

LONDON BOROUGH OF CROYDON

To: All Members of Council
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PUBLIC NOTICE OF KEY DECISIONS MADE AT THE CABINET MEETING ON WEDNESDAY, 6 DECEMBER 2023

This statement is produced in accordance with Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In accordance with the Scrutiny and Overview Procedure Rules the following decisions may be implemented from **1300 hours on 15 December 2023** unless referred to the Scrutiny and Overview Committee (ie after 13.00 hours on the 6th working day following the day on which the decision was taken). The call-in procedure is appended to this notice.

The following apply to each decision listed below

Reasons for these decisions:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3577>

Other options considered and rejected:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=3577>

Details of any consultation and representations received not included in the published report: None

Details of conflicts of Interest declared by any Cabinet Member: None

The Executive Mayor has made the executive decisions noted out below:

Agenda Item: 6 FUTURE OPTIONS FOR MAINTAINED NURSERY SCHOOLS - CONSULTATION OUTCOMES REPORT

Key Decision No.: 8223EM

Details of decision:

Having carefully read and considered the Part A report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED: To

- 1.1. Note the benefits of listening to the community and families, who have responded on the proposal to reduce the number of MNS within the borough,

via closure or amalgamation. The responses of which are included in the analysis of the feedback to the informal consultation (Appendix 1).

- 1.2. Note that doing nothing is not an option; but request 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. This is to be done in collaboration with the MNS within the next 3 months. (Noting that other options may also develop through this process.
- 1.3. Note, if after further exploration a sustainable model is not achievable there would be a requirement to return to the proposal within the informal consultation.
- 1.4. Implement any actions, that came forward as part of the consultation, that can be delivered immediately, with the MNS that have a financial deficit, so that current deficit does not increase further but reduces.

Agenda Item: 7 HOUSING STRATEGY 2023- 2028

Key Decision No.: 8323EM

Details of decision:

Having carefully read and considered the Part A report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED: To

- 1.1. Consider:
 - 1.1.1 The feedback received from the Homes Scrutiny Committee held on 23rd October,
 - 1.1.2 The feedback received on the draft Housing Strategy 2023-2028 from residents and partners via the engagement and consultation process as detailed in Appendix B, and
 - 1.1.3 The Equalities Impact Assessment detailed in Appendix C
 - 1.1.4 The Housing Delivery Plan detailed in Appendix D
- 1.2. Delegate authority to Corporate Director to make minor amendments in conjunction with Executive Mayor and Cabinet Member prior to publication.
- 1.3. Agree the Housing Strategy 2023- 2028 as detailed in Appendix A; and
- 1.4. RECOMMEND the Housing Strategy 2023- 2028 to Full Council for adoption.

**Agenda Item: 8 TRANSPORT FOR LONDON LOCAL IMPLEMENTATION
PLAN HEALTHY STREETS FUNDING AND PROGRAMME
2024/25**

Key Decision No.: 6523EM

Details of decision:

Having carefully read and considered the Part A report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED:

1.1. To agree the Local Implementation Plan delivery programme for 2024/25 including:

- Central Croydon (£1,800,000)
- Corridors (£1,025,000)
- Neighbourhoods (£375,000)
- School Streets (£250,000)
- Road Safety (£200,000)
- Active Travel (£394,000)
- Bus Priority (£550,000)
- Cycle Parking (£100,000)
- Cycle Training (£130,000)

as set out at in the Appendix A to this report and forming the third year of the Local Implementation Plan Delivery Plan to be submitted to Transport for London to release Local Implementation Plan (LIP) Funding for 2024/25.

1.2. To agree that the Corporate Director, Sustainable Communities, Regeneration and Economic Recovery (in consultation with the Mayor and the Cabinet Member for Streets and Environment) finalise and approve the Local Implementation Plan 2024/25 delivery programme for submission to Transport for London, making any necessary adjustments to the programme prior to and post submission.

1.3. To agree the expenditure in 2024/25 set out in this report and Appendix A, subject to funds having been confirmed and allocated by external funders and Council funding agreed by Budget Council.

