

MINUTES of the Meeting of the **CABINET**, held on Monday, 21 March 2022 at 6.30 pm in the Council Chamber, Town Hall, Katharine Street, CR0 1NX.

To view the meeting webcast, please visit <https://webcasting.croydon.gov.uk/14940-Cabinet>

Present: In the Chamber

Councillor Hamida Ali (Leader of the Council); Councillor Muhammad Ali (Cabinet Member for Sustainable Croydon); Councillor Janet Campbell (Cabinet Member for Families, Health and Social Care); Councillor Alisa Flemming (Cabinet Member for Children, Young People and Learning); Councillor Patricia Hay-Justice (Cabinet Member for Homes); Councillor Stuart King (Deputy Leader (Statutory) and Cabinet Member for Croydon Renewal); Councillor Oliver Lewis (Cabinet Member for Culture and Regeneration); Councillor Manju Shahul-Hameed (Cabinet Member for Communities, Safety and Business Recovery) and Councillor Callton Young OBE (Resources and Financial Governance)

Also Present: In the Chamber

Councillors Jason Cummings, Clive Fraser, Lynne Hale, Bernadette Khan, Ola Kolade, Jason Perry, Andy Stranack and Robert Ward.

Les Parry (Guest); Martin Wheatley (Guest) and Ishia Neziah (Guest)

On MS Teams (in attendance remotely)

Councillors Leila Ben-Hassel, Patsy Cummings, Sean Fitzsimons and Louisa Woodley.

Phil Brooks (IAP); Carolyn ML Forsyth (Guest) and Dan Winder (Guest).

PART A

30/22 **Apologies of Absence**

There were no apologies for absence received from Members.

31/22 **Disclosure of Interests**

There were none.

32/22 **Urgent Business (If any)**

There were no items of urgent business.

33/22 **London Borough of Culture 2023**

Cabinet considered a report, which outlined the proposed progress and programme to date in readiness for Croydon to celebrate as the Borough of Culture 2023 and sought Cabinet's endorsement of the approach being undertaken at this stage.

The report was a highlight of the main events, with many more activities to be planned over the next 12 months in the lead up to the commencement of the year-long programme that would run from April 2023 to March 2024.

Members raised several questions in relation to:

- Making Croydon, "the place", work
- Promoting the north of the Borough
- Ensuring a legacy and enhanced life opportunities

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED that:

1. the programme outline for London Borough of Culture 2023, be endorsed;
2. the establishment of a Borough of Culture Executive Board and Steering Group be agreed, the membership and responsibilities of which, as set out in paragraph 5 to the report, to enable the delivery of the London Borough of Culture;
3. authority be delegated to the Corporate Director of Sustainable Communities, Regeneration and Economic Recovery, in consultation with the relevant Member or Members of the Executive carrying portfolio responsibilities which covered those currently performed by the Cabinet Member for Culture and Regeneration, to agree the final

membership, constitution and Terms of Reference of both the Executive Board and Steering Group.

4. regular reports be provided to the Executive on the work of the Executive Board and Steering Group.

34/22

Update on the Housing Improvement Board and the Development of the Croydon Housing Improvement Plan

Cabinet considered a report and the Housing Improvement Plan, which had been developed to improve the housing service, with regard to the Council's landlord responsibilities. The Plan addressed the following five areas of focus:

- Vision and Governance
- Customer Service and Resident Engagement
- Repairs and Safety
- Improving Residents' Homes
- The Council's Workforce

Members of the Croydon Housing Improvement Board, which was independent of both Council Members and Officers, addressed Cabinet and raised several points, including:

- Recognising the Council for its efforts in establishing the Board, with resident participation.
- There was not an improvement in service.
- There was evidence of a start of work in progress and not an end result.
- All tenants were affected and needed to see the results now.
- The Board's support for Recommendations 1 to 4 subject to further revision and a much-strengthened plan.
- The Board urged Cabinet not to support Recommendation 5.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED that:

1. the feedback from the Housing Improvement Board (which had been established by Cabinet on 17 May 2021), as set out in the report and the presentation from the Chair, be noted;
2. the final membership, constitution and Terms of Reference of the Housing Improvement Board, agreed under exercise of the delegation given to the former Corporate Director of Place, in consultation with the Cabinet Member for Homes and as set out in Appendix 2 to the report, be noted;

3. the delegation given on 17 May 2022 to the interim Executive Director of Place be updated as follows:

