

<b>REPORT TO:</b>	Council 25 July 2022
<b>SUBJECT:</b>	Recommendations from the Executive Mayor and Committees referred to Council for Decision
<b>LEAD OFFICER:</b>	Stephen Lawrence-Orumwense Monitoring Officer
<b>LEAD MEMBERS:</b>	Mayor Jason Perry Councillor Jeet Bains, Cabinet Member (Planning and Regeneration)
<b>WARDS:</b>	All

**SUMMARY OF REPORT:**

The Executive Mayor has undertaken business that requires formal approval by the full Council. This report summarises those decisions.

**COUNCIL PRIORITIES 2022-2024**

These recommendations are being made to Council in accordance with the Constitution and this report ensures good governance and transparency within decision-making.

**FINANCIAL IMPACT:**

There is no financial impact caused by this report.

**RECOMMENDATIONS:**

**RECOMMENDATIONS FROM THE EXECUTIVE MAYOR MADE AT THE CABINET MEETING HELD ON 22 JUNE 2022**

**Croydon Suburban Design Guide Supplementary Planning Document (SPD2)**

The Executive Mayor, in Cabinet, RECOMMENDS that full Council :

- 1.1 Consider the report at Appendix A and agree the revocation of the Croydon Suburban Design Guide Supplementary Planning Document (SPD2) (set out in Appendix 1 of the report at Appendix A) in accordance with Regulation 15 (2) and (3) of The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 Note the decision of the Executive Mayor to produce the residential extensions and alterations chapter of the Croydon suburban design guide supplementary planning document (SPD2) as a supplementary planning document and report this to Council for adoption after consultation.

**RECOMMENDATIONS FROM THE EXECUTIVE MAYOR MADE AT THE CABINET MEETING HELD ON 6 JULY 2022**

**South Norwood Conservation Area Appraisal and Management Plan (CAAMP)**

The Executive Mayor in Cabinet RECOMMENDS that full Council:

- 1.3 Consider the report at Appendix B and note the Consultation Statement for the South Norwood Conservation Area Appraisal and Management Plan (CAAMP) (set out in Appendix 2 of the report at Appendix B), including the list of comments, responses and (where applicable) amendments at Appendix 1 of the report at Appendix B.
- 1.4 Agree the adoption of the South Norwood Conservation Area Appraisal and Management Plan (CAAMP) 2022 (set out in Appendix 2 of the report at Appendix B) as a Supplementary Planning Document in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012, particularly regulation 14; and,
- 1.5 Agree the changes to the South Norwood Conservation Area boundary as described in the report at Appendix B and in the South Norwood Conservation Area Appraisal and Management Plan (CAAMP) (set out in Appendix 2 of the report at Appendix B); and,
- 1.6 Agree the revocation of the South Norwood Conservation Area Appraisal and Management Plan (CAAMP) 2007 (set out in Appendix 3 of the report at Appendix B) in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012, particularly regulation 15(3).
- 1.7 Agree the delegation to the Director of Planning and Sustainable Regeneration, following consultation with the Cabinet Member for Planning & Regeneration, in relation to the making of minor factual, editorial and image changes to the South Norwood Conservation Area Appraisal and Management Plan (CAAMP) (set out in Appendix 2 of the report at Appendix B) prior to adoption.

## **1. BACKGROUND**

- 1.1 The Council is asked to consider the recommendations at 1.1 and 1.2 made by the Executive Mayor following the Cabinet meeting held on 22 June 2022 on the Revocation of Croydon Suburban Design Guide Supplementary Planning Document (SPD2). The detailed Cabinet report is set out in Appendix A to this report.
- 1.2 Council is also asked to consider the recommendations at 1.3 – 1.7 made by the Executive Mayor following the Cabinet meeting held on 6 July 2022 on the adoption of the South Norwood Conservation Area Appraisal and Management Plan (CAAMP) 2022 and the revocation of the South Norwood Conservation Area Appraisal and Management Plan (CAAMP) 2007 and changes to the South Norwood Conservation Area boundary. The detailed Cabinet report is set out in Appendix B to this report.

