

## Cabinet

Meeting held on Monday, 16 August 2021 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, CR0 1NX. To view the meeting webcast <https://webcasting.croydon.gov.uk/croydon/meetings/12904>

### MINUTES

- Present:** Councillors Hamida Ali, Stuart King, Muhammad Ali, Janet Campbell, Oliver Lewis, Manju Shahul-Hameed and Callton Young
- Also Present:** Councillors Alisa Flemming, Janet Campbell, Jason Perry, Jeet Bains, Jason Cummings, Maria Gatland, Lynne Hale, Andy Stranack, Sean Fitzsimons, Robert Ward, Pat Clouder, Jerry Fitzpatrick, Leila Ben-Hassel, Patsy Cummings, Maddie Henson, Bernadette Khan and David Wood
- Officers:** Doutimi Aseh (Interim Director Law & Governance)  
Kiri Bailey (Solicitor)  
Kerry Crichlow (Programme Director – Children’s Improvement)  
Matthew Davis (Deputy Section 151 Officer)  
Nick Gracie-Langrick (Private Sector Housing Manager)  
Sarah Hayward (Interim Executive Director Place)  
Stephen Hopkins (Head of Children and Adults Placement and Brokerage)  
Robert Hunt (Assets Manager)  
Asmat Hussain (Interim Executive Director Resources)  
Steve Iles (Director of Public Realm)  
Elaine Jackson (Interim Assistant Chief Executive)  
Debbie Jones (Interim Executive Director Children, Families & Education)  
Katherine Kerswell (Chief Executive)  
Roisin Madden (Interim Director of Early Help and Children’s Social Care)  
Annette McPartland (Director of Operations)  
Carol Squires (Head of Economic Development)  
Stephen Tate (Director of Growth, Employment & Regeneration)

### PART A

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#### **Disclosure of Interests**

Councillors Young, Shahul-Hameed and Hay-Justice declared pecuniary interests in item 128/21 (Tackling problems in the borough's private rented sector and helping make Croydon the 'Better Place to Rent') and did not participate in the discussion and vote on the item.

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### **Urgent Business (If any)**

There were no items of urgent business.

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### **Libraries Consultation Phase 2 Results**

The Leader of the Council (Councillor Hamida Ali) advised Members that the report had been published following the statutory deadline (on 10 August 2021) as the council wanted to ensure that residents had time to respond to the consultation and for those responses to be properly considered in the report.

The Cabinet Member for Culture & Regeneration (Councillor Oliver Lewis) began by thanking officers for their work in ensuring the results of an extensive consultation were reported to Cabinet. It was noted that the report set out the plans for the future of the library service which had been consulted on widely with residents across the borough. The Cabinet Member stated that no libraries would close as the Administration recognised the importance of the service to residents and communities.

Members were informed that over 1,400 responses had been received during the second phase of the consultation, in addition to the 2,500 responses received during the first phase. Responses had shown that residents did not want libraries to close, nor for the service to be outsourced as had been previously done. It was stated by the Cabinet Member that the libraries would remain open and run by the council with revised opening hours, and that the council would look to continue to deliver a high quality and engaging service.

The Cabinet Member for Resources & Financial Governance (Councillor Callton Young) reflected that libraries were incredibly important and stated that he was pleased that the council had found a way to keep the libraries open. It was noted that there were 15 full time positions in the service, however five of those positions were vacant. In terms of the remaining positions, the Cabinet Member sought confirmation that the council would work with the unions. In response, the Cabinet Member for Culture & Regeneration confirmed that the council had engaged with the unions throughout the process.

It was noted by the Shadow Cabinet Member for Culture & Regeneration (Councillor Jeet Bains) that the report referred to £0.5 million of savings would be achieved through the proposed changes to the library service, but queried what the cost would be to young people's education and residents. The Cabinet Member, in response, stated that it was important that the council lived within its means which had meant that savings had been sought across the council; including the library service. It was stressed by the Cabinet Member that the council wanted to work with communities and the voluntary sector to ensure creative use of the library spaces.

The Leader of the Opposition (Councillor Jason Perry) stated that Cabinet Members should not be congratulating the fact that libraries would not close under the proposed plans, but should be apologising to residents as all libraries would be impacted by the proposals. In response, the Leader of the Council noted that the Opposition had been calling on the council to live within its means which it was seeking to achieve. Furthermore, it was suggested by the Leader that the Government should apologise for the cuts it had imposed which had impacted the council's ability to deliver such services. The Leader noted that communities wanted to work with the council to make use of the service and facilities available.

The Cabinet Member for Culture & Regeneration further highlighted that library services nationally had been impacted by austerity, with a number being closed. It was stressed that the council had worked hard to maintain all libraries and had worked with communities to ensure they were involved in the decision making process. Furthermore, it was stated that the council hoped to continue to work with communities to ensure an engaging service was provided.

