

Cabinet

Meeting held on Monday, 11 June 2018 at 6.30 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

- Present:** Councillor Tony Newman (Chair);
Councillors Alison Butler, Stuart Collins, Hamida Ali, Jane Avis,
Alisa Flemming, Simon Hall, Stuart King (job share - voting),
Oliver Lewis, Paul Scott (job share - non-voting) and Manju Shahul-
Hameed
- Also Present:** Councillors Muhammad Ali, Janet Campbell, Sherwan Chowdhury,
Patsy Cummings, Nina Degrad, Patricia Hay-Justice, Shafi Khan,
Maggie Mansell, Ian Parker, Badsha Quadir, Scott Roche,
Niroshan Sirisena, Gareth Streeter, David Wood and Louisa Woodley
- Apologies:** Councillors Jason Perry and Helen Pollard

PART A

39/18 **Minutes of the previous meeting**

The part A minutes of the Cabinet meeting held on 19 March 2018 were received. The Leader of the Council signed the minutes as an accurate record.

40/18 **Disclosure of Interests**

There were none.

41/18 **Urgent Business (If any)**

There were no items of urgent business.

42/18 **Ambitious for Croydon 2018 to 2022**

The Leader introduced the item by outlining that the report sought to highlight the key themes from the manifesto and would inform the Corporate Plan that would be taken to the Cabinet meeting in September 2018. While it was noted that the future for Croydon looked strong, with the Westfield Hammerson announcement, there remained huge challenges for the borough; and it was important to ensure that everyone shared and benefited from any development.

A short film was shown to Cabinet which can be viewed on the meeting webcast.

The Statutory Deputy Leader noted that one of the key ambitions for the next four years was to provide safe homes for all, and that combating street homelessness would remain a key priority. To ensure homes were being delivered for Croydon residents across the borough the council would continue to work with Brick by Brick. The Cabinet were informed that over 900 residents had registered an interest in the Brick by Brick homes that were due to be delivered.

It was further noted by the Cabinet Member for Safer Croydon & Communities that to provide safe homes, the safety of communities was a clear responsibility for the council which was a key theme for the next four years. Work would continue to scrutinise the work undertaken to ensure that a public health approach of early intervention was being undertaken to ensure the safety of young people who were the future of the borough. The Cabinet Member acknowledged that partners in the voluntary sector would be key in delivering the prevention strategy, and commitments had been made to invest £6 million into the sector.

The Cabinet Member for Children, Young People & Learning confirmed that children and increasing opportunities for young people would remain a focus going forward. A youth festival would be delivered and further work would be undertaken to reduce youth unemployment.

Furthermore, it was stated by the Cabinet Member for Economy & Jobs that it remained the aspiration of the council to open a university in the borough to further increase opportunities for young people. While it was noted that the opening of Westfield would bring new jobs it would be important to ensure that young people were supported to get apprenticeships.

The Cabinet Member for Environment, Transport & Regeneration (Job Share) noted that more jobs would be created over the next four years and that work would be undertaken to build the economy further. Ensuring good infrastructure was in place, it was stated, would be integral to delivering the development including; better transport connections, delivering the cycling strategy and the air quality commitments, planting 3,500 street trees, and installing 400 electric vehicle charge points.

The Cabinet was informed by the Chair of the Health & Wellbeing Board that over the next four years it was the intention to build upon the foundation of the Board, and work would continue with the Cabinet to reduce health inequalities.

In response to a query regarding the Cabinet Member Job Share the Leader confirmed that a briefing note would be circulated which would outline how the role will function. It was noted that the model of a Cabinet Member Job Share was functioning in the London Boroughs of Lambeth and Lewisham, and that it was the Leader's ambition to utilise the talent of councillors wherever possible.

The Leader of the Opposition suggested the 2018 Local Election had shown an increasingly polarised borough with residents in the south of the borough feeling that things were done to them rather than with them, or for them. The Leader of the Council stated that the administration was there for all of Croydon, and that it was his hope that the two parties would be able to find common ground and utilise their passion for Croydon to deliver for the residents.