“Delegate authority to the Corporate Director for Housing, in consultation with the Cabinet Member for Housing or such other Member as has portfolio responsibility for Housing, to revise as necessary the Membership, constitution and Terms of Reference of the Housing Improvement Board”
4. the content of the Croydon Housing Improvement Plan, as set out in Appendix 1 to the report, be agreed;
5. authority be delegated to further amend the Croydon Housing Improvement Plan, to the Corporate Director for Housing, in consultation with the Cabinet Member for Housing or such other Member as has portfolio responsibility for Housing;
6. an updated version of the Housing improvement Plan be presented for approval in June 2022 that responded to the feedback provided by the Housing Improvement Board; and
7. Cabinet receives quarterly updates on implementation of the improvement plan and that those updates include commentary from the Housing Improvement Board.

35/22

Housing Revenue Account (HRA) 30-Year Business Plan 2021-2051 and HRA Capital Programme 2022/23

Cabinet considered a report, which presented a new 30-year Business Plan for the Housing Revenue Account (HRA) with consideration to both capital and revenue investments required for the management and maintenance of Croydon Council’s housing stock.

Members raised several questions in relation to:

- From a scrutiny and overview perspective, it was felt that the document did not address the fit for purpose criteria.
- Asset and risk management were not robust enough.
- The Plan being brought back to Cabinet during the budget-setting process i.e., September at the latest.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED that:

1. the HRA 30-year Business Plan 2021-2051, as set out at Appendix 1 and detailed in the report, which was based on the HRA revenue budget for 2022-23 agreed by Full Council on 8 March 2022, be agreed;

2. the HRA Capital Programme for 2022/23, as set out in Appendix 6 to the report, be recommended to full Council for approval;
3. the assumptions the Plan were based upon, and the risks associated with these assumptions, be noted; and
4. the proposals for the ongoing development of the HRA Business Plan be noted and agree that the Plan be updated annually with a full review every third year.

36/22

Equality Annual Report 2022

Cabinet considered a report, which outlined the progress regarding Equality Strategy 2020-2024. It also highlighted achievements that the Council had made towards equality along with its new governance arrangements and future plans.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED that:

1. the Annual Equality Report 2022, be noted;
2. Cabinet call on all the organisations in Croydon, including individual schools, police and anyone else that worked with young people, to sign up to the Croydon Equalities Pledge, which launched on International Women's Day, and the George Floyd Race Matters Pledge, which would launch on 25 May 2022; and
3. That all councillors be asked to promote the pledges among their communities, local groups and organisations to sign up to these pledges.

37/22

Financial Performance Report (Month 10) – January 2022

Cabinet considered a report, which provided the Council's annual forecast as at Month 10 (December 2021) for the Council's General Fund (GF), Housing Revenue Account (HRA) and the capital programme. The report also formed part of the Council's financial management process of publicly reporting financial performance against its budgets on a monthly basis.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED to note:

1. the General Fund was projecting a net adverse movement of £0.244m from Month 9 (*Service directorates were indicating a net £1.480m overspend (Month 9 £1.236m) but this was projected to be netted off against £3.050m underspend within the corporate budget.*
2. that a further number of risks and compensating opportunities may materialise which would see the forecast year-end variance change, and these were reported within Section 3 of the report.
3. the Housing Revenue Account (HRA) was projecting a £1.281m (Month 9 £1.725m) overspend for 2021/22 (*if no further mitigations were found to reduce this overspend, the HRA would need to drawdown reserves from HRA balances. There were sufficient balances to cover this expenditure.*).
4. the capital spend to date for the General Fund of £58.323m (against a budget of £131.897m) and for the HRA of £12.075m (against a budget of £183.209m), with a projected forecast variance of £5.362m on the General Fund against budget and £121.002m forecast variance against budget for the Housing Revenue Account. (*All variances were projected to be slipped into future years, but this would be reviewed once the outturn position had been confirmed.*).
5. the above figures were predicated on forecasts from Month 10 to the year end and therefore could be subject to change as forecasts were refined and new and updated information was provided on a monthly basis. (*Forecasts are made based on the best available information at this time*); and
6. that whilst the Section 114 Notice had formally been lifted, the internal controls established as part of the S114, such as the Spend Control Panel and Social Care Placement Panels remained. (*Restrictions had been lifted for ring-fenced accounts such as the Pension Fund, Housing Revenue Account and Coroner's Expenditure as these were directly outside of the General Fund's control. The Spending Control Panel, which was set up at the beginning of November 2020, continued to meet on a twice daily basis.*)

