

LONDON BOROUGH OF CROYDON

To: All Members of Council
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PUBLIC NOTICE OF KEY DECISIONS MADE AT THE CABINET MEETING ON MONDAY, 26 JULY 2021

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 3 August 2021** 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: As set out in the reports
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2751>

Other options considered and rejected: As set out in the reports
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2751>

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

Agenda Item: 3A CROYDON BEST START

Key Decision No.: 3721CAB

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 Cabinet

RESOLVED: To

1. Approve the re-design of the Best Start Children's Centres into a 3 Hubs and 8 Spokes locality model to provide greater efficiency and co-ordination of service delivery within a reduced budget. This recommendation has been informed by public consultation.
2. Note that the Director of Commissioning and Procurement as Chair of the Contracts & Commissioning Board has approved the Procurement Strategy contained in this report and a number of waivers in accordance with Regulations 19.2 of the Council's Contracts and Tender Regulations. The Procurement Strategy will potentially result in Contract awards for a maximum value of £1,431,533, of which for Lot 1, Child Development and School Readiness services is £1,162,533 and for Lot 2, Parent Aspirations and Parenting Skills services is £269,000. Contracts will be for a term of 2 years and 4 months.

Agenda Item: 5 PRIVATE SECTOR HOUSING ASSISTANCE POLICY 2021

Key Decision No.: 1821CAB

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 Cabinet

RESOLVED: To

1. Approve the Private Sector Housing Assistance Policy 2021 ("the Policy"), Appendix A to the report.
2. Delegate authority to the Executive Director of Housing to make minor amendments to the Policy including in relation to typographical errors or updating post holders titles as necessary.
3. Note that in respect of the 6 month Pilot Scheme detailed at paragraph 3.4 of the report and Section 10 of Appendix A, the outcome of the Pilot will be reported back to Cabinet to determine whether or not it is appropriate for the Pilot scheme to be incorporated into the Private Sector Assistance Policy beyond that 6 month time frame.

**Agenda Item: 7 2021/22 (PART) LOCAL IMPLEMENTATION PLAN
FUNDING, BUS PRIORITY FUNDING AND ACTIVE
TRAVEL FUNDING PROGRAMME**

Key Decision No.: 3621CAB

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 Cabinet

RESOLVED: To agree

1. The expenditure of external ring-fenced funding indicated within Table 1 of Section 3 of the report, expenditure, subject to any further advice of the S151 Officer / Director of Finance, Investment and Risk.
2. The delivery of the potential programme summarised within Section 3 of report, the extent and scope of that programme dependent on funding allocations to Croydon Council still to be confirmed by TfL; and subject to other matters outlined in Section 3 of the report.

**Agenda Item: 8 NOVATION OF BUILDING WORKS AND PROFESSION
SERVICES CONTRACTS FROM BRICK BY BRICK FOR
FAIRFIELD HALLS**

Key Decision No.: 3821CAB

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 Cabinet

RESOLVED: To

1. Agree to proceed with the novation of the Fairfield Halls refurbishment contracts and associated contracts, with outstanding costs to borne by the Council, once certified by the Quantity Surveyors (Chronos Ltd) (not including any potential additional remedial works)
 - i. Novation of the Principal Contractor (Vinci) building works contract from Brick by Brick to the Council, and financial commitment for outstanding retentions.
 - ii. Novation of the Contract Administrator (MICA Architects) contract from Brick by Brick to the Council.

- iii. Novation of the Quantity Surveying (Chronos Ltd) contract from Brick by Brick to the Council.
 - iv. Novation of other professional services contracts from Brick by Brick to the Council.
 - v. Assignment of completed contracts warranties and guarantees.
2. Note:
- i. The recommendations above could not be made under delegated authority (as envisaged in the May Cabinet report) due to its potential overall value
 - ii. Brick By Brick will continue to pay relevant contractors on the Council's behalf whilst the recommended novations are completed, from 1st April and forecasted to August 2021 these payments are under £50,000 (managed under delegated authority)
 - iii. The progress of the non-intrusive survey works

Agenda Item: 13 NOVATION OF BUILDING WORKS AND PROFESSION SERVICES CONTRACTS FROM BRICK BY BRICK FOR FAIRFIELD HALLS

Key Decision No.: 3821CAB

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 Cabinet

RESOLVED:

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

RESOLVED: To

- 1. Agree to proceed with the novation of the Fairfield Halls refurbishment contracts and associated contracts, with outstanding costs to borne by the Council, once certified by the Quantity Surveyors (Chronos Ltd) (not including any potential additional remedial works)
 - i. Novation of the Principal Contractor (Vinci) building works contract from Brick by Brick to the Council, and financial commitment for outstanding retentions.
 - ii. Novation of the Contract Administrator (MICA Architects) contract from Brick by Brick to the Council.
 - iii. Novation of the Quantity Surveying (Chronos Ltd) contract from Brick by Brick to the Council.
 - iv. Novation of other professional services contracts from Brick by Brick to the Council.
 - v. Assignment of completed contracts warranties and guarantees.

2. Note:
- i. The recommendations above could not be made under delegated authority (as envisaged in the May Cabinet report) due to its potential overall value
 - ii. Brick By Brick will continue to pay relevant contractors on the Council's behalf whilst the recommended novations are completed, from 1st April and forecasted to August 2021 these payments are under £50,000 (managed under delegated authority)
 - iii. The progress of the non-intrusive survey works

Signed: Council Solicitor and Monitoring Officer

Notice date: 27 July 2021

Contact Officers: Victoria.lower@croydon.gov.uk and Anoushka.clayton-walsh@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 3 August 2021** (the 6th working day following the day on which the decision was taken) unless referred to the Scrutiny and Overview Committee.
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 Victoria Lower 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: Council Solicitor and Monitoring Officer

Notice Date: 27 July 2021

Contact Officers: victoria.lower@croydon.gov.uk and Anoushka.clayton-walsh@croydon.gov.uk

PROFORMA

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

For the attention of: Victoria Lower and Anoushka Clayton-Walshe, Democratic Services & Scrutiny e-mail to Victoria.lower@croydon.gov.uk and Anoushka.clayton-walshe@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