The Cabinet Member for Families, Health & Social Care further noted that dementia was a condition experienced by a higher number of residents in the south of the borough, and the council was committed to help these residents and their carers. The Cabinet Member committed to ensuring that where there health conditions experienced across the borough that the budget would be fairly spent.

The council was committed to being a London Living Wage employer and the Cabinet Member for Finance & Resources further confirmed that work would continue to ensure more contracts with local businesses were formed, where possible. To ensure delivery for residents the Cabinet Member stated it was important to focus resources on meeting their needs.

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below.

RESOLVED to:

1. Note and endorse the ambitions of the administration for 2018-22
2. Note and endorse the delivery of a new Corporate Plan

43/18

Cultural Plan Update

The Cabinet Member Culture, Leisure & Sport provided the Cabinet meeting with a presentation that can be viewed on the meeting webcast. The presentation outlined work that had taken place across borough and noted that the annual cultural calendar was developing with Mela and Croydon Pride taking place in July 2018, and further collaborations with the Rise Gallery and Dance Umbrella. The cultural offer, it was noted, was increasing publicity for the borough.

Whilst previous events were to be repeated, the Cabinet Member stated that the council was also looking to support new event also, with the Mozart Players were to perform across the borough and a new festival of the spoken word and poetry to be established with Well Versed Ink.

It was noted that work would continue to support the night time economy with a series of events planned to take place over the summer at the pedestrianised part of the high street.

Whilst it was noted that a lot had taken place and was being planned, there remained large ambitions for Croydon; with the possibility of developing the Music City model to further build upon the strong music sector within the borough, and the importance of involving young people continued to be an important focus and £100,000 of further funding had been made available to support the youth arts programme.

In response to questions the Cabinet Member for Culture, Leisure & Sport stated the cultural offer in the borough was not performance arts focussed, but was broad and celebrated the variety of culture within the borough. It was also noted that whilst it was not possible to state the percentage of residents involved in the offerings, there were residents from across the borough actively involved.

Cabinet Members noted the importance of involving young people in cultural activities, and suggested that promotion of spaces available for young people to rent should be circulated at local colleges. In response the Cabinet Member confirmed that work would continue with the college, and that there were 10 small studios that were available at low rent for young artists in Croydon.

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below

RESOLVED to note the direction of travel for the major elements of Croydon's cultural programme as outlined in the report and to Delegate authority to the Executive Director of Place to initiate an engagement exercise on a Cultural Strategy for the Borough and following on from the outcome of the engagement, to develop a draft Cultural Strategy for presentation to Cabinet for consideration in advance of a consultation exercise on the Cultural Strategy for the Borough.

44/18

Delivering Westfield

The Leader stated that delivering the Westfield project was hugely important for the future of Croydon. It was noted that the announcement that John Lewis would be an anchor store in the new development was made on the day that an announcement was also made that a number of House of Fraser stores would be closed nationally. It was recognised that the retail offer was changing and that the council would work to ensure that Croydon was at the heart of 21st century retail.

The Statutory Deputy Leader provided the Cabinet meeting with a presentation which can be viewed on the meeting webcast. The Cabinet Member noted that it was one of most exciting papers to be considered by the council and was the next step in delivering a long held ambition, however it remained important to ensure that the whole borough benefited from the redevelopment. Benefits of the project included; new jobs, public

realm improvements, increased business rates, and additional homes with 20% being affordable.

Members were informed that planning permission had been granted previously, however a new application was submitted which increased the area of the site to include a new M&S, more housing, additional public realm, and a step free route between East and West Croydon. This revised planning application had received planning permission in 2017.

The Leader confirmed that there was a Part B paper to the report, however all decisions relating to the item would be made publically.

The Leader of the Opposition welcomed the paper and the announcement that John Lewis would be an anchor store in the development, however raised concerns regarding the postponed opening and the impact the building works would have on the town centre. The Cabinet Member recognised there would be a huge impact on the town centre and stated the Cabinet Member for Environment, Transport & Regeneration (Job Share) had been working on developing a construction logistics plan which would be brought to a future Cabinet meeting.