Agenda Item: 9 FINANCE 6 PERIOD FINANCIAL PERFORMANCE REPORT

Key Decision No.: 8123EM

Details of decision:

Having carefully read and considered the Part A report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED:

- 1.1. To note the General Fund revenue budget outturn is forecast to breakeven at Period 6, after the forecast utilisation of £63m capitalisation directions requested from DLUHC, £3.5m of the corporate risk contingency budget and £2.2m of the corporate economic demand pressures 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 movement of £2.2m economic demand pressures budget from Corporate to the Housing directorate as set out in paragraph 4.95. This is a budget transfer within directorates, not a change to overall budget, and is in line with the intended purpose of the £5.5m economic demand pressures budget agreed at full Council in March 2023.
- 1.3. To note the progress in MTFs savings achievement as set out in paragraph 4.105.
- 1.4. To note the work that has commenced on the Council's Transformation Programme as set out from paragraph 4.100.
- 1.5. To note the Housing Revenue Account (HRA) revenue budget outturn is forecast to overspend by £12.0m.
- 1.6. To note the General Fund capital programme 2023-24 forecast underspend of £17.6m against the revised capital budget of £144.7m.
- 1.7. To note the HRA capital programme 2023-24 forecast overspend of £5.7m against the revised capital budget of £33.2m.
- 1.8. 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.
- 1.9. To note that the Council continues to operate Spend Control Panels to ensure that tight financial control and assurance oversight are maintained.

1.10. 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.

Agenda Item: 10 FEES AND CHARGES 2024-25

Key Decision No.: 6923EM

Details of decision:

Having carefully read and considered the Part A report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED: To

- 1.1. Have due regard to the equalities impact assessment in Appendix 2 in making the decisions set out in these recommendations.
- 1.2. Approve the fees and charges as set out in Appendix 1 to the extent that they fall within the authority of the Executive to determine.
- 1.3. Note that changes to parking charges are linked to the parking policy transformation and separate consultation is taking place on the draft parking policy.
- 1.4. Approve delegation for further in-year amendments to fees and charges for the financial year 2024-25, to the relevant Corporate Director following consultation with the relevant Cabinet Member and the Executive Mayor.

Agenda Item: 11 CAPITAL PROGRAMME AND CAPITAL STRATEGY 2023-29

Key Decision No.: 7023EM

Details of decision:

Having carefully read and considered the Part A report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED: To

- 1.1. Approve the Council's 2023-29 General Fund Capital Programme which includes planned expenditure of £486.53m (including capitalisation directions) across the six years.

- 1.2. Approve the Council incurring nil borrowing for 2023-24, with borrowing projected of £28.38m in 2024-25 and £175.17m over the four years after 2024-25. The cost of this borrowing will be factored into the Council's Medium Term Financial Plan for final agreement at Full Council resulting in 2024-25 total interest charge and Minimum Revenue Provision of £72.5m.
- 1.3. Approve the Council 2024-25 Housing Revenue Account (HRA) Capital Programme with a total investment planned of £57.26m with borrowing of £24.80m.
- 1.4. Approve an increase to the 2023-24 HRA capital budget from £33.248m to £37.162m, owing to increased major repairs and improvements, with this £3.914m increase funded by HRA reserves.
- 1.5. Approve the Council's Capital Strategy, as detailed within Appendix A of this report.
- 1.6. Note the Council's historic legacy 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.

Agenda Item: 13 PROGRESS UPDATE ON TRANCHE 1 ASSET DISPOSALS, SEEKING APPROVAL FOR TRANCHE 2 OF ASSET FOR DISPOSAL AND APPROVAL OF THE UPDATE OF THE COMMUNITY ASSET TRANSFER POLICY. PART A

Key Decision No.: 7923EM

Details of decision:

Having carefully read and considered the Part A report, the associated confidential part B report, and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Executive Mayor in Cabinet

RESOLVED:

- 1.1. To note the progress made on tranche 1 disposals.
- 1.2. To approve tranche 2 of sites for disposals as set out in Appendix 1 of this report together with indicative values in Appendix 1 (exempt appendix) of the Part B report.
- 1.3. To delegate authority to the Corporate Director of Resources and s151 Officer to agree, in consultation with the Executive Mayor and Cabinet Member for Finance, the terms and final price for each disposal included within tranche 2.

