

LONDON BOROUGH OF CROYDON

To: All Member of Council
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STATEMENT OF EXECUTIVE DECISIONS MADE BY CABINET ON 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. Further to the associated public notice of Key Decisions no scrutiny call-in has been received, and therefore the following decisions can be implemented.

The following apply to the decisions 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 Conflicts of Interest declared by the Decision Maker: 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.

Note of dispensation granted by the head of paid service in relation to a declared conflict of interest by that Decision Maker: None

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

Decision Title: LIBRARIES CONSULTATION PHASE 2 RESULTS

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 Consider the outcome of the consultation for second phase and the considerations arising from the consultation as detailed within the report and appendices to the report including in relation to the Public Sector Equality Duty, the Equality Assessment and the recommended option following consultation;
- 2 Consider the assessment regarding delivery of a statutory Library Service in

accordance with the requirements of Section 7 of the Libraries and Museums Act 1964 if option one is recommended to Full Council for approval;

- 3 Agree to recommend to Full Council that it:
 - 3.1 Consider the outcome of the consultation and the consultation responses as set out in Appendix 1 and the assessment of those responses.
 - 3.2 Consider the equalities assessment at Appendix 2 and the Public Sector Equality Duty (PSED) requirements under Section 149 of the Equalities Act 2010 as detailed in paragraph 10;
 - 3.3 Consider the assessment regarding the Council's ability to deliver a statutory library service in accordance with the requirements of Section 7 of the Libraries and Museums Act 1964 if the recommended option is agreed;
 - 3.4 Having due regard to the contents of Appendices 1 and 2 and the assessment referenced in 1.3.3, agree that it implement changes to the statutory Library service by reducing hours by an average of 21% across the borough as detailed in paragraphs 3.13 achieving £506,980 of savings.
4. Note that a delegation will be sought from Full Council regarding the implementation of the recommended option and further engagement with service users of the boroughs' 13 Libraries regarding the implementation at individual sites.
5. Note the intention for officers to commence further work to assess income generating opportunities and efficiencies within the Libraries service as detailed in paragraphs 5.4 of the report.

Decision Title: TACKLING PROBLEMS IN THE BOROUGH'S PRIVATE RENTED SECTOR AND HELPING MAKE CROYDON THE 'BETTER PLACE TO RENT'

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. Note the content of the letter from the Secretary of State at Ministry for Housing Communities and Local Government, dated 7 June 2021, at Appendix A of the report, which sets out the decision to refuse the application submitted by the Council on 20 July 2020 for confirmation of two selective licensing schemes in the Borough.
2. Note that as a consequence of the refusal decision in 1 that the two selective licensing designations made by Cabinet on the 11th May 2020 do not come into force.

3. To agree that the council takes steps to review its position to the known issues in respect of conditions and anti-social behaviour in the borough's private rented sector as detailed in section 5 of the report and to thereafter present proposals for Members' further consideration.
4. Note the proposed timescales for data gathering and forming of options as detailed in section 6 of the report.

Decision Title: UNACCOMPANIED ASYLUM SEEKING CHILDREN UPDATE

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. Note the actions taken since the June 2021 Cabinet meeting including the revised forecast budget gap of £2.357m in 2021-22 due to the disproportionate number of unaccompanied children and care leavers in Croydon's care, rising to £7.149m over the MTFs period, 2021-24.
2. Note the concerns raised by statutory Director of Children's Services, endorsed by the Improvement and Assurance Panel and the Chair of the Children's Continuous Improvement Board, of the damaging impact of further savings on the Council's children's services in the light of the existing MTFs savings plans across all council services.
3. Note the advice from the statutory Director of Children's Services on the safety of children's services if additional in-year savings are required to be made and instruct officers to draw up legal advice to Cabinet on all options to limit the council's exposure to financial risk.
4. As the council is still to hear from HM Government in regard to additional funding and the fact that the pre-election period begins on 30th August 2021, cabinet delegate authority to the Leader of the Council, the Cabinet Member for Children, Young People and Learning, the Chief Executive and the interim Executive Director, Children, Families and Education to take the necessary steps to address the in-year cost pressures set out in Table 1 of the report.
5. Note that the Leader of the Council will write to the relevant Secretaries of State to underline the strength of Croydon's case for additional support due to its exceptional circumstances and to request an urgent meeting.

Decision Title: 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.

Decision Title: 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

Decision Title: POST COVID VISION FOR THE TOWN CENTRE

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 the setting up of an Advisory Town Centre Board, in principle, with Council representatives being the Leader (Chair) and the Cabinet Member for Culture & Regeneration; and delegate authority to finalise the terms of reference to the Interim Executive Director of Place, in consultation with the proposed stakeholders, members and Chair.
2. Agree the delivery of a community engagement programme for the town centre, and the North End area in particular to build on and help deliver the vision as set out in the Local Plan.
3. Agree the setting up of a Croydon Urban Room within the town centre as a focus and platform for community, business and stakeholder engagement.
4. Agree a budget of up to £50,000 funded from central Government’s Welcome Back Fund, to kickstart the community, business and stakeholder engagement.
5. Agree the preparation of a Recovery and Regeneration Plan as a non statutory document for the town centre.

6. Note the contents of the report and on the basis of the activities of Croydon Limited Partnership (CLP) in preparing short, medium and long term plans for the redevelopment of the Whitgift Centre, that legal instruction is initiated for the transfer to Whitgift Limited Partnership of land acquired through the Compulsory Purchase Order (CPO).

Decision Title: FINANCIAL PERFORMANCE REPORT – MONTH 3 (JUNE 2021)

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. Note the General Fund is projecting a net favourable movement of £0.563m from Period 2. Service departments are indicating a £3.471m overspend (Month 2 £4.034m) with this being netted off as in the past two months against release of a one off Covid Grant (£3.451m) confirmed to Croydon Council for 21/22 by MHCLG as part of the Local Government Finance Settlement;
2. Note that a further number of risks and compensating opportunities may materialise which would see the forecast year-end variance change and these are reported within Section 3 of this report. Should these risks materialise or the mitigations not be effective the Council could overspend by £2.847m (Month 2 £3.676m);
3. Note the Housing Revenue Account (HRA) is projecting a £0.802m (Month 2 £1.595m) overspend for 2021/22. If no further mitigations are found to reduce this overspend the HRA will need to drawdown reserves from HRA balances;
4. Note the capital spend to date for the General Fund of £4.372m (against a budget of £138.688m) and for the HRA of £4.061m (against a budget of £183.209m);
5. Note, the above figures are predicated on forecasts from Month 3 to the year end and therefore could be subject to change as forecasts are refined and new and updated information is provided on a monthly basis. Forecasts are made based on the best available information at this time; and
6. Note that whilst the Section 114 notice has formally been lifted, the internal controls established as part of the S114, such as the Spend Control Panel remain. However, restrictions have been lifted for ring-fenced accounts such as the Pensions Fund, Housing Revenue Account and Coroner's Costs as these do not directly impact on the financial position of the General Fund. The Spending Control Panel which was set up at the beginning of November 2020 continues to meet on a twice daily basis.

Decision Title: STAGE 2: RESPONSES TO RECOMMENDATIONS ARISING FROM SCRUTINY & OVERVIEW COMMITTEE ON 27 MAY 2021

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 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.

Decision Title: INVESTING IN OUR BOROUGH

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 note the list of delegated award decisions made by the Director of Commissioning and Procurement since the last meeting of Cabinet, as set out in section 5.1.1 of the report.

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

Notice date: 24 August 2021