

MINUTES of the Meeting of the **CABINET** held on Wednesday, 25 January 2023 at 6.30pm
in the Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

Present: Executive Mayor Jason Perry (Chair);

Councillors Jason Cummings (Cabinet Member for Finance), Maria Gatland (Cabinet Member for Children and Young People), Lynne Hale (Deputy (Statutory) Executive Mayor and Cabinet Member for Homes (Vice-Chair)), Yvette Hopley (Cabinet Member for Health and Adult Social Care), Ola Kolade (Cabinet Member for Community Safety), and Andy Stranack (Cabinet Member for Communities and Culture).

Also Present: Councillors Leila Ben-Hassel (online), Mario Creatura, Lara Fish, Janet Campbell, Richard Chatterjee, Rowenna Davis (online), Brigitte Graham, Stuart King, Enid Mollyneaux, Chrishni Reshekaron and Callton Young OBE

PART A

01/23 Apologies for Absence

Apologies for absence were received from Councillor Scott Roche (Cabinet Member for Streets and Environment), Katherine Kerswell (Chief Executive) and Susmita Sen (Corporate Director for Housing).

02/23 Disclosure of Interests

The following interests were declared at this point:

- (i) Councillor Lynne Hale (Deputy (Statutory) Executive Mayor and Cabinet Member for Homes) declared an interest in relation to Agenda Item No.10 (Investment in Resonance Property Fund Real Lettings Property Fund 1), by virtue of the fact she was the Council's Borough Representative Board Member of Capital Letters. Councillor Hale left the meeting during consideration of this item and took no part in the discussion or voting thereon.
- (ii) Jane West (Corporate Director of Resources and S151) Officer declared an interest in relation to Agenda Item No. 10 (Investment in Resonance Property Fund Real Lettings Property Fund 1), by virtue of the fact she was a Board Member of Capital Letters. Ms West left the meeting during consideration of this item and took no part in the discussion or voting thereon.

03/23

Minutes of the Previous Meetings

RESOLVED that the minutes of the previous meetings of the Cabinet, listed below, be approved as correct records:

1. 16 November 2022
2. 30 November 2022 (including Part B (Exempt – not for publication))
3. 07 December 2022

04/23

Any Urgent Business

There were no items of urgent business.

However, the Executive Mayor took this opportunity to highlight the recent announcement on the Levelling-up Fund, for which Croydon, on this occasion had not been successful. Whilst he was extremely disappointed, the Executive Mayor said that he remained committed to the regeneration of the Town Centre and he was already discussing with partners, how to take forward elements of the Plan to improve connectivity, help its businesses thrive and restore local pride.

It was clear that Croydon's town centre, district centres and high street required improving to make them more attractive and meet the needs of the Borough's communities and this, he said, was what he would continue to work towards.

He said that whilst Croydon might not always be successful having submitted bids for funding, it would continue to submit bids and fight to bring money into the Borough.

05/23

Appointments

There were no appointments made to executive external bodies.

06/23

Scrutiny Stages 1 and 2

Cabinet considered the following reports:

Stage 1

The Stage 1 report, from the Council's Scrutiny and Overview Committee and its Sub-Committees, contained recommendations that had been developed since the last Cabinet meeting. It was noted that the Council's Constitution required that an interim or full response be provided within two months of this Cabinet meeting.

The Executive Mayor, in Cabinet, received the recommendations, which arose from the meetings of the Children and Young People Sub-Committee held on 27 September 2022 (Appendices 1 and 2 to the report); Streets and Environment Sub-Committee held on 4 October 2022

(Appendices 3 and 4) and 8 November 2022 (Appendices 5 and 6); Health and Social Care Sub-Committee held on 18 October 2022 (Appendix 7) and Scrutiny and Overview Committee held on 6 December 2022 (Appendix 8).

Councillor Rowenna Davis, Chair of the Council's Scrutiny and Overview Committee, addressed Cabinet in respect of the recommendations submitted.

The Executive Mayor, in Cabinet, **RESOLVED** that a substantive response to the recommendations (a Scrutiny Stage 2 Report) be provided within two months, at the Cabinet meeting on 22 March 2023.

Stage 2

The Stage 2 report invited the Cabinet to approve the full response reports which arose from the Stage 1 reports, which had been presented to Cabinet on 16 November 2022, and that included:

- Action plans for the implementation of agreed recommendations, or
- Reasons for partially accepting or rejecting the recommendations.

and that these be reported to the Scrutiny and Overview Committee or relevant Sub-Committees.

The Executive Mayor, in Cabinet, **RESOLVED** that the response and action plans attached to this report at Appendices 1, 2, 3 and 4 be approved and that these be reported to the Scrutiny and Overview Committee or relevant Sub-Committees.

07/23

Period 7 Financial Performance Report

Cabinet considered a report, which provided the Council's forecast outturn as at Month 7 (October 2022) for the General Fund (GF), Housing Revenue Account (HRA) and the Capital Programme (CP). It was noted that the report formed part of the Council's financial management process for publicly reporting financial performance monthly.