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

**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.

128/21

### **Tackling problems in the borough's private rented sector and helping make Croydon the 'Better Place to Rent'**

The Cabinet Member for Croydon Renewal (Councillor Stuart King) informed Members that the private rented sector provided homes for 1/3 of households in the borough; with the number doubling in the previous ten years. Whilst many landlords in Croydon provided good quality accommodation, there remained a significant minority who left tenants in unacceptable living conditions.

Members were informed that in 2015, the council had applied for a borough wide selective licensing scheme for the private rented sector which had undertaken proactive checks to ensure landlords and agents for over 38,000 properties met key housing, environmental and safety standards. Under the scheme, the council had served over 1,000 enforcement notices and ensured 75 offending landlords were banned from holding a licence. Furthermore, the council had taken over 20 cases to court for the most serious of offences.

The Cabinet Member stated the scheme had enabled the council to carry out much needed proactive work in the borough in order to protect tenants and ensure that Croydon was a better place to rent. The scheme had run until November 2020 and a detailed application for a new scheme had been submitted to government for approval, however the Secretary of State refused the application in June 2021. Members were advised that there was no right for appeal and so the council had little choice but to accept the decision. However, it was stated that did not mean the council was willing to accept the continuation of poor quality housing in the borough and the report set out steps the council would take; including reviewing the options available to the council to manage poor quality housing and anti-social behaviour.

The Cabinet Member for Sustainable Croydon (Councillor Muhammad Ali) noted that the one of the key points in the report was in relation to the environmental impact of the selective licensing scheme which the council no longer had influence over following the rejection from the Secretary of State. It was further noted that the council had been criticised for its

application and the Cabinet Member requested details of the process leading up to the submission of the application to assure residents that everything had been done to submit a meaningful application. In response, the Cabinet Member for Croydon Renewal reflected that he was not aware of the Secretary of State visiting the borough to understand the impact of the scheme and whilst the Administration was confident it had submitted a strong application with a clear evidence base; there was no right of appeal against the decision of the Secretary of State.

The Cabinet Member for Families, Health & Social Care (Councillor Janet Campbell) queried what the implications were for vulnerable residents in the private rented sector given the decision to refuse a selective licensing scheme. It was noted by the Cabinet Member for Croydon Renewal that within the submission that poor housing conditions were prevalent within Croydon's private rented sector. Furthermore, it was highlighted that a number of children and disabled residents lived in the private rented sector and the previous scheme had enabled the council to be more proactive rather than reactive to support tenants.

Antisocial behaviour was also highlighted and the Cabinet Member reflected on the impact and trauma this could cause residents. Under the previous scheme the council had been able to carry out almost 16,000 antisocial behaviour investigations.

In response to a query from Councillor Leila Ben-Hassel, the Cabinet Member stated that he was not aware of the Secretary of State approving any borough-wide schemes, but that he was aware that borough-wide schemes across the country had been refused. He further suggested that had he been the Secretary of State he would have wanted to visit the borough to understand directly from officers the value of the scheme in protecting vulnerable residents. Concerns were raised that without the scheme the 75 landlords who had previously been banned would be able to start renting substandard properties once more.

The Shadow Cabinet Member for Homes (Councillor Lynne Hale) stated the report exposed the issue that the council did not have a plan B in place should the application be refused. Whilst she did not doubt the work undertaken by officers in developing the scheme, she stated that the Secretary of State had made the decision because it had failed to meet statutory criteria, lacked an up-to-date housing strategy and failed to provide the required quality evidence. In light of this, the Shadow Cabinet Member suggested the council needed to take responsibility for failing to submit an application which met the required standards. Furthermore, the Shadow Cabinet Member suggested the council was, itself, a slum landlord due to the conditions experienced by tenants at Regina Road and queried whether the council would take itself to court for failing to provide good quality homes. Additionally, the Shadow Cabinet Member requested details of the risk to budgets and impact on staffing following the refusal by the Secretary of State for a selective licensing scheme.

In response, the Cabinet Member for Croydon Renewal stressed that the council had apologised for the conditions experienced at Regina Road and immediate action had been undertaken to address the issues. However, alongside the action taken by the council in relation to its own properties, action would also be taken to address poor standard in all homes and to support tenants. In terms of the financial impact, the Cabinet Member advised that this was set out in the Financial Implications section of the report. Furthermore, the Interim Executive Director Place (Sarah Hayward) advised Members that £850,000 of savings had been identified and vacant posts had not been filled.

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

**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 11<sup>th</sup> 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.

129/21

**Unaccompanied Asylum Seeking Children Update**

The Leader of the Council (Councillor Hamida Ali) apologised that the report was published following the statutory deadline on 13 August 2021 due to the council waiting for a response from the government, which was unfortunately not received.

The Leader thanked officers, in particular Kerry Crichlow, and Margaret Lee from the Improvement & Assurance Panel for all their work during the discussions with government departments. Work had been undertaken to demonstrate that there was an unfunded budget gap which Croydon had borne unlike any other council in the country. It was noted that the view was held by not just Croydon Council, but also the Panel and the Children's Improvement Board.

