

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, 16 AUGUST 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 24 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?CIId=183&MIId=2509>

Other options considered and rejected: As set out in the reports
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CIId=183&MIId=2509>

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

Details of conflicts of Interest declared by any Cabinet Member: No conflicts of interest were declared in relation to the key decisions made at the Cabinet meeting; as listed below.

Please note; Councillors Callton Young, Manju Shahul-Hameed and Patricia Hay-Justice declared pecuniary interests in item 5 of the agenda (non-key decision) and did not participate in the discussion and vote for that item.

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

**Agenda Item: 7 PHASE 4: ADDITIONAL RESTRICTIONS GRANT
(DISCRETIONARY)**

Key Decision No.: 4021CAB

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 proposed criteria and implementation of phase four of the Additional Restrictions Grant funding allocation, as detailed in the report.
2. Note the outputs that have been created by the previous phases of the Additional Restrictions Grant funding to date.
3. Note that due to the Council's successful allocation of the £11,169,365 of Additional Restrictions Grant funding a further £2,674,867 top up grant will be secured to support businesses in the borough.
4. Delegate to the Interim Executive Director of Place the power to make decisions regarding the operation of the allocation of the £2,674,867 Additional Restrictions Grant, in accordance with the funding guidance established by Government.

Agenda Item: 8 CROYDON BUSINESS IMPROVEMENT DISTRICT (BID)

Key Decision No.: 3121CAB

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. Agree that on receipt of the Croydon Business Improvement District (BID) agreed proposal for the renewal of the proposed BID activity, the Interim Executive Director for Place in consultation with the Cabinet Member for Communities, Safety & Business Recovery be given delegated authority to:
 - 1.1 Consider on behalf of the Council as billing authority, whether the proposal conflicts with any formal adopted policy of the Council and if it

does, give notice of this in accordance with the Business Improvement Districts (England) Regulations 2004 (“the BID regulations”);

- 1.2 Determine whether the Council should support the Croydon BID proposal and to vote on its behalf in the BID ballot. If a no vote is proposed, this will be referred to Cabinet for further consideration;
- 1.3 Formally manage the ballot process in accordance with the BID regulations;
- 1.4 That subject to a “yes” vote at ballot:
 - a. the Council will act as the relevant billing authority and will manage the billing and collection of the additional levy, and its transfer to Croydon BID;
 - b. the Council meet the Council's obligations in paying the extra BID levy, as a non-domestic ratepayer in the BID area, in accordance with the BID regulations over the life of the BID
 - c. the Council enter into key operating agreements with the Croydon BID Company regarding the operation of the BID and the delivery of Council requirements and baselines

Signed: Executive Director of Resources and Monitoring Officer (Interim)

Notice date: 17 August 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 24 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: Executive Director of Resources and Monitoring Officer (Interim)

Notice Date: 17 August 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