In response to Member questions the Cabinet Member confirmed the council's commitment to introduce further apprenticeship opportunities and suggested that cross-party work could be undertaken to improve opportunities. The Cabinet Member for Economy & Jobs further noted that the construction skills academy in New Addington would have an important role in this area, and the council would work with the developers to provide opportunities.

The Cabinet Member confirmed that some shops within the town centre would remain open during the construction, while others would relocate to the Centrale shopping centre. The Croydon Partnership and the council were working with businesses to ensure they are able to continue to trade.

In response to Member questions the Director of Planning & Strategic Transport stated that there was a real focus on ensuring that the centre was built as quickly as possible, and that a phased development could prove difficult and an increased timeline. To ensure that the town centre remained a place to visit during construction there would be a number of Meanwhile projects taking place.

Cabinet deferred decision making on this item until consideration of an associated Part B report was considered (see minute number 50/18). Following conclusion of Part B of the agenda, Cabinet moved back into Part A and made the following decisions in public.

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below.

Following consideration of:

1. The representations made by third party landowners and other matters set out in Parts 1 and 3 of the report, the Cabinet **RESOLVED** that:
 - a. the Executive Director of Place, acting in consultation with the Director of Law & Monitoring Officer, be authorised on behalf of the Council to enter into a further supplementary agreement to the CPO Indemnity and Land Transfer Agreement ("ILTA") with Croydon Limited Partnership, Westfield Corporation Limited, Hammerson UK Properties Plc and Whitgift Limited Partnership to give effect to the amendments to the ILTA referred to in section 5 of the report.

Following consideration of:

2. The evidence supplied by the Developer and the advice in relation to satisfaction of the pre-conditions to drawdown of third party land pursuant to the ILTA (as proposed to be amended) contained in Part 2 of the report and in the exempt report in Part B of the agenda for the meeting, together with the matters set out in Part 3 of the report.

The Cabinet **RESOLVED** to agree that the Executive Director of Place, acting in consultation with the Director of Law & Monitoring Officer be authorised to:

- a. take all necessary steps to implement the The London Borough of Croydon (Whitgift Centre and Surrounding Land bounded by and including parts of Poplar Walk, Wellesley Road, George Street and North End) Compulsory Purchase Order 2014 ("the CPO") including the execution of one or more General Vesting Declarations and the service of Notices to Treat and Notices of Entry in respect of interests and rights within the Order Land specified in the the Drawdown Notice;
- b. take all necessary steps in relation to the acquisition of land and new rights and settlement of compensation and any other claims or disputes including legal proceedings relating to the implementation of the CPO, defending or settling claims made to the Lands Chamber of the Upper Tribunal and/or any applications made to the Courts and any appeals;
- c. in the event that a valid Call Option Notice is served on the Council on behalf of the Developer in accordance with the terms of the ILTA (as amended):
 1. to appropriate the Council's land interests referred to in paragraph 10.1 for planning purposes pursuant to section 122 of the Local Government Act 1972; and
 2. to arrange for the transfer to the Developer of the Council owned land within the redevelopment site identified in paragraphs 10.1 and 10.13; and

- d. take all other necessary steps in relation to the implementation of the CPO and in relation to the Council's obligations under the ILTA.

45/18

Children's Services (Ofsted and Camden Arrangements) Update

The Cabinet Member for Children, Young People & Learning gave a presentation that can be viewed on the meeting webcast. Cabinet was informed that it was the ambition of the council to ensure that young people's voices were heard across Croydon, and that work continued to progress the implementation of the four P's (Practice, People & Performance, Partners and Platforms). While the progress made to date had been noted by Ofsted it was recognised that further work needed to take place to ensure the service was performing as it should, enabling families to have all the skills and strategies they require.

Members were informed that there remained a strong commitment to meet the needs of care leavers, and the improvements plans sought to ensure a whole system approach was taken which included all partners.

In response to frontline staff concerns, a new case recording system had been introduced to support their work. Furthermore, business support had been introduced to support social workers and enable them to spend more time supporting families.