That the council had not heard from government was for the Leader disappointing, despite the consensus from all involved in the council. It was stated that the council was at risk of further government intervention, should it overspend and break the terms of the capitalisation direction. Additionally there remained a risk to children services as a whole and the support which could be provided to all children.

The Leader thanked colleagues from across London for their collaboration and commitment and those from outside of London who had provided support to Croydon. Members were informed that the Leader had written to the relevant Secretaries of State to ensure they were clear on the position facing Croydon and that she supported the work of officers in the discussions which had taken place over a number of months.

The Leader noted the events which were taking place in Afghanistan and informed Members that she had asked officers to ensure they were doing all they realistically could, as part of the national effort to support families who had risked so much.

The Cabinet Member for Children, Young People & Learning (Councillor Alisa Flemming) reflected on the impact of recent events on the people of Afghanistan and the continued support, of not just the borough but nationally, to ensure the safety of those at the point of need.

It was stated that the report gave an update following the report taken to Cabinet in June 2021 and the council's continued request for fair funding. Assurances had been sought that exceptional costs would be funded to cover the costs of caring for the nation's children. Whilst a decision had not been received from government, the Cabinet Member stated that she remained hopeful that the council would receive the appropriate funding as the funding gap was at £2.3 million but would rise to £7 million over the following three years. Given the council's financial position, the Cabinet Member concluded that the council could no longer afford to meet the pressure without appropriate funding.

Councillor Robert Ward highlighted section 2.2 of the report which noted that the Children & Young People Scrutiny Sub-Committee, along with others, had worked through the model of assumptions and it was felt that this had resulted in more accurate and robust figures. It was stated that Croydon carried a disproportionate burden and the effectiveness of the revised national transfer scheme was also highlighted. Councillor Ward informed Members that the Scrutiny Sub-Committee supported the monthly monitoring and thanked officers for their work.

The Shadow Cabinet Member for Children, Young People & Learning (Councillor Maria Gatland) noted that Croydon had always experienced a disproportionality high level of UASC due to the location of Lunar House in the borough and the Opposition group had always supported the call for fair funding. It was suggested that the Opposition would continue to support the request to government, but stated that there needed to be

confidence in the data provided. The Shadow Cabinet Member stated that previously the funding gap had been presented as being near £7 million. Officers and the Scrutiny Sub-Committee were thanked for their work to reach a point where the figures could be agreed by all.

Concerns were raised that children services had been cut and many staff were leaving the council particularly in light of the need to ensure all vulnerable children were safeguarded and protected. In light of the concerns raised, the Shadow Cabinet Member queried when Members would receive assurance that the figures were accurate and what would happen should the council be unable to support any further UASC.

In response, the Leader reflected that it was reassuring that there remained a cross party consensus to the basic principle for the need for fair funding. In terms of being unable to support UASC, the Leader stated that there had been constructive conversations with government and the council hoped a response would be received.

The Cabinet Member thanked the Shadow Cabinet Member for the acknowledgement that Croydon faced a disproportionate impact and that a resolution had been sought for some time. It was however, stressed that the council was at a point where it could no longer support the position it was in and a decision from government was required. In terms of questions on the impact if Croydon stopped taking in UASC, the Cabinet Member stressed that there would be human costs to such a decision.

Members were informed that the paper set out the financial position which had been reviewed by the Improvement & Assurance Panel, the Children's Improvement Board and government departments, however it was noted that the figures fluctuated. It was noted by the Cabinet Member that at that point the council was experiencing a reduction, but it was anticipated figures would rise as more young people arrived at Lunar House.

The Cabinet Member stressed that there was a need for real urgency as the financial pressures could not remain as they were, as had been outlined in the report. She, however, welcomed the ongoing negotiations and reiterated that she was hopeful that a resolution could be found which was the best solution for Croydon. It was highlighted that the borough had a rich diversity and the council wished to ensure the safety of all children, however it was the duty of the council to ensure the delivery of good and safe services for children.

The Interim Executive Director for Children, Families & Education (Debbie Jones) advised that her comments as the statutory Director of Children Services were included in the report. It was noted that it was unusual for such comments to be made but they reflected the seriousness of the position facing Croydon, which Members were informed were acknowledged by government. Whilst the situation was acknowledged,

the Interim Executive Director advised Members that the council required the pressures to be alleviated.

Members were advised that the figures contained at table 1 of the report reflected a moving population; both in terms of children moving to being Care Leavers at the age of 18 and also the significant reduction in UASC arriving in Croydon which had been witnessed during the pandemic. The Interim Executive Director advised, however, that increased pressure had been experienced in Kent which would be reflected in London in due course.

The Interim Executive Director advised Members that Croydon had received considerable support from London boroughs which had helped the situation in recent months. Additionally, help had been received from government departments in terms of the assessment team.