## **2. PROCEDURE**

### **Constitution Council Procedure Rules Part 4A**

#### **Recommendations from the Executive and Committees**

- 2.1 The Council Procedure Rules set out at Part 4A of the Constitution require that the Executive and Committees include any recommendations that it has made to Council within this report.
- 2.2 These rules do not apply to any recommendations contained in the Annual Report of the Scrutiny and Overview Committee.
- 2.3 The Executive Mayor or Chair of the Committee making the recommendation may exercise a right to introduce the recommendation; in so doing the Executive Mayor or Chair of the Committee shall speak for a maximum of 3 minutes.
- 2.4 The recommendation shall be seconded without any further speakers and if not deferred for debate shall immediately be put to the vote unless moved to debate or deferred debate.
- 2.5 Any Member supported by a seconder, may ask that a recommendation be debated immediately, and the recommendation shall be debated. The time available for council to debate recommendations shall be no more than 21 minutes. In the event that the amount of time available to debate the recommendation prior to 9.30pm is less than 21 minutes the Chair shall confirm that the Debate has been deferred.
- 2.6 The proposer of a Debate on a Recommendation shall be allowed to speak for a maximum of 3 minutes. All other speakers shall be restricted to a maximum of 3 minutes. There shall be no more than six speakers (including the proposer) called to speak in respect of each Recommendation.
- 2.7 At the conclusion of a Debate on a Recommendation it shall be put to the vote. No more than one recommendation shall be the subject of debate at any one time.
- 2.8 In the event that any Executive or Committee recommendations have not been reached when the time limit for the meeting has expired, those recommendations shall immediately be put to the vote without further debate.

## **Constitution Budget and Policy Framework Procedure Rules Part 4C**

### **Process for developing the Budget and Policy Framework**

- 2.9 When considering a Budget or Policy proposal of the Executive however the Policy Procedure Rules at Part 4C must be applied.
- 2.10 Rule 2(e) of Part 4C provides that full Council will consider the proposals and may by simple majority:
- (i) adopt the proposal or approve submission to the relevant Secretary of State (where required); or
  - (ii) object to the proposal and instruct the Executive Mayor to reconsider in the light of those objections.
- 2.11 The instruction to the Executive must allow at least 5 working days for the Executive to either submit a revised proposal or to respond to the objections in relation to the original proposal, giving reasons for the response. If the process defined in paragraph 2.10 above ( and set out in sub-paragraph 2(e) of Part 4C of the Constitution) has been recommenced the proposal having not reached either outcome defined in paragraph 2.13 below (and set out in sub-paragraph 2(h) of Part 4C of the Constitution) the Executive must consider whether a revised proposal is required.
- 2.12 If the Council accepts the recommendations of the Executive Mayor without amendment the Council may make a decision which has immediate effect. The decision will be published, and a copy given to the Executive Mayor.
- 2.13 Where, however, the Council has objected to the proposal rule 2(h) of Part 4C of the Constitution provides that in accordance with paragraph 2.10 (ii) above (and set out in rule 2 e(ii) o Part 4C of the Constitution) full Council will within 7 clear working days of receipt by the Chief Executive of the response of the Executive Mayor consider that response and may either:
- (i) Approve the proposal: by a simple majority of those voting, approve the original or revised proposal for adoption or submission to the Secretary of State; or
  - (ii) Make amendments: by a two thirds majority of those voting, amend or modify the revised or original proposal.
- 2.14 In the event that neither outcome is achieved the Chief Finance Officer will advise the Council of the minimum decisions and resolutions the Council must make at the meeting required to meet statutory requirements and:
- (i) If a decision on the Proposal is not identified by the Chief Finance Officer as required to be made at the meeting, the Proposal fails and the process at paragraph 2.10 above (set out in sub-paragraph 2(e) of Part 4C of the Constitution) must be recommenced; or
  - (ii) If a decision on the Proposal is identified by the Chief Finance Officer as required to be made at that meeting there will be no time limit on the

length of the meeting and the Council shall continue to meet until it has reached a final decision on the matter.