The Cabinet Member informed Cabinet that a revised statutory direction had been received, and the council had agreed to quarterly progress checks in addition to the half yearly ones. The peer support arrangements with Camden had also been agreed which had officially begun in April 2018 and would run to March 2019. Work had begun in January 2018 with Camden which had enabled the council to remain on track on its improvement journey, and it was hoped further improvements would be seen at the next monitoring visit on 10 and 11 July 2018. Cabinet concluded by thanking all the frontline staff for their work in ensuring that the families were receiving the best possible service.

The Shadow Cabinet Member for Children, Families & Learning noted there were positive improvements being made, and recommended all Members read Appendix 2 of the report. Queries were raised in regard to managerial oversight which was viewed as variable. In response the Cabinet Member confirmed that managerial oversight was part of the peer support programme, and the council was looking to improve quality assurance.

The Cabinet Member stated that work with vulnerable adolescents was a personal passion as she knew many of them. The Chair of the Safeguarding Board was reviewing the issues faced by vulnerable adolescents and how the council could support them. Furthermore, Members were informed that further work would be undertaken to tackle

serious youth violence, with a paper due to be taken at a future Cabinet meeting.

The Cabinet Member for Homes & Gateway Services stated that it was fulfilling to see the work that was being undertaken to support care leavers and the council sought to ensure homes were provided for young people when they left home. The Cabinet Member for Finance & Resources informed Members that he continued to support those he had fostered as children during adulthood. The council had also introduced resources to enable a step change throughout the service, and the focus was on staff retention and management oversight.

The Cabinet Member for Children, Young People & Learning confirmed that there was no complacency and work would continue to improve the service and ensure every young person was supported. To support care leavers the Corporate Parenting Panel would consider a staying put policy which would give young people the opportunity to stay with foster carers after the age of 18. It was confirmed that Members would be kept updated on the progress of creating this policy.

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below.

RESOLVED to

1. Note the progress made in implementing the children's improvement plan
2. Note the revised Statutory Direction from the Secretary of State for Education directing Croydon to co-operate with Camden Council on peer support arrangements to support rapid, measurable improvement in the delivery of children's services.
3. Note that the revised Statutory Direction brings the role of the Children's Services Commissioner for Croydon to an end.
4. Note the progress made in developing the peer support arrangements with Camden Council.
5. Note the outcomes from the second Ofsted monitoring visit carried out in March 2018.

46/18

Ambitious for Croydon (end of year)

The Cabinet Member for Finance & Resources introduced the report by noting that there were many achievements within the last 12 months, and that the council had got a grip on an increasingly uncertain budget and delivered £100 million of savings that were required. It was noted that there were no 'red' indicators on the RAG table of page 128 of the agenda

which showed that the council was performing against challenging targets.

In response to Member questions the Leaders stated that it was important to ensure targets were carefully chosen to ensure they were meaningful and took account of changes taking place in other services, such as a reduction of 10,000 police officers.

Whilst it was noted that the response rate to FOI request was 70%, and so below the target, this was in the context of an increasing volume being received. Members were assured that work was being undertaken to improve the response rate to FOIs.

It was noted that a challenging aspect of the budget was the adult social care budget and that work would continue to best manage the budget and managing the care market. The Cabinet Member for Families, Health & Social Care informed Members that currently, the service was on budget despite the pressures experienced both in Croydon and nationally.

The Cabinet Member for Families, Health & Social Care stated that the One Croydon Alliance continued to progress at a faster rate than expected and further rounds of integration would be started.

In response to Member questions the Cabinet Member for Families, Health & Social Care informed Members that Croydon College had a team of volunteers who asked members of the public to take a HIV test and raised awareness of HIV. The Chair of the Health & Wellbeing Board noted the concerns raised regarding ensuring parents had their children vaccinated against measles, and stated the Director of Public Health would circulate information regarding the work that had been undertaken with GP surgeries and other partners.

It was noted that the figures on the number of affordable homes delivered were not at the desired level and that there were a number of factors that contributed to the performance, including permitted development and the viability assessments which were felt to not facilitate higher levels of delivery. However, work was being undertaken to address this and to deliver the Mayor of London's 35% affordable housing target.