In response to concerns raised in relation to the figures set out in the report, the Interim Executive Director confirmed that they had been reviewed line by line and everyone was assured that the budget pressure was £2.3 million at that moment in time. It was further highlighted that Croydon, along with other children services departments were facing budget pressures in relation to the impact experienced by the end of the pandemic and increased demand.

Members were advised by the Interim Executive Director that at section 5 of the report it was stated that if in year savings were required, there would be a reduction in agency staffing and vacancies would not be filled. The Interim Executive Director advised that would impact on the delivery of children services and as the statutory director she would not recommend such a course of action.

It was noted by the Shadow Cabinet Member for Homes (Councillor Lynne Hale) that the latest deep dive had shown that significant savings could be made and queried how the council would ensure ongoing pressures were maintained and that additional costs were not incurred. In response, the Cabinet Member stated that the council could not ensure it controlled budget pressures unless the national transfer scheme became mandatory. At present, it was stressed, that the council could not guarantee how many young people would present at Lunar House which Croydon would need to take responsibility for. Given the situation, the Cabinet Member concluded the council needed appropriate funding until the overall situation of the care of the nation's children was addressed.

The Leader noted that the report set out that there was consensus that the figures were accurate. Whilst a mandatory scheme would resolve the situation, the Leader reflected that it was not a position the government appeared to want to take, as such financial alleviation was the only option which would make a difference.

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

**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 MTFSS 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 MTFSS 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.

130/21

**Phase 4: Additional Restrictions Grant (Discretionary)**

The Cabinet Member for Communities, Safety & Business Recovery (Councillor Manju Shahul-Hameed) informed Members that during the pandemic the government announced business grant schemes which were to be administered by councils. The report highlighted the work of one such grant scheme, the Additional Restrictions Grant, and the work which had been completed by officers to distribute £11 million by 30 July 2021. It was noted that Cabinet were being asked to approve the proposed criteria and implementation of phase four of the grant funding with an allocation of £2.67 million.

It was stated that the grants had continued to support local businesses to restart and recover from lockdowns, and reduce business reliance on other support provided by the council. The grants had prevented closures and subsequent unemployment.

The Cabinet Member stated that analysis of recent economic data had shown that hospitality and creative sectors needed specific support which reflected qualitative data which had been received from business networks and representatives. It was highlighted by the Cabinet Member that Croydon was the first borough to allocate additional restrictions grant specifically for black and Asian minority ethnic businesses.

The Cabinet Member for Resources & Financial Governance (Councillor Callton Young) noted that £11.2 million had been provided in grants and queried what the impact had been on those businesses in receipt of the grants. Furthermore, he noted that paragraph 6.3 of the report stated that funding would be monitored and evaluated against key outcomes and queried the governance which was in place to ensure evaluation took place.

In response to the questions, the Cabinet Member for Communities, Safety & Business Recovery stated that the grants were an iterative process which coincided with criteria setting and business grant allocation. Case studies had been undertaken as part of the Love Croydon Shop Local campaign. It was noted that the hospitality and nighttime economy had been badly affected by the pandemic and so the council had introduced an evening and nighttime economy grant. That funding had been allocated within three days and so a further grant was introduced for district centres. Members were further informed that the nighttime economy grant had been evenly allocated across the borough and did not focus only on the town and district centres.

The growth and innovation grant was also noted by the Cabinet Member as this grant process had been revised following feedback from businesses.

The Director of Growth, Employment & Regeneration (Stephen Tate) advised Members that data and feedback was key in ensuring the grant process was a success. The council had built upon information and data it had and data it had received from London Councils and the South London Partnership. It was noted that it had been a discretionary fund which had enabled the council to shape and adapt the fund depending on feedback.

The Shadow Cabinet Member for Communities, Safety & Business Recovery (Councillor Andy Stranack) stated that he was very grateful to the government for the grant monies it had provided to Croydon. Concerns were raised that there had been cases of young people stealing in Central Parade and that following him raising concerns the Police were conducting patrols. It was noted that the report stated one of the priorities of the scheme had been to alleviate geographical deprivation, as such the

Shadow Cabinet Member requested that the £10,000 allocated to New Addington be increased in light of it being one of the most deprived areas.

In response, the Cabinet Member stated that staff had worked tirelessly to ensure funds reached businesses across the borough. It was reported that a video had been recorded with Ken Burgess (Director and Chairman of the New Addington Central Parade Business Partnership) in relation to the support the council had provided, which was due to be published by the council's Communications team the following day.

The Cabinet Member noted that the criteria set by the government had changed from having to distribute all the grants by March 2022 to July 2021; which the council had achieved. Due to the success, the council had been allocated a further £2.6 million and it was the ambition to support all the businesses which had fallen through the cracks.

It was stated by the Cabinet Member that all London boroughs had struggled with the criteria set by the government, but the council had worked to that criteria and had worked with businesses to ensure additional support was available. Support, it was further noted, was being provided to not just existing businesses but to start-ups who wanted to make use of empty units also. Should the council receive additional funding, the Cabinet Member offered to work with the Shadow Cabinet Member to provide more funding for New Addington.