2.15 The decision will then be made public and may be implemented immediately.

### **3. OPTIONS, RISKS AND REASONS FOR RECOMMENDED OPTION OTHER OPTIONS CONSIDERED AND REJECTED**

3.1 Please see the Options, Risks and Reasons set out in the Cabinet reports in Appendices A and B.

### **4. RECOMMENDED OPTION AND REASONS**

4.1 Please see the Options, Risks and Reasons set out in the Cabinet reports in Appendices A and B.

### **5. CONSULTATION**

5.1 Please see the Consultation sections set out in the Cabinet reports in Appendices A and B.

### **6. FINANCIAL CONSIDERATIONS**

6.1 Finance have been consulted and can confirm that all financial considerations have been reviewed and Members are referred to the Finance sections in the original Cabinet decision reports at Appendix A and Appendix B.

Approved by: Lesley Shields – Head of Finance for Assistant Chief Executive & Resources

### **7. LEGAL CONSIDERATIONS**

7.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Legal Services and Monitoring Officer that the report contains recommendations from the Executive Mayor which concern requests to make changes to the Council's 'Budget and Policy Framework'.

7.2 The 'Budget and Policy Framework' is defined in the Council's Constitution at Article 4 and Appendix 4.02 and includes 'the plans and strategies for planning, development and conservation in the Borough comprising the Croydon Plan and other approved and adopted development plan documents and supplementary planning documents which make up the Local Development Framework for Croydon'.

7.3 Defining, approving and adopting the Policy Framework are functions of the Full Council as set out in Article 4.1 of the Constitution.

- 7.4 The procedure for the Council's decision making on such matters is set out within the body of this report and articulated in the Council Procedure Rules at Part 4A in particular paragraphs 3.59 – 3.66 and the Budget and Policy Framework Procedure Rules at Part 4C in particular paragraphs 2(e) – (h).
- 7.5 The legal basis for the specific rules regarding the procedure to be followed by full Council to amend, approve or adopt a plan or strategy (with or without modifications) are set out in The Local Authorities (Standing Orders) (England) Regulations 2001 as amended.
- 7.6 Regarding specific planning legal considerations concerning both recommendations and in particular the powers set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations) these remain as set out in the attached Reports to the Executive Mayor in Cabinet at Appendix A (paragraph 6) and Appendix B (paragraph 6).

*Approved by:* Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Legal Services and Monitoring Officer

## **8. HUMAN RESOURCES IMPACT**

- 8.1 There are no immediate or direct workforce implications arising from this report.

Approved by: Dean Shoesmith, Chief People Officer

## **9. OTHER CORPORATE IMPACT**

- 9.1 Please see the Other Corporate Impact sections set out in the Cabinet reports in Appendices A and B.

## **10. EQUALITIES IMPACT**

- 10.1 Please see the Equalities Impact sections set out in the Cabinet reports in Appendices A and B.

## **11. ENVIRONMENTAL IMPACT**

- 11.1 Please see the Environmental Impact sections set out in the Cabinet reports in Appendices A and B.

## **12. CRIME AND DISORDER REDUCTION IMPACT**

- 12.1 Please see the Crime and Disorder Reduction Impact sections set out in the Cabinet reports in Appendices A and B.

### **13. DATA PROTECTION IMPLICATIONS**

13.1 Please see the Data Protection Implications sections set out in the Cabinet reports in Appendices A and B.

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**APPENDICES TO THIS REPORT:** Appendix A – Cabinet Report on the Revocation of Croydon Suburban Design Guide Supplementary Planning Document (SPD2) (considered by Cabinet on 22 June 2022) which includes

Appendix B – Cabinet Report on the South Norwood Conservation Area Appraisal and Management Plan (CAAMP) (considered by Cabinet on 6 July 2022) which includes

**BACKGROUND DOCUMENTS:** None