- 1.4. The delegations in this report shall only be exercised following:
- i. Sign off of a business case/ financial assessment by the Corporate Management Team (CMT)
 - ii. Formal Red Book valuation, if required, on a property to be sold; and
 - iii. Formal marketing unless there is a clear special purchaser or offer made considerably in excess of the market value.
- 1.5. To note that the target value for disposals for tranche 2 is £24.8m and that disposals of tranche 2 assets will commence immediately alongside tranche 1 disposals.
- 1.6. To seek approval to commence consultation with the Voluntary Community and Faith Sector (VCFS) on the proposed amendments to the Community Asset Transfer (CAT) Policy set out in paragraphs 4.15 to 4.21 and to delegate authority to the Corporate Director of Resources and S151 Officer, in consultation with the Executive Mayor and Cabinet Member for Communities and Culture, to approve a final amended CAT Policy (Draft in Part A Appendix 3) having considered the feedback provided through the consultation with VCFS organisations.

Signed: Monitoring Officer

Notice date: 07 December 2023

Contact Officers: Michelle.Gerning@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 15 December 2023** unless referred to the Scrutiny and Overview Committee (after 13.00 hours on the 6th working day following the day on which the decision was taken [or decision notice published, if the decision notice is published later than the day of the decision]). The call-in procedure is appended to this notice.
2. The Council Solicitor shall refer the matter to the Scrutiny and Overview Committee if so requested by:-
 - i) the Chair and Vice Chair of the Scrutiny and Overview Committee and 1 member of that Committee; or for education matters the Chair, Vice Chair and 1 member of that Committee; or
 - ii) 20% of Council Members (14)
3. The referral shall be made on the approved pro-forma (*attached*) which should be submitted electronically or on paper to Democratic Services by the deadline stated in this notice. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
 - i) The grounds for the referral
 - ii) The outcome desired
 - iii) Information required to assist the Scrutiny and Overview Committee to consider the referral
 - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision. The Chair of the Scrutiny & Overview Committee shall also be notified.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Overview Committee unless, in view of the Council Solicitor, this would cause undue delay. In such cases the Council Solicitor will consult with the decision taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny & Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee will give to the call in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet shall then reconsider the decision, amending the decision or not, before making a final decision.
8. The Scrutiny and Overview Committee may refer the decision to the Council if it considers that the decision is outside of the budget and policy framework of the

Council. In such circumstances, the provisions of Rule 7 of the Budget & Policy Framework Procedure Rules (Part 4C of the Constitution) apply. The Council may decide to take no further action in which case the decision may be implemented. If the Council objects to Cabinet's decision it can nullify the decision if it is outside the Policy Framework and/or inconsistent with the Budget.

9. If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.
10. If the Council determines that the decision was within the policy framework and consistent with the budget, the Council will refer any decision to which it objects together with its views on the decision, to the Cabinet. The Cabinet shall choose whether to either amend, withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet of the referral from the Council.
11. The responses of the decision-taker and the Council shall be notified to all Members of the Scrutiny and Overview Committee once the Cabinet or Council has considered the matter and made a determination.
12. If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
13. **URGENCY:** The referral procedure shall not apply in respect of urgent decisions. A decision will be urgent if any delay likely to be caused by the referral process would seriously prejudice the Council's or the public's interests. The record of the decision and the notice by which it is made public shall state if the decision is urgent and therefore not subject to the referral process. The Chair of the Scrutiny and Overview Committee must agree that the decision proposed cannot be reasonably deferred and that it is urgent. In the absence of the Chair, the Deputy Chair's consent shall be required. In the absence of both the Chair and Deputy Chair, the Mayor's consent shall be required. Any such urgent decisions must be reported at least annually in a report to Council from the Leader including the reasons for urgency.

Signed: Monitoring Officer

Notice Date: 07 December 2023

Contact Officers: michelle.gerning@croydon.gov.uk

PROFORMA

**REFERRAL OF A KEY DECISION TO THE
SCRUTINY AND OVERVIEW COMMITTEE**

For the attention of: Michelle Ossei-Gerning, Democratic Services & Scrutiny e-mail to Michelle.Gerning@croydon.gov.uk

Meeting:
Meeting Date:
Agenda Item No:

Reasons for referral:

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:

The outcome desired:

Information required to assist the Scrutiny and Overview Committee to consider the referral:

Signed:

Date:

Member of _____ Committee