It was noted by the Cabinet Member for Croydon Renewal (Councillor Stuart King) that the Leader of the Council and the Croydon Chamber of Commerce had written to the Chancellor of the Exchequer in relation to the doubling of furlough costs to businesses. The impact of the withdrawal of furlough was highlighted by the Cabinet Member for Croydon Renewal as staffing costs would increase which would lead to businesses having to decide whether to retain staff, and the Cabinet Member stressed the council needed to do all it could to support businesses.

In addition to the issues in relation to the cost of furlough, the Cabinet Member for Communities, Safety & Business Recovery highlighted the impact on mental health which would require additional support. Business rate relief was further highlighted as a problem and the Cabinet Member called on the Opposition to work with the Administration to challenge the government to ensure support was provided to businesses, communities and residents.

The Cabinet Member for Resources & Financial Governance (Councillor Callton Young) noted that since 2010 the council had received £144 million less from the government due to a 75% reduction in core funding. He challenged that the government could not take money and not return it when such an amount would support the borough during such a challenging period.

Challenges in relation to what was felt to be a bureaucratic system for applying for grants were received from the Leader of the Opposition (Councillor Jason Perry). It was stated that the council was in the bottom 10% of the country for delivering the grants in a timely manner. He challenged how businesses could trust the council given policies to remove free parking and increase street trading fees would impact on them. He further raised concerns that he felt that the council continually criticised the government and did not take responsibility

It was highlighted by the Cabinet Member for Communities, Safety & Business Recovery that over £93 million of grants had been distributed by the council due to the hard work of officers. Additionally, she stated that phase two of the grants had been the most open within London as it supported any business from any sector as long as the business was based in Croydon and had a turnover of £15,000. In terms of the challenge that Cabinet criticised the government, the Cabinet Member stated that it often took a number of weeks for the criteria to be released by the government or it was changed during the allocation of grants to businesses which had required staff to continuously adapt. The Cabinet Member concluded by stating that the average turnaround of a grant application was three days.

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

**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.

131/21

**Croydon Business Improvement District (BID)**

The Cabinet Member for Communities, Safety & Business Recovery (Councillor Manju Shahul-Hameed) informed Members that the report set out recommendations to support another term of the Croydon Business Improvement District (BID) in their work to drive economic growth in the

town centre. It was noted that the council had supported the work of the BID for 15 years which had seen the local business community interests being put first. The BID had also worked tirelessly during the pandemic to provide additional or improved service for over 500 organisations across the retail, commercial, leisure, hospitality and public sectors.

Members were informed that the council was a key partner and levy payer and would vote in the ballot on the future of the BID. In light of the council's financial pressures, the Cabinet Member highlighted the financial implications in relation to the renewal of the BID; including the ballot process and the administration of billing and collection of the levy. However, it was noted that there no implications to the council's revenue budget from those responsibilities as the costs were recharged to the BID.

The Cabinet Member highlighted that the council paid the levy on eight properties at a costs of over £50,000 per annum. However, it was noted that an important relationship with the BID had been developed which had supported town centre businesses throughout covid-19 lockdowns; including the Raise the Bar campaign. The Cabinet Member stressed that the council and the BID would continue to work together, in partnership, following the renewal of the BID to ensure a real difference was made to the town through initiatives and much needed services.

Matthew Simms (Croydon BID Chief Executive) was welcomed to the meeting to present the Croydon BID proposal for 2022 to 2027. It was highlighted that the resilience of the business community had been tested like never before during the preceding 18 months. The pandemic, it was noted, had accelerated levels of change to the local economy, but had enabled greater collaboration with partners to enable the BID to deliver more support to the business community and to make a difference.

Members were informed that in the previous five years, the BID had been central to supporting the business community by delivering:

- 40,000 extra hours of dedicated policing for the town centre;
- 51,000 hours of patrolling by the ranger team since October 2019;
- 1,000 hours of additional dedicated deep cleaning, graffiti and gum removal;
- 197,500 square meters of thoroughfares had been cleaned;
- 24,500 plants had been planted to provide year round colour;
- 6,000 hours of winter lights on the ten main streets;
- 3,000 hours across 380 days of diverse events and activities;
- 100 new pieces of street art; and
- 20,000 business engagement visits.

The Raise the Bar campaign was highlighted by the BID Chief Executive as a national campaign which had led to a change in policy which had unlocked billions of pounds in financial support for businesses when they needed it most which had been possible due to collaboration. He stated that he was grateful for the support the BID had received from councillors, London Assembly Members, Members of Parliament and council officers.

Going forward, Members were informed the BID's vision was for Croydon to be one of the most vibrant, sustainable, welcoming and culturally diverse locations in South London in which to do business, work, live and visit. It was stated the BID was realistic in terms of the challenges facing the town centre but that it remained optimistic for the future and it would continue to drive forward improvement.