In response to Member questions the Cabinet Member for Clean Green Croydon that work would continue to increasing recycling rates in the borough, and that it was hoped that following the Blue Planet II documentary, which highlighted the impact of waste, there would be an increased awareness and drive to recycle. Furthermore, work would be undertaken with local businesses to encourage them to use recyclable products.

The Cabinet Member for Clean Green Croydon confirmed that there would not be a 'one size fits all' approach to the new waste contract and that 4,000 households had been identified as being unable to take the

new waste bins, and would be invited to discuss their needs with the council.

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below.

RESOLVED to

1. Review the performance for the period April 2017 to March 2018 as detailed at Appendix 1 and set out in paragraph 3.2 of the report.
2. Note the achievements, progress, and work to date, as detailed in this report and Appendix 1 of the report.

47/18

Stage 2 Response to Recommendations arising from the Health and Social Care Scrutiny Sub-Committee 16 January 2018 and the Streets, Environment and Homes Scrutiny Sub-Committee 23 January 2018

The Chair of the Scrutiny & Overview Committee provided the Cabinet with an overview of the role of scrutiny and stated that the scrutiny function sought to hold the Executive to account, undertake pre-decision scrutiny, and to give a voice to local residents.

It was noted by the Chair of the Scrutiny & Overview Committee that all the recommendations to Cabinet had been accepted.

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below.

RESOLVED to approve the response and action plans attached to the report at Appendix A and that these be reported to the Scrutiny and Overview Committee or relevant Sub-Committees.

48/18

Investing in our Borough

The Cabinet Member for Finance & Resources informed Members that the new highways contract would be value for money, and the equipment purchasing strategy would enable a greater variety of equipment to be purchased. It was confirmed that the council were ensuring that the London Living Wage was being paid by all contractors and that substantial social value was being realised.

In response to Member questions the Cabinet Member for Finance & Resources stated that the service were confident that the maximum contract value for supervised contact for children in care and their families was sufficient. It was confirmed, however, that if there was a need for flexibility due to higher levels of demand then there were processes in place to enable a variation to the contract, if required.

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below

RESOLVED to

- 1.1 Approve the contract award for the Next Generation Highways Maintenance and Improvement Works in Croydon at a maximum contract value of £130m over maximum term of ten years (7+1+1+1) as set out at agenda item 11a;
- 1.2 Approve the procurement strategy which will result in contract awards for five dynamic purchasing systems for the provision of supplies in respect to the Community Equipment Service for a maximum term of ten years as set out at agenda item 11b;

To note:-

- 2.1 The contracts over £500,000 in value anticipated to be awarded by the nominated Cabinet Member, in consultation with the Cabinet Member for Finance and Resources or, where the nominated Cabinet Member is the Cabinet Member for Finance and Resources, in consultation with the Leader.
- 2.2 The list of delegated award decisions made by the Director of Commissioning and Procurement, between 15/02/2018 - 27/04/2018
- 2.3 The list of delegated award decisions for contracts over £500,00 in value made by the nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated Cabinet Member is the Cabinet Member for Finance and Resources in consultation with the Leader since the last meeting of Cabinet.

a New Generation Highways Maintenance and Improvement Works Provision Contract Award

The Cabinet Member for Environment, Transport & Regeneration (Job Share) stated that it was an exciting opportunity for highways with a long-term contract with a preferred bidder worth up to £130 million, the preferred bidder being competitive and sustainable.

Members were informed that it was the intention to go beyond a traditional highways contract, and as such the contract also incorporated public realm works. The social value of the contract was also important, and was outlined within the report and included ensuring the London Living Wage was paid, delivering 40 apprenticeships, and new job starts for Croydon residents. It was felt that the contract would bring tangible benefits to both residents and businesses in the borough.

In response to Member questions the Cabinet Member for Environment, Transport & Regeneration (Job Share) stated that the council would want no more than 3% of roads requiring repair. Work had been undertaken to achieve a move to 70% planned works, and only 30% reactive.

The frustration with road works was in regards to the work undertaken by utility companies who were given permission to undertake work and then were found to not be working on site after closing part of the road. Members were requested to share any issues experienced by residents with regards to this issue to enable the council to build a case.

