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LONDON BOROUGH OF CROYDON

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PUBLIC NOTICE OF KEY DECISIONS MADE AT THE CABINET MEETING ON MONDAY, 24 JANUARY 2022

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 1 February 2022** 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:

Other options considered and rejected:

Details of any consultation and representations received not included in the published report:

Details of conflicts of Interest declared by any Cabinet Member:

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

Agenda Item: 5 EQUALITY, DIVERSITY & INCLUSION UPDATE REPORT, INCLUDING RACE MATTERS PLEDGE AND EQUALITIES PLEDGE

Key Decision No.: 0322CAB

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:

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

RESOLVED: To

1. Consider and have due regard to the responses to the consultation on the Race Matters and Equalities Pledges, as set out in Appendix 1 of the report;
2. Agree that the Race Matters and Equalities Pledges, as set out in Appendix 2 of the report, be adopted by the Council, subject to the following amendment to section 3.9: 'we are working to become an anti-racist organisation by embedding this in our strategies, actions and behaviours and by making a difference to the lived experience of our communities';
3. Agree that the Race Matters Pledge be renamed the George Floyd - Race Matters Pledge;
4. Subject to recommendation 1 being approved, note the plan to hold a promotion event for the Equalities Pledge on 8 March 2022 – International Women's Day;
5. Subject to recommendations 1 and 2 being approved, note the plan to hold an event marking the George Floyd Race Matters Pledge on 25 May 2022- the 2nd anniversary of George Floyd's brutal murder;
6. Agree the monitoring arrangements in respect of both pledges, as set out in paragraphs 5.2 – 5.10 of the report;
7. Note the successful implementation of the Tea time talks, Safe Spaces initiative and Guardians programme within the Council, as part of the culture change programme within the Croydon Renewal Plans;
8. Following the Motion debate at the Council meeting on 13 December 2021, agree that the Council adopt the definition of Islamophobia, as developed by the All-Party Parliamentary Group on British Muslims, and set out in paragraph 6.3 of the report;
9. Authorise the Interim Assistant Chief Executive to make amendments to Council policies and procedures to incorporate the All-Party Parliamentary Group on British Muslims definition of Islamophobia; and
10. Note the proposal for the establishment of an Equality, Diversity & Inclusion Cabinet Advisory Board by the Leader, with terms of reference to be agreed by the Leader of the Council

Agenda Item: 7 RESPONSE TO CONSULTATION: PURLEY POOL

Key Decision No.: N/A

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:

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

RESOLVED: To

1. Note and give due regard to the findings from the public consultation set out in the report.
2. Confirm the decision taken at 18th October 2021 Cabinet to not reopen Purley Leisure Centre.
3. Accommodate leisure centre users in Waddon, New Addington and Monks Hill, including disability sport provision and swim schools in Waddon Leisure Centre.

Agenda Item: 8 LOCAL IMPLEMENTATION PLAN FUNDING: 2022/23 - 2024/25

Key Decision No.: 4821CAB

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:

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

RESOLVED: To

1. Approve the Spending Submission as summarised in Appendix 1 of this report, including TfL funded programmes for 2022/23:
 - Corridors and Neighbourhoods (£2,362,100)
 - Local Transport Funding (£100,000)
 - Borough Cycle Parking (£150,000)
 - Borough Cycling (£1,275,000)
 - Borough Bus Priority (£730,000)
 - Liveable Neighbourhoods (£800,000)to form the funding request to TfL for 2022/23 and the basis of the draft LIP Delivery Plan 2022/23 – 2024/25

2. Delegate authority to the Acting Corporate Director of Sustainable Communities, Regeneration and Economic Recovery in consultation with the Cabinet Member for Sustainable Croydon to make any further amendments to the Spending Submission (see Appendix 1), including submission of additional bids or requests for funding.
3. Agree to expenditure of TfL funding in 2022/23 on delivery of the programme summarised within Appendix 1 of the report, the extent and scope of that programme dependent on funding allocations to Croydon Council to be confirmed by TfL, and subject to approval by Spending Control Panel.