The BID Chief Executive noted that the business plan covered five strategic themes and work would include:

- Putting safety first by working with the Metropolitan Police Service to target business crime. The Ranger team would also be extended to provide assistance and greater visibility;
- Working with the community to tackle the challenge of homelessness;
- Refreshing the streets by providing targeted business cleansing service;
- Transforming neglected areas of the town centre with colour through the installation of planting and delivering activities such as crazy golf and Wimbledon viewing areas; and
- Promoting and marketing Croydon businesses.

As part of the Borough of Culture in 2023, the BID would look to build on the opportunity to champion the interests of the 550 businesses it represented. The BID Chief Executive suggested the organisation was a "one stop shop" for many of its members as it provided communications and championed the economy.

It was noted that Croydon needed certainty in terms of the future of the town centre; as such the BID would work with stakeholders to provide support and attract inward investment. One scheme, Members were informed would be to launch a partnership campaign to reclassify East and West Croydon stations as being in zone four. As part of this, an economic impact assessment would be commissioned. Furthermore, the BID would look to support harnessing the opportunity contained within the borough as it was stated that if there was ever a need for a BID it was then.

The Cabinet Member for Croydon Renewal (Councillor Stuart King) noted that the Croydon BID's track record was impressive and that he felt that there was a good platform in place for them to build upon should the ballot come back positive. The Cabinet Member felt that the vision set out by the BID was one that was vibrant, sustainable, welcoming and culturally diverse, and one which the council could support. He stated that he was keen to see how the Croydon BID could work with the council to deliver the ambitions of the Borough of Culture.

The Cabinet Member for Culture & Regeneration (Councillor Oliver Lewis) noted that it was good to hear what the Croydon BID had achieved and stated that he felt the BID model was a good example of the council,

business communities and other stakeholders working together for the betterment of the town centre. In terms of the Borough of Culture, he stated that he looked forward to working with the BID on a number of initiatives.

In response to the Cabinet Member for Culture & Regeneration's question, the Cabinet Member for Communities, Safety & Business Recovery stated that Members had heard of the positive impact of the BID and as such would support it going forward, including in the ballot during autumn 2021.

The Cabinet Member for Resources & Financial Governance (Councillor Callton Young) queried what the risks were should the ballot not return a yes vote. In response, the Croydon BID Chief Executive stated that a 50% yes vote was required and should that not be achieved then Croydon would lose £4.5 million of investment. Additionally all of the services and initiatives which had been put in place, such as street cleaning, planting, patrols and championing of the local economy would cease.

The Shadow Cabinet Member for Communities, Safety & Business Recovery (Councillor Andy Stranack) wished the Croydon BID luck in the ballot and thanked the BID Chief Executive for his time, vision and work in the borough.

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

**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

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### **Post Covid Vision for the Town Centre**

The Cabinet Member for Culture & Regeneration (Councillor Oliver Lewis) stated that the report set out the council's approach to developing, with others, a new vision for the town centre. The global pandemic, it was noted, had caused significant changes to the global retail economy and as such the council needed to seize the initiative to achieve the town centre regeneration which was required. The Cabinet Member set out that the council wanted to work with local people and stakeholders to put together the new vision.

The development of the new vision, the Cabinet Member stated, would be undertaken through a new Advisory Board and community collective. It was noted that there were some great assets within Croydon and it was due to be the Borough of Culture in 2023. It was hoped the new vision would bring together all the positives within the town centre and would forge a new blueprint for the town centre.

The Cabinet Member stated the council had wanted to work with the Croydon Limited Partnership to redevelop the Whitgift Centre, and as a planning authority he stated the council had done all it could to support the development. It was suggested that it was up to the Croydon Partnership to take part in the visioning exercise and to come forward with their revised plans of the town centre which reflected residents' needs. It was, however, stated by the Cabinet Member that everyone must be realistic as the redevelopment would take time but he stressed that he believed that Croydon would emerge stronger from the pandemic.

The Leader of the Council (Councillor Hamida Ali) reflected that the lack of progress in terms of the redevelopment of the town centre would be a concern for all. She stated that her conversations with the Croydon Partnership had reflected the content of a paper published in April 2021; that Croydon remained firmly in their development plans post pandemic. However, it was noted that any redevelopment would be to their timeframe which would not be of much comfort to Croydon residents. It was further stressed that the council had discharged all of its regulatory responsibilities to facilitate the development.

It was time, the Leader stated, for the council to speak to residents and to hear the views of the community in terms of their expectations for the town centre in the context of the economic climate post pandemic. That was notwithstanding that the current owners were the guardians of the site and they had, the Leader noted, responsibilities in that role whilst they developed new plans for the site which took into account the new economic realities. The Leader urged the Partnership to do what they could to ensure that the town centre remained a vibrant place.