The Executive Mayor said that, whilst the Council's financial future looked incredibly challenging, the fact it was on track this financial year should give confidence that his Administration would do what was necessary to put the Council back on a sustainable course.

Accordingly, he was happy to agree the recommendations in the report and wanted to thank officers for all their work delivering the Deficit Recovery Plan and making the difficult changes necessary to ensure the Council remained on course this financial year.

The Executive Mayor, in Cabinet, **RESOLVED** that:

1. The General Fund was forecast to be balanced at Month 7, be noted (*service directorates were indicating a £20.656m overspend, which was offset by £4.769m corporate underspend, £4m use of earmarked inflation reserves, £5m use of the general contingency budget and the budgeted £6.8m contribution to General Fund Balances being released.*)
2. The forecast elimination of the planned contribution to General Fund Reserves of £6.9m for 2022/23, be noted.
3. That a further number of risks and compensating opportunities may materialise which would see the forecast change, be noted.
4. The actions that were being taken through the Deficit Recovery plan, be noted (*further details are in paragraph 2.16 to the report*).
5. That the non-delivery of the MTFS savings, as indicated within Table 5 and detailed in Appendix 3 to the report, be approved.
6. That the Housing Revenue Account (HRA), which was projecting a £4.586m overspend, due to inflation, disrepair costs and void rents, be noted.
7. The capital slippage related to expenditure and financing from 2021/22 of £20.261m, as advised in Section 6 (Table 6 and 7), and the net reprofiling and additions of £37.505m, which resulted in a revised Capital Programme of £118.851m for 2022/23, be approved.
8. The Capital Programme spend to date for the General Fund of £16.084m (against a budget of £93.236m), with a projected forecast underspend of £12.165m for the end of the year, be noted.
9. The Housing Revenue Account Capital Programme spend to date of £9.318m (against a budget of £25.165m), with a projected forecast underspend of £4.145m for the end of the year, be noted.
10. The above figures, which were predicated on forecasts from Month 7 to the year end and therefore could be subject to change as forecasts were made based on the best available information at this time, be noted.
11. That the Council continued to operate a Spend Control Panel to ensure that tight financial control and assurance oversight were maintained, be noted (*a new financial management culture was being implemented across the organisation through increased scrutiny, such as the monthly assurance meetings, improved communication and budget manager training from CIPFA.*)

08/23

Review of Council Tax Support Scheme – 2023/24

Cabinet considered a report, which sought approval to make changes to Croydon's Council Tax Reduction (Support) Scheme (CTS), which would take effect from 1 April 2023.

It was reported that the Executive Mayor, in Cabinet, had received a report in October 2022, which outlined the principles of the proposed changes to the CTS scheme, which were agreed, and that statutory consultation on the suggested scheme with residents and preceptors should take place.

Accordingly, the consultation ran between 14 October 2021 and 1 December 2021 and, having now considered those responses, recommendations were now being made for approval to make changes to the existing CTS scheme with effect from 1 April 2023 and refine the proposal considering the consultation responses.

The Executive Mayor said that by agreeing the measures in this report, the Council would help to ensure all recipients of Council Tax Support were protected from the full impact of future Council Tax rises and would introduce a fairer approach to supporting households with disabled residents. On that basis, he said he was happy to agree the recommendations in the report.

The Executive Mayor, in Cabinet, **RESOLVED** that:

1. The changes to Croydon's Council Tax Support Scheme following review and due regard to the statutory consultation feedback, be agreed (*the new scheme would take effect from 1 April 2023*).
2. The minimum income floor for disabled working claimants be removed, the amount the income bands are to be increased to match the increase in Council Tax be changed and non-dependant deductions for disabled not working claimants be introduced, excluding cases where the non-dependant was in receipt of carers allowance for the claimant.
3. The Council's Council Tax Support Scheme be amended, subject to the changes made following the consultation, from 1 April 2023.
4. Cabinet annually reviews the CTS Scheme, the principles of the income banded scheme and the addition of a hardship fund in August 2023 and then annually.

09/23

HRA Rent-Setting 2023-2024

Cabinet considered a report, which set out for approval, the Council's HRA rent-setting arrangements for Council Tenants from 1 April 2023 to 31 March 2024.

The Executive Mayor said that many tenants would be concerned about the impact of a rent rise at this time and that was why this report capped the rise at 7%, as opposed to the usual 10.9%, and begun the process of setting up a new HRA hardship fund for tenants.

He said that, despite the real terms cut in income to the HRA, the Council would put efficiencies in place to not only invest in its properties but to continue to improve the housing service it provided for its tenants and to continue to treat residents with respect.

For those reasons, he agreed the recommendations in the report together with an officer amendment that, at Recommendation 1, the word “directed” be replaced with “ceiling”.