Agenda Item: 9 EDUCATION ESTATES STRATEGY

Key Decision No.: 0122CAB

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:

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

RESOLVED: To

School Admission

1. agree to recommend to full Council that it determine the proposed community schools' Admission Arrangements for the 2023/24 academic year (Appendix 1 of the report);
2. approve the continued adoption of the proposed Pan London scheme for co-ordination of admissions to Reception and Junior schools – Appendix 1a of the report; and adoption of the proposed Pan London scheme for co-ordination of admissions to secondary schools – Appendix 1b of the report.

School Place Planning

3. approve the Capital Programme Budget summary (Appendix 3 of the report).

School Maintenance and Compliance

4. approve the proposed Schools' Maintenance Plan (Appendix 4 of the report) for 2022/23 with an overall budget cost of £3.7m
5. Delegate authority to the Interim Corporate Director – Children, Young People and Education to vary the proposed Schools' Maintenance Plan to reflect actual prices and new urgent issues that may arise, including authorising spend

against the allowance for emergency and reactive works. The Corporate Director, Children, Young People and Education shall report back to members in respect of any exercise of such authority.

School Place Planning

6. note comparison between the available School Places vs 2021 School Capacity (SCAP) Projections Pupil Projections Appendices 2 (primary) and 2a (secondary) of the report.

7. Academy conversion
note the change of status of Kenley Primary School to an academy.

1.8 Early Years
note the 2021 Childcare Sufficiency Assessment report – Appendix 5 of the report.

Special Educational Needs and Disability (SEND)

1.9 note that the SEND Estates strategies are contributing positively to the development of local provision maintaining some of our most challenging and vulnerable children and young people with SEND within their families and communities.

Alternative Provision / Pupil Referral Unit (PRU)

10 note information on Alternative Provision / PRU.

Agenda Item: 15A SUPPORTED HOUSING FOR PEOPLE WITH A MENTAL HEALTH DIAGNOSIS - STRATEGY & EXTENSION

Key Decision No.: 5221CAB

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:

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

RESOLVED: To

1. Approve the strategy detailed in this report for the procurement of a contract for the delivery of supported housing for people with a mental health diagnosis for a period of five years for the period 2 August 2022 to 31 July 2027. The

total annual value is estimated to be £1,126,000 (subject to confirmation of health funding) which results in a total aggregated value of £5,630,000 (subject to health funding) for the maximum 5 years. The local authority contribution will be £776,000 per annum (£3,880,000 in aggregate).

2. Approve the extension and variation of the contract for the provision of supported housing services for people with a mental health diagnosis with Look Ahead in accordance with Regulation 30 of the Tenders and Contracts Regulations until 2 August 2022 resulting in an aggregate value of £5,670,827. This will ensure there is no gap in provision whilst the recommissioning takes place and discussions with health colleagues regarding future funding conclude.

Agenda Item: 15B COVID-19 RECOVERY FOR BH LIVE

Key Decision No.: 4921CAB

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, in accordance with Regulation 30.3 of the Council's Tenders and Contracts Regulations, to vary the existing contract with the operator of Fairfield Halls, BH Live, to a value of £841,000 (resulting in a total aggregated variation value of £1,291,000 and a total maximum aggregated contract value of £181,291,000) by:
 - (i) Agreeing to include a management fee arrangement of £193,000 in 2022/23 and £74,000 in 2023/24, with a profit sharing arrangement of 90% Croydon : 10% BH Live; and
 - (ii) Agreeing to the early purchase of physical assets within Fairfield Halls from BH Live, to the value of £574,000 (subject to a confirmed valuation), which could have otherwise occurred at the exit of the contract.

Signed: Interim Monitoring Officer

Notice date: 01 February 2022

Contact Officers: Darce.Gocoul@croydon.gov.uk and Jayde.Watts@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 1 February 2022** (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 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: Interim Monitoring Officer

Notice Date: 01 February 2022

Contact Officers: Democratic Services democratic.services@croydon.gov.uk

PROFORMA

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

For the attention of: Democratic Services democratic.services@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