The Cabinet Member for Sustainable Croydon (Councillor Muhammad Ali) thanked officer for their work on the report. It was felt that the new vision provided an excellent opportunity to shape the future of the town centre to be ambitious and creative to take advantage of the opportunities post pandemic. One such key opportunity, the Cabinet Member stated, was to embed the recommendations of the Croydon Climate Crisis Commission and he queried whether those recommendations would be integral to the new vision.

In response, the Cabinet Member for Culture & Regeneration stated that the council would be engaging with residents and stakeholders in developing the new vision. It was noted that recent polling had found that climate change had risen dramatically in the public's consciousness and, as such, he was confident that it would feed into the visioning work from residents. He reflected that parks and open spaces may have increasingly important roles in town centres going forward which could support making walking and cycling more appealing. Additionally, it was noted that the materials used in the redevelopment were a further opportunity to ensure that the town centre was as environmentally sound as possible.

The Cabinet Member for Croydon Renewal (Councillor Stuart King) stated that it was right that the council consulted with residents through the proposed community engagement process although he suggested that many residents were fed up with the delay. It was noted that the retail sector had fundamentally changed which had meant the old redevelopment plans were no longer fit for purpose, however he raised concerns that there did not appear to be any urgency from the Croydon Partnership to develop and submit new plans in the near future.

Paragraph 3.11 of the report, it was noted, set out the next steps however the Cabinet Member stated that he hoped that there were more plans than had been set out in that paragraph and that there was more urgency. In particular he highlighted that by the end of 2021 the Partnership would begin work on the principles of a future master plan and suggested that if there was genuine commitment to the development of Croydon that he would expect progress to be quicker.

Whilst the council's options were limited in terms of the retail centre, the Cabinet Member for Croydon Renewal highlighted the town centre was more than just the shopping centre and that there were opportunities to

ensure it remained vibrant, welcoming and successful which the council, it was stated, was committed to supporting.

The Cabinet Member for Culture & Regeneration reflected that all involved were frustrated and had hoped the development of the town had come forward earlier. He stated that he hoped the Partnership would engage in the process and that it was act as a catalyst to pick up the pace in the development of a new master plan but also a meanwhile strategy. It was noted that there were a number of empty units in the town centre and the Cabinet Member suggested that those units could be used for interesting and creative opportunities.

Members were informed by the Chair of Scrutiny & Overview Committee (SOC) (Councillor Sean Fitzsimons) that a Task & Finish Group had been established to look at the town centre as it was felt that the council need to rethink its approach by taking into account the changing nature of the economy. Additionally it was suggested that it was important to ensure that a humane town centre was developed as it was felt the historic centre had been removed during the 1950s developments.

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The development of the new vision, the Cabinet Member stated, would be undertaken through a new Advisory Board and community collective. It was noted that there were some great assets within Croydon and it was due to be the Borough of Culture in 2023. It was hoped the new vision would bring together all the positives within the town centre and would forge a new blueprint for the town centre.

The Cabinet Member stated the council had wanted to work with the Croydon Limited Partnership (CLP) to redevelop the Whitgift Centre, and as a planning authority he stressed the council had done all it could to support the development. It was suggested that it was up to the CLP to take part in the visioning exercise and to come forward with their revised plans of the town centre which reflected residents' needs. It was, however, stated by the Cabinet Member that everyone must be realistic as the redevelopment would take time but he stressed that he believed that Croydon would emerge stronger from the pandemic.

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Concerns were raised in relation to the section of the report which discussed permitted development as the Chair of SOC felt that the policy had removed council's ability to ensure high quality housing was provided in old office blocks and had instead led to units being created which did not meet planning standards. It was noted that the Article 4 expired in 2022 and concerns were raised that it posed a severe risk on the town's future prosperity. In light of this, the Chair of SOC urged the council to start considering whether to apply for new Article 4.

The Cabinet Member for Culture & Regeneration welcomed scrutiny's involvement and stressed that the visioning exercise was due to be an open process. In terms of permitted development, the Cabinet Member stated that he agreed that all too often office facilities were being converted into poor quality housing, however he stated that the council had to be realistic in terms of the resources required for an Article 4 submission and the likely success.

The Shadow Cabinet Member for Culture & Regeneration (Councillor Jeet Bains) suggested the report was a catalogue of failures and queried whether the Cabinet Member should admit that the Administration had run the town into the ground. In response, the Cabinet Member stated that the council had done all it could as a planning authority; it had delivered planning consents and compulsory purchase orders. He stressed that it was private companies who had failed to act on those consents and bring forward the development. The report, it was noted, sought to ensure an open process to help with creating a new vision for the town centre and

the Cabinet Member reiterated that all were invited to be involved in the process.

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

**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).

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**Financial Performance Report – Month 3 (June 2021)**

The Cabinet Member for Croydon Renewal (Councillor Stuart King) noted the report set out the council's budget position at the end of month three (June 2021). It reported that there had been an overspend of just over £20,000 at the end of Q1; as such the Cabinet Member was pleased to announce the budget remained balanced following an improvement of almost £600,000 since month 2.

