Though this was big to undertake, the journey was at pace and was achieving through listening and being honest with the residents.

The Cabinet Member for Finance, Councillor Jason Cummings, added that by being upfront, transparent, and honest with the residents of Croydon about the issues the council faced and its challenges and what it meant for residents such as council tax increase, changes within services, and recently the Regina Road redevelopment had provided assurance to residents in rebuilding trust.

The Executive Mayor in Cabinet **RESOLVED**:

- 1.1. To note the results of the Croydon residents' survey – autumn 2023 (Appendix A)
- 1.2. To note that the council's transformation plan, service planning and other processes will all review the results and incorporate actions to respond to resident feedback.
- 1.3. To agree that the council will carry out targeted deep-dive analysis and engagement with representative groups of residents during 2024. A further comparable residents' survey would then be conducted in 2025 as set out in section 5.3 of the report.

Libraries Service Review

The Executive Mayor introduced the Libraries Service Review report and noted that as part of the transformation programme, the council were reviewing the library service model to offer a broader range of improved services. The proposals would lead to more outreach services and libraries that would open five or six days per week, including Saturdays, offering a much wider range of services. Further the proposals would see a 12-week consultation where partners and residents would be

encouraged to have their say on the proposals and share their ideas for improving the effectiveness and efficiency of the library service.

The Cabinet Member for Communities and Culture, Councillor Andy Stranack, shared with Cabinet that the proposals recognised that different areas of Croydon had different needs. Noting that less than 10% of residents were active library users, the transformation proposals had the following aims: for more people to use the library services; to improve services to the public with wide range of activities on offer with attractive facilities; and more efficient services to deliver better value, generate more income through events and venue hire and more volunteers; all of which would be delivered through four streams: library hubs, community hubs, enhanced outreach services, and online library.

The Shadow Cabinet Member for Communities and Culture, Councillor Nina Degrad, welcomed the wider formal consultation on the proposal plans and asked a question on whether the council would discreetly collect data on all the reasons why residents go to libraries so the impact on residents for future decisions by the council about the service, would be fully understood.

The Executive Mayor responded that the service could collect such data during the 12-week consultation period. The Cabinet Member for Finance, Councillor Jason Cummings, added that this may also be of interest to the Scrutiny and Overview Committee as they would also be part of the consultation.

The Executive Mayor in Cabinet **RESOLVED:**

- 1.1. To note the methodology and activity undertaken to review the library service officer and develop proposals for an alternative model, outlined in Section 4
- 1.2. To agree to consult on the proposals for a new library service model, as outlined in Section 6.
- 1.3. To approve the commencement of formal public consultation on the proposals as outlined in Section 8

110/23

Croydon Town Centre Regeneration Programme and Growth Zone Annual Budget & Programme - 2024/25

The Executive Mayor introduced the Croydon Town Centre Regeneration Programme and Growth Zone Annual Budget & Programme 2024/25 report which sets out the progress that had been made on the regeneration of the Town Centre through considerable planning and strategic funding.

The Cabinet Member for Planning and Regeneration, Councillor Jeet Bains, shared with Cabinet that the report noted on the positive news of the provisional award of £18.5 million pounds to deliver reconnected Croydon. Further the report noted the support of Jules Pipe, the GLA Deputy Mayor for Planning Regeneration and Skills for the Growth Zone Budget and Programme for 2024/25.

The Shadow Cabinet Member for Planning and Regeneration, Councillor Chris Clark, noted the positive projects outlined within the report and was keen to see progress and asked a question on how confident the pre-planning application process would commence in this calendar year.

The Executive Mayor responded that he was very confident that the pre-planning application process would go ahead this year adding that a lot was happening in the background where there would be confidence in the regeneration of the town centre.

The Executive Mayor in Cabinet **RESOLVED**:

- 1.1. To agree a £7,202,000 budget for the 'Delivery the Growth Zone' programme 2024/25; and
 - 1.2. To delegate to the Corporate Director of Sustainable Communities, Regeneration & Economic Recovery in consultation with the Chief Finance Officer (Section 151) and the Cabinet Member for Planning and Regeneration authority to make necessary changes to the funding assigned to Sub Groups as outlined in Table 1, subject to the parameters previously approved in the March 2021 Cabinet report 'Delivering the Growth Zone'
- to note:
- 1.3. The general update on the status of the current and upcoming Croydon Town Centre regeneration programme; and
 - 1.4. The indicative funding profile and projects for Growth Zone Sub Groups and projects as detailed in Table 1 of this report; and
 - 1.5. The recommendations previously agreed by Cabinet in July 2022 regarding the governance and implementation of a successful Levelling Up Fund bid.