38/22

Fairfield Halls – RIPI Action Plan

Cabinet considered a report, which addressed recommendations 1.8 and 1.9 in the report to the Extraordinary Council meeting of 3 February 2022 in response to the Report in the Public Interest (RIPI). The Improvement Action Plan had been considered and reviewed by both the Scrutiny and Overview Committee and the General Purposes and Audit Committee and both committees had supported the action plan and had made recommendations for improvements.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED that:

1. having considered the amendments to the RIPI action plan recommended by the Scrutiny and Overview Committee, as detailed in paragraph 2.4 of the report, and the amendments to the RIPI action plan recommended by the General Purposes and Audit Committee, as detailed in paragraph 2.6 of the report, the action plan (Appendix 1) be updated; accordingly, and
2. in accordance with the resolution of Council on 3 February 2022, note that progress on the implementation of the external auditor's recommendations would be reported to Cabinet, alongside the General Purposes and Audit Committee, the Scrutiny and Overview Committee and Council, as part of the existing quarterly Croydon Renewal Improvement Plan update reports.

39/22

Report in the Public Interest October 2020 – Quarter 4 Update

Cabinet considered a report, which provided an update in response to the Council's Report in the Public Interest October 2020. Of 41 (34 in-progress and 7 returned by internal audit) recommendations that remained open at quarter three, 19 had moved to complete, pending evidence, as set out in Appendix 1A to the report.

Members asked a number of questions in relation to:

- The number of recommendations that had been completed in the last quarter.
- Which of these had been most significant.
- The completion date(s) in respect of those actions which were still incomplete.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED that:

1. the progress the Council had made in regard to achieving the recommendations set out by the external auditor in the Report in the Public Interest October 2020, with 77 out of 99 actions complete, be noted and agreed;
2. the outcome of internal audit of actions delivered to properly evidence what had been achieved so far, in order to provide full assurance to members and residents on the changes achieved, be noted; and

3. the refreshed Action Plan, including actions marked complete, progress updates against open actions and identification of actions to be embedded going forward as business as usual, be agreed.

40/22

Quarterly Update on Progress of Performance for Brick-by-Brick Croydon Ltd.

Cabinet considered a report, which provided it with a progress update on Brick-by-Brick Croydon Ltd (BBB) and the key areas of update, which were progress on disposal of six sites; progress on delivery of the 23 sites; an update on sales generally and an update on the Council's acquisition of 104 residential units from Brick-by-Brick and bulk sales to other registered providers.

RESOLVED that the following key areas (acting, where relevant, on behalf of the Council exercising its functions as sole shareholder of Brick-by-Brick Croydon Ltd) be noted:

1. The Brick-by-Brick Shareholder Cabinet Advisory Board had met on several occasions with representatives of the Board since the last update in November 2021; and
2. That Brick-by-Brick Croydon Ltd had not needed to call upon the additional £10m working capital facility that had been requested within July 2021 Cabinet Report.

41/22

Finance, Performance and Risk Performance Report (Croydon Renewal and Improvement Plan)

Cabinet considered a report and the Finance Performance and Risk report in Appendix A, which provided timely and accurate performance data on programme and project status; performance against Corporate Renewal Plan measures; progress against the delivery of financial savings and any risks associated with these deliverables, as well as the impact to corporate risks.

In addition, it reported progress and issues that related to the delivery of the Croydon Renewal Plan, and associated performance reports as agreed at Cabinet on 12 April 2021. The report, in Appendix A, reviewed performance based on latest available data as of 31 December 2021.

It was reported that 31 December 2021 was a snapshot in time and that not all data would relate to this time period due to time lags on data availability etc.

The report was produced and presented on a monthly basis to Departmental and Corporate Management Teams, and Cabinet Members on a bi-monthly basis to allow check and challenge of performance and year-end performance would be reported at the 8 June meeting together

with the refreshed measures for 2022/23 based around the corporate priorities and refreshed Corporate Renewal Plan.

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED that:

1. the areas of good performance and those of concern in the Finance, Performance and Risk report (appendix A) as of 31 December 2021 (unless otherwise stated) with regard to overall performance against the Croydon Renewal Plan, be reviewed;
2. plans in place to address current and future performance for Freedom of Information and Subject Access Requests (section5), be noted;
3. the progress made, and areas of concern, against programmes and projects in relation to milestones, deliverables and issues, be noted;
4. the progress made, and areas of concern against savings and growth targets, as identified in the Croydon Renewal Plan, be noted (More detail on this area could be found in Table 2a of the Financial Monitoring Report, which was also presented at this Cabinet meeting.).
5. Cabinet identify areas of performance within the FPR report (appendix A) where it required deeper analysis to be presented at a future meeting of Cabinet for discussion and action.