Departments, it was noted, were forecasting underspends and the Cabinet Member thanked them for their work. It was highlighted that the Place department continued to forecast an overspend, but that there had been a £500,000 improvement since the previous month.

The Cabinet Member brought to Members attention that in addition to improved financial management and governance arrangements, the council had begun to identify budget risks; such as those related to the end of support provided during the pandemic. It was noted that the report included the identified risks, mitigations and saving options which had been identified.

It was highlighted that at the equivalent point in 2020/21 the council was overspent by £49 million by Q1 and the Chief Executive (Katherine Kerswell) and her team were thanked for all the work which had been undertaken to get the council to a point of an overspend of £20,000 at Q1 in 2021/22. The Cabinet Member stated that this was in the face of the council's core funding being cut by 76%, the impact of Covid-19 and an unfair funding formula.

Tribute was paid to the Interim Director of Finance, Investment & Risk (Chris Buss) by Cabinet for all of his work as the Interim Section 151 Officer in navigating the council through such a financially challenging period. The Deputy Section 151 Officer (Matthew Davis) was also thanked for his work in supporting the council to reach its position. Members were advised by the Chief Executive that the council had appointed a new Interim Director of Finance, Investment & Risk (Richard Ennis) who was due to begin on 23 August 2021.

The Cabinet Member for Resources & Financial Governance (Councillor Callton Young) highlighted that favourable movement had been seen in all departmental budgets, except for Housing & Gateway which was explained at paragraph 4.3 of the report as being due to increased demand in temporary and emergency accommodation.

Whilst it was still early days the shift was welcomed by the Leader of the Council (Councillor Hamida Ali). A real cultural change within the organisation had been required and it was hoped that the start of that change was being seen as it was noted that it was a challenge to set a balanced budget, but it was whole different challenge to deliver it.

The Shadow Cabinet Member for Croydon Renewal (Councillor Jason Cummings) echoed the thanks given to Chris Buss for his work at the council and noted that, having been on the recruitment panel, he was confident that the council had appointed someone comparable in Richard Ennis. In terms of the report, the Shadow Cabinet Member raised concerns that whilst there had been positive movement, it was important that the context was kept in mind that the budget was only balanced due to a £50 million loan from the government. As such, it was highlighted that there was a huge way to go before the council was able to fully balance a budget. Furthermore, concerns were raised in terms of the tone of Cabinet Members as it was suggested that they were blaming the government for the issues faced by the council.

The Shadow Cabinet Member noted there were £8.4million of risks identified in the report and £7.8 million of potential mitigations identified through Covid-19 funding. The Shadow Cabinet Member queried whether any internal risk mitigations were in place. In response, the Cabinet Member for Croydon Renewal stated that the quantified savings in the report were the ones which the council were confident in listing and that additional savings were being worked on and would be published when the council were confident on the figures.

Councillor Robert Ward noted that the Unaccompanied Asylum Seeker Children (UASC) costs were not the same as reflected in the UASC report considered by Cabinet earlier in the meeting. In response, the Cabinet Member for Croydon Renewal stated the discrepancy was due to timing of the report being written and committed that the month 4 would reflect the current position.

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

**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.

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### **Stage 2: Responses to Recommendations arising from Scrutiny & Overview Committee on 27 May 2021**

Councillor Robert Ward raised concerns in relation to the response to recommendation 4 that the documentation would be made available if "relevant for the committee to discharge its function, subject to the Council's consideration on commercially sensitive or confidential issue...in accordance with the relevant committee's work programme". The Member noted that the conditions referred to within the response could not be applied to scrutiny and requested that the Cabinet be more open in terms of sharing information in terms of its response to the recommendation.

The Leader of the Council (Councillor Hamida Ali) noted the concerns raised by Councillor Ward.

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

**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.

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### **Investing in our Borough**

The Cabinet Member for Resources & Financial Governance (Councillor Callton Young) highlighted the Department for Education Holiday Activities and Food Programme contract award and noted the excellent work of Marcus Rashford MBE for raising awareness and working to ensure those in receipt of free school meals continued to receive support.

It was noted that whilst the report stated the contract was for £165,835 this was the contract award to two providers and the Cabinet Member highlighted that there were a number of providers who were also providing services across the borough through grant funding. Officers were thanked for their work in ensuring the programme was delivered in such short notice.

The Cabinet Member declared an interest as a charity he ran had been receipt of a grant to deliver schemes under the programme.

The Leader of the Council (Councillor Hamida Ali) noted the importance of such initiatives in light of the heightened anxiety across the borough in previous weeks. It was highlighted that the activities delivered through those programmes were important in keeping young people safe and healthy.

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

**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.

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**Exclusion of the Press and Public**

This item was not required.

*The Leader of the Council informed Members that the meeting of Cabinet scheduled for 13 September had been replaced by a meeting in November. Members were advised that the future Cabinet meeting dates for 2021 were:*

*18 October 2021  
1 November 2021  
15 November 2021  
6 December 2021*

The meeting ended at 8.58 pm