111/23

Local Flood Risk Management Strategy Consultation Results

The Executive Mayor introduced the Local Flood Risk Management Strategy Consultation Results report which contained amendments to the original report following public consultation, to ensure the council fulfilled responsibility effectively and sustainably. This included actions and measures that involved working with other risk management authorities,

developers, infrastructure providers and community groups, and as a result, the Council would be able to facilitate collaboration on this issue.

The Cabinet Member for Streets and Environment, Councillor Scott Roche, informed Cabinet that the strategy focused on the local flood risks and must be aligned with the national strategy and consider local issues. Further, the report considered a series of objectives and measures that the council and other partners would need to address to reduce risk from flooding. The flood strategy as a whole would be reviewed again in 2028.

The Shadow Cabinet Member for Planning and Regeneration, Councillor Chris Clark welcomed the updated strategy that outlined steps that would be taken to ensure new development did not exacerbate existing flood risks, and asked how confident was the council that the partners would engage seriously, and what could be done to encourage more proactivity.

The Executive Mayor responded that the process was encouraging more proactive work from all providers who had a duty within the borough. The work through the consultation had provided wider conversations with local risk management authorities where the council was moving towards a strategy that aimed to deliver results in the future.

The Executive Mayor in Cabinet **RESOLVED**:

- 1.1. To note the responses to the public consultation about the draft LFRMS, at appendices 3 & 4 to this report.
- 1.2. To consider the amendments to the draft LFRMS and Action Plan as a result of those responses, as outlined at appendix 2 to this report.
- 1.3. To approve adoption of the revised LFRMS and Action Plan, at appendix 1 to this report, as the final version to be published on the Council website.

112/23

Building Safety Act and Building Control Readiness

The Executive Mayor introduced the Building Safety Act and Building Control Readiness report which provided a strategic response to the Building Safety Act and the establishment of the Building Safety Regulator.

The Cabinet Member for Planning and Regeneration, Councillor Jeet Bains, informed Cabinet that Croydon building control services was a critical role operating as a sole statutory and regulatory local authority service, in overseeing the built environment in Croydon, and ensuring compliance with building regulations and related legislation including those relating to dangerous structures, and ensuring public safety. The report outlined the five-year transformation plan of the council's building

control service to effectively address the major changes, whilst tackling the longstanding existing challenges regarding resourcing and the decline in fee income.

The Corporate Director for Sustainable Communities, Regeneration and Economic Recovery, Nick Hibberd, added that there had been significant change of the Building Safety Act and the Building Safety Regulatory that marked for the whole of the building control sector, to which significant transformation within the council was taking place.

The Shadow Cabinet Member for Planning and Regeneration, Councillor Chris Clark asked a question relating to building control surveyors and the confidence that the council would be able to attract the right people to ensure the function was able to deliver.

The Executive Mayor responded that with good partnership the council would work with others to ensure the right people worked in the council, with options available and reviewed for consideration. The Corporate Director for Sustainable Communities, Regeneration and Economic Recovery, Nick Hibberd, added that in recognition of doing this work, it helped the council being more competitive in the market as the council could demonstrate being a service able to adjust to the needs of the new Building Safety Act. The attraction of tall buildings in Croydon would also bring in more surveyors. Further, the service had taken on five trainees to train where the council would develop in-house surveyors for the future.

The Executive Mayor in Cabinet **RESOLVED**:

- 1.1. To note the content of this report and endorse the ongoing in-house transformation of Croydon Building Control
- 1.2. To note Croydon Building Controls intent to sign up to the Framework Agreement in respect of regional working through a Hub arrangement for the facilitation of Section 13 requests from the Building Safety Regulator under the Building Safety Act 2022

113/23

Education Estates Strategy

The Executive Mayor introduced the Education Estate Strategy report, which focused on school admissions policies, school place planning and school maintenance.

The Cabinet Member for Children and Young People, Councillor Maria Gatland, informed Cabinet that the detailed report set out the draft Education Estate Strategy for 2023-2026, and with the focus on the three main statutory responsibilities, there was no change to admissions to community schools and the PAN London coordination continued, further noting the current consultation on the maintained nursery schools. The report noted that there were many more places than pupils across primary

and secondary schools, which was a London wide challenge, and the Department of Education (DfE) were working closely with affected schools. There was also higher than average in-year admissions in secondary schools which were all academy schools; a fair access panel had been set up as a result. The Special Educational Needs and Disability (SEND) provision continued to experience pressures and increase. Data were reviewed monthly to inform resource and placement planning.

The Shadow Cabinet Member for Children and Young People, Councillor Amy Foster, asked a question relating to seeking appropriate placements for social and emotional health needs, and asked whether there was commitment to working with schools to develop in-house alternative provision places for children of complex and behaviour needs to ensure that Croydon did not become dependent on expensive private education providers for this basis.