The Cabinet Member for Environment, Transport & Regeneration (Job Share) informed Members that Transport for London would publish a second stage response to the Fiveways consultation over the summer, and that the council was keen to see the project progressed but would like to ensure the concerns raised were responded to.

In response to questions regarding the Purley Oaks depot the Cabinet Member Environment, Transport & Regeneration (Job Share) stated that any changes would be subject to planning permission.

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below.

RESOLVED to

1. To appoint Bidder 'C' as the preferred bidder for the provision of the Next Generation Highways Maintenance and Improvement Works in Croydon at a maximum contract value of £130m over ten years (7+1+1+1)
2. That the name of the Preferred Bidder be published upon conclusion of the standstill period required under regulation 87 of the Public Contract Regulations 2015.
3. That subject to:
 - a. the transposition of the Preferred Bidder's final tender submission into contractual form being completed to the satisfaction of the Council and there being no material changes to the proposed solution beyond the scope set out in this report; AND
 - b. the terms and conditions of all necessary documentation being to the satisfaction of the Director of Law and Monitoring Officer; that
 - c. Authority to award the final contract and agree all necessary documentation be delegated to the Executive Director Place, in consultation with the Cabinet Member for Environment, Transport & Regeneration (Job Share) and the Cabinet Member for Finance & Resources.

b Community Equipment Service Dynamic Purchasing Systems (DPS) Procurement Strategy

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below.

RESOLVED to

1. Approve the procurement strategy detailed in this report for the establishment of 4 DPS's (DPS 5 Beds & Associated Equipment, DPS 6 Moving & Handling, DPS 7 Showering & Bathing, DPS 8 Seating & Cushions) at a maximum estimated value of £8,388,624 for the Council for a period of seven (7) years, plus a three (3) year extension period (maximum term of ten (10) years).
2. Approve the procurement strategy detailed in this report for the establishment of a further DPS for Wheelchairs, at a maximum estimated value of £5,682,715 for the Community Equipment Service, for a period of seven (7) years, plus a three (3) year extension period (maximum term of ten (10) years).
3. Approve the deviation from Regulation 21 of the Council's standard evaluation weightings to 50% quality and 50% price.
4. Note, for the purposes of the OJEU notice, that the proposed Integrated Procurement Hub Spend, over ten (10) years, on DPS 5-9 is £93,360,868.

49/18

Exclusion of the Press and Public

The following motion was moved by Councillor Newman and seconded by Councillor Butler to exclude the press and public:

"That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended."

The motion was put and it was agreed by Cabinet to exclude the press and public for consideration of items listed in part B of the agenda.

50/18

Delivering Westfield

The Leader of the Council delegated to the Cabinet the power to make the decisions set out below

RESOLVED to agree to consider the report and the confidential report before reaching their decision on the recommendations in the report on the matter which appeared on Part A of the agenda.

**Next Generation Highways Maintenance and Improvement Works
Provision Contract Award**

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

The Cabinet **RESOLVED** to agree:

1. To appoint Bidder 'C' as the preferred bidder for the provision of the Next Generation Highways Maintenance and Improvement Works in Croydon at a maximum contract value of £130m over ten years (7+1+1+1)
2. That the name of the Preferred Bidder be published upon conclusion of the standstill period required under regulation 87 of the Public Contract Regulations 2015.
3. That subject to:
 - a. the transposition of the Preferred Bidder's final tender submission into contractual form being completed to the satisfaction of the Council and there being no material changes to the proposed solution beyond the scope set out in this report; AND
 - b. the terms and conditions of all necessary documentation being to the satisfaction of the Director of Law and Monitoring Officer; that
 - c. Authority to award the final contract and agree all necessary documentation be delegated to the Executive Director Place, in consultation with the Cabinet Member for Environment, Transport & Regeneration (Job Share) and the Cabinet Member for Finance & Resources.

Following the conclusion of Part B items, the Cabinet returned to open session to consider the recommendations detailed in minute number 44/18. The press and public were readmitted and webcasting of the meeting was resumed.

The meeting ended at 8.57 pm