42/22

Investing in Our Borough

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED to note:

1. The request for approval of the award for Children with Disabilities Care Provider Register (CPR), as set out in agenda item 13b and section 5.1.1.
2. The request for approval of the contract variation for Residual Waste Treatment Contract Variation, as set out in agenda item 13a and section 5.1.1.
3. Contract award decisions to be made between £500,000 and £5,000,000 by the nominated Cabinet Member, or where the nominated Cabinet Member was in consultation with the Leader, as set out in Section 5.3.1.

4. Delegated award decisions made by the Director of Commercial Investment since the last meeting of Cabinet, as set out in section 5.4.1
5. Property lettings, acquisitions and disposals to be agreed by the Cabinet Member for Resources and Financial Governance, in consultation with the Leader, since the last meeting of Cabinet, as set out in section 5.5.1
6. That Cabinet recommends to the Leader of the Council, that prior to the next meeting of Cabinet in June, in respect of decisions requiring Cabinet's approval, or prior reporting to Cabinet, concerning the acquisition or disposal of property, procurement strategies and contract awards and variations:
 - (i) The Cabinet Member for Resources and Financial Governance*, in consultation with the Leader*, be authorised to agree such decisions concerning the disposal or acquisition of properties;
 - (ii) The nominated Cabinet Member*, in consultation with the Cabinet Member for Resources and Financial Governance* or, where the nominated member is the Cabinet Member for Resources and Financial Governance, in consultation with the Leader*, be authorised to agree such decisions concerning procurement strategies and the award and/or variation of contracts.

Note that any awards made under this delegation would be notified in the standard contracts report to the next meeting for Cabinet.

*Following the Local Government and Mayoral Elections on 5 May 2022, the relevant member of the Executive carrying the appropriate and relevant function/portfolio as the Leader/nominated Cabinet Member/Cabinet Member for Resources and Financial Governance as the case may be.

43/22 **Exclusion of the Press and Public**

Not required..

44/22 **Residual Waste Treatment Contract**

The Leader of the Council has delegated to the *Cabinet* the power to make the decision set out below:

RESOLVED that, in accordance with Regulation 30 of the Council's Contracts and Tenders Regulations, a variation to implement the removal of the Villiers Road waste transfer station operations from the scope of the Residual Waste Treatment Contract with Viridor South London Ltd,

resulting in an annual contract reduction of £989,000, and an annual reduction in residual waste treatment cost to Croydon Council of £448,000 per annum, be approved.

45/22 **Children with Disabilities – Care Provider Register**

The Leader of the Council has delegated to the Cabinet the power to make the decision set out below:

RESOLVED that, in accordance with Regulation 28c of the Council's Tenders and Contracts Regulations, and on the recommendation of the Contracts and Commissioning Board, the award of *the Care Provider Panel Agreement* to the providers listed in Part B of this report for a period of up to 4 years from 01/04/2022 to 31/03/2026 for a maximum contract value of **£5,846,813**, be approved.

46/22 **Asset Disposals**

The Cabinet Member for Resources and Financial Governance, in consultation with the Leader, agreed the following:

RESOLVED that:

1. The disposal of the former Addington Community Centre and the former Social Services building, 90 Central Parade, New Addington, be approved; and
2. A downward price variation, of up to a maximum of 10%, and minor variation to the terms of the agreement for each disposal without having to refer the matter back to Cabinet, to allow for some minor changes during the disposal process, as further due diligence was undertaken, be approved.

Any variation in price would be subject to approval of the Corporate Director Resources and s151 Officer.

47/22 **Housing Acquisitions**

The Cabinet Member for Resources and Financial Governance, in consultation with the Leader, agreed the following:

RESOLVED that:

1. The borrowing facility of up to £5.1m (£3.6m net of Right to Buy Receipts) to enable the investment in the acquisition of 10 new 3 bed houses from Brick-by-Brick Croydon Ltd, be approved;
2. The use of up to £1.5m Right to Buy Receipts to reduce the level of borrowing required, be approved; and

3. The proposed rent levels for the properties to be at London Affordable Rent, be agreed.

The meeting was declared closed at 9.48pm.