The Executive Mayor responded that there were surplus places in schools and the council were continuing to work with schools to address improvements in the SEND provision. The Director of Education, Shelley Davies, confirmed that the service was working closely with schools on developing enhanced learning provision where schools could provide places for children with SEND which was in line with the strategy to educate children within the borough.

The Executive Mayor in Cabinet **RESOLVED**:

School Admissions:

- 1.1. Agree to the proposed community schools' Admission Arrangements for the 2025/26 academic year (Appendix 1).
- 1.2. Approve the continued adoption of the proposed Pan London scheme for co-ordination of admissions to Reception and Junior schools – Appendix 1a; and adoption of the proposed Pan London scheme for co-ordination of admissions to secondary schools (Appendix 1b).
- 1.3. Note that there are no changes proposed to the previously agreed admission arrangements for our community schools.

School Maintenance and Compliance

- 1.4. Approve the draft Capital Programme Budget summary (Appendix 2).
- 1.5. Approve the proposed Schools' Maintenance Plan (Appendix 3) for 2024/25 with an overall budget cost of £3,412m for 2024/25 and £3,777m for 2025/26.

- 1.6. Delegate authority to the Interim Corporate Director – Children, Young People and Education to vary the proposed Schools' Maintenance Plan to reflect actual prices and new urgent issues that may arise, including authorising spend against the allowance for emergency and reactive works. The Corporate Director, Children, Young People and Education shall report back to the Executive Mayor in Cabinet in respect of any exercise of such authority.

The Executive Mayor in Cabinet is asked to note the following:

School Place Planning

- 1.7. Comparison between the available school places vs 2023 School Capacity (SCAP) Pupil Projections – Appendix 4 (primary) and Appendix 4a secondary).
- 1.8. There is sufficiency of school places to meet demand at early years, primary and secondary education phases.
- 1.9. Managing Surplus School Places
The local authority is continuing to work in partnership with school leaders to manage the risk of falling school roll, especially in the primary educational phase. The main strategy used at this time is a reduction of the relevant school's Published Admission Number (PAN) and/or variation of their in-year admission number.
- 1.10. Early Years
Croydon Childcare Sufficiency Assessment 2023 (Appendix 5) which measures the demand for, and supply of childcare across the borough indicates that currently there is sufficient childcare available across the borough for all age groups. This is being reviewed to consider the childcare reforms will introduce significant changes to early years education and childcare through the extension of the free childcare on offer. Implementation will be extended in phases, starting from April 2024.
- 1.11. Maintained Nursery Schools
Following informal consultation on the future options for Croydon's five Maintained Nursery Schools, the Executive Mayor in cabinet have considered the outcomes of the consultation and recommendations and requested that officers explore and carry out more detailed modelling of other options suggested as part of the consultation process, to determine if any of these are feasible and will make MNS financially viable.
- 1.12. Special Educational Needs and Disability (SEND)
The demand for Special Education Needs and Disability (SEND) continues to increase. The data on prevalence and needs of our

SEND community is reviewed monthly in order to inform resource and placement planning.

1.13. Alternative Provision / Pupil Referral Unit (PRU)

The proposed conversion of Saffron Valley Collegiate to an academy has been moved to 1st April 2024. Additional demand for Alternative Provision places is met by commissioning suitable places via our Approved Alternative Provision Provider List.

114/23

Dedicated Schools Grant (DSG) School Funding 2024/25 Formula Factors

The Executive Mayor introduced the Dedicated Schools Grant School Funding 2024/25 Formula Factors report and noted that the approval at Cabinet was the final governance process in declaring the annual School's Budget Setting.

The Cabinet Member for Children and Young People, Councillor Maria Gatland, informed Cabinet that the report outlined the factors agreed at the schools forum which was discussed and voted on at a meeting held in November 2023, listed in Appendix E within the report.

The Shadow Cabinet Member for Children and Young People, Councillor Amy Foster, asked a question relating to the Children's Commissioner who recently issued a warning for the significant increase in demand for Education, Health and Care Plans (EHCP) and the adversarial relationship between councils and families for those of Special Educational Needs and Disabilities (SEND), and asked whether it was unhelpful that the government called for a safety vow, for a short term solution to what was really a long term problem, seeing the year on year increase in demand.

The Executive Mayor responded that there was no adversarial relationship between this council and families following the SEND strategy that was addressed in Cabinet over the last months where young people and parents had presented and shared their involvement in the process. Further, the council was working with families and there was a good strategy in place. Additionally, a new hub had been opened where so many services were delivered supporting families across the borough. The Director of Education, Shelley Davies added that the EHCPs continued to increase within this borough and the focus in Croydon was on early intervention for the SEND support programme. This meant children would be able to access support at a much earlier stage, and for those children where appropriate, they would be able to move on to the EHCP. The service was working hard with families to ensure children's needs were met early.

The Executive Mayor in Cabinet **RESOLVED:**

- 1.1. To approve the statutory spend of £319.1m of DSG funding for the period 2024-25,
- 1.2. To approve the provisional funding formula for Croydon schools for the financial year 2024/25 for both maintained schools and academies in line with the recommendations voted by Schools Forum on 6 November 2023,
- 1.3. To support the local authority strategic decision to transfer £1.2m from the school's block to the High Needs through the disapplication process as part of DfE High Needs Safety Valve DSG Deficit Recovery Strategy,
- 1.4. To note the DfE optional factors values reported in appendix D and E. Appendix E provides additional insight into the how Schools Forum evaluated the three main DfE options for each factor shown appendix D before selecting the final factor which forms the bases underlying the draft budget for 2024/25,
- 1.5. To finally note the three key changes required in setting the 2024/25 school's budget.

115/23

2023-24 Period 7 Financial Performance Report

The Executive Mayor introduced the Period 7 Financial Performance Report.

The Cabinet Member for Finance, Councillor Jason Cummings, shared with Cabinet that the service was predicting a yearend balance position which was positive, and noted that every department that had predicted a change in their position, saw a positive change with a number of departments predicting a yearend underspend position. Further, the potential impact on the contingency plan had significantly reduced to £1.5 million pounds, with the continued aim to be reduced.

The Shadow Cabinet Member for Finance, Councillor Callton Young, asked a question relating to the transformation programme published in November 2022 as highlighted in paragraph 4.104 of the report, and asked for examples of transformation projects that benefitted from early investment that had already delivered service, improvements and savings; and further, in paragraph 4.106 relating to the transformation programme management office, asked whether the service was working, and whether it was actively helping to coordinate and drive through the service improvements being sought and at the pace required.

The Cabinet Member for Finance, Councillor Jason Cummings, responded on the transformation programme addressing that the financial challenges this council was facing could have short-term decisions and changes in service provision, and for long-term transformation for the scale of savings of this council was essential to commence as early as possible, highlighting that the council would experience financial challenges for years to come as addressed within the MTFs reports. There was also to be a deep dive review into the transformation programme assisted by Scrutiny and Overview Committee and the Transformation Director. An example of a transformation project that produced tangible results included the work on the housing benefits subsidy, which had produced in-year savings this year, and future savings that would apply to every year going forward within the MTFs. There were further projects that had produced great results.

The Executive Mayor in Cabinet **RESOLVED**:

- 1.1. To note the General Fund revenue budget outturn is forecast to breakeven at Period 7, after the forecast utilisation of £63m capitalisation directions requested from DLUHC and £1.5m of the corporate risk contingency budget. It is not planned to utilise the risk contingency budget and directorates will work to bring the service directorate positions within budget.
- 1.2. To approve the budget movements between directorates to match the movement of teams between directorates as set out in paragraph 4.13.
- 1.3. To approve within budget inter-directorate virements from Corporate to service directorates for pay inflation (£10.270m) (para 4.95).
- 1.4. To approve within budget inter-directorate virement of £0.698m from the Corporate economic demand pressures budget to the Children, Young People and Education directorate as set out in paragraph 4.97.
- 1.5. To approve within budget inter-directorate virements from Corporate to service directorates to correct General Fund recharge budgets relating to the HRA, Public Health, capitalisation of salaries and corporate support (overhead) recharges, and staffing and income budget corrections (£5.802m) (para 4.99).
- 1.6. To note the progress in MTFs savings achievement as set out in paragraph 4.107.
- 1.7. To note the work that has commenced on the Council's Transformation Programme as set out from paragraph 4.102.

- 1.8. To note the Housing Revenue Account (HRA) revenue budget outturn is forecast to overspend by £12.0m.
- 1.9. To note the General Fund capital programme 2023-24 forecast underspend of £18.0m against the revised capital budget of £144.7m.
- 1.10. To note the HRA capital programme 2023-24 forecast overspend of £5.7m against the revised capital budget of £33.2m.
- 1.11. To note the Council's historic borrowing and debt burden continues to be critical to the 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 regards to its level of indebtedness and balancing the budget to ensure it can deliver sustainable local government services.
- 1.12. To note that the Council continues to operate Spend Control Panels to ensure that tight financial control and assurance oversight are maintained.
- 1.13. 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.

116/23

Exclusion of the Press and Public

This was not required.

The meeting ended at 7.30 pm