Accordingly, the Executive Mayor, in Cabinet, **RESOLVED** that:

1. The request to set the rent increase at the government ceiling level of 7% for the financial year 2023-24, be approved.
2. The request to set the tenants’ service charges increase at the same level as the rents of 7% for the financial year 2023-24, be approved.
3. That the impact of capping at 7%, which was lower than an existing policy, had had an adverse impact on the HRA budget and its ability to balance without making significant adjustments to the expenditure budgets within the HRA, be noted.
4. That there was further work required to set a balanced budget for 2023-24 to accommodate the lost income, be noted (*this would be presented to Cabinet in February 2023 alongside the HRA Business Plan.*)
5. Further work would be required to ensure that tenants and leaseholder were advised of all options available to them to mitigate the financial insecurity which may be experienced as a result of the increase in rent and tenants’ service charges, be noted.
6. The development of proposals to create a specific Housing Revenue Account (HRA) hardship fund aimed to assist tenants who were financially impacted by the 2023/24 rent increase, be noted.

10/23

Investment in Resonance Property Fund – Real Lettings Property Fund 1

With reference to Minute No.2/23 to these minutes, the Deputy (Statutory) Executive Mayor and Cabinet Member for Homes, Councillor Lynne Hale,

and the Council's Corporate Director of Resources and S151 Officer, Jane West, left the meeting during discussion of this matter and took no part in the consideration or voting thereon.

Cabinet considered a report, which considered three key options that had been modelled with the help of Local Partnerships including re-investment into a new fund, exiting the fund and paying down the Council debt and exiting the fund and directly purchasing properties to house homeless clients. The report also examined the financial and non-financial risks and benefits, with equal weight, of each option to come to a considered decision.

It was reported that the recommendation was for withdrawal from the fund with an acceptance that a small rise may be seen in general fund temporary accommodation costs greatly offset by savings on debt costs.

The Executive Mayor said that this decision would allow the Council to pay down £36m of the Council's debt and reduce its debt payments by £1.7m a year. He added that the managed exit procedure set out in the report also protected current tenants, ensuring that they were not negatively impacted.

The Executive Mayor then invited the Council's Monitoring Officer, Mr Stephen Lawrence-Orumwense, to speak on technical amendments made to the report by officers, post-publication, details of which had been circulated to all Members.

In apologising for the late amendments, Mr Lawrence-Orumwense said that officers had requested that amendments be made to the following pages within the report:

- i) **Page 395** – the heading of the report (under “Lead Officer”) the title “Interim Head of Corporate Finance and Deputy S151 Officer” be inserted.
- ii) **Page 397** – under Recommendation No.5, the reference to the Corporate Director of Resources, be deleted and replaced with “Deputy S151 Officer.” The Corporate Director of Resources had advised the Monitoring Officer of a potential conflict of interest and had excused herself from further consideration of this matter.
- iii) **Page 408** – under “Legal Comments”, there were amendments to better clarify the legal basis for this decision.
- iv) **Page 409** – to insert the name of the Monitoring Officer.

On that basis, the Executive Mayor was happy to agree the amendments put forward by officers and recommendations in the report.

The Executive Mayor, in Cabinet, **RESOLVED** that:

1. To proceed with Option 2: Divestment and withdrawal from RLPF1, using the funds received to reduce the future debt refinancing needs, subsequently supporting lower interest costs, be approved.
2. The value for money and financial case, which indicated that, over the 15-year period used as the basis of assessment, the better return for the Council would be through re-investing (Option 1), be noted.

(However, this did not meet the more immediate need for the Council to seek cash to avoid future borrowing costs. As detailed in paragraph 2.27 to 2.29 due to current and short-term challenging financial circumstances the Council will need to forgo the longer-term gain in return for immediate financial support and in order to deliver its core services.)

3. The fact that the final value of the investment returned would depend on the values achieved at the point of exit as it depended on house price achieved from the disposal of properties, be noted.

(The valuation as at end of September 2022 (when the last valuation was conducted by Resonance) indicated £36m return to the Council.)

4. The Council agreeing to a managed exit, as this would provide the Council with sufficient time to assess and identify suitable and cost-effective accommodation for Temporary Accommodation households who would be impacted from the exit, be approved.
5. The Corporate Director of Resources and Section 151 Officer, in consultation with the Cabinet Member for Finance and the Monitoring Officer, be authorised to agree relevant documentation (including any special resolutions required under the LPA, and a Deed of Variation to the LPA (DoV)) required in order to effect Option 2.
6. The fact that exiting the investment, and agreeing such documentation, would be subject to appropriate legal and financial advice and due diligence, be noted.
7. The fact that the Council would continue to be an investor in RPLF1 until all its investment balance had been paid, be noted.

11/23

People and Cultural Transformation Strategy 2022-2026

Cabinet considered a report, which had appended to it, the Council's People and Cultural Transformation Strategy for the next four years, and sought to improve culture, diversity and inclusion, and people

management across the workforce and enabling better services to residents.

The Executive Mayor said that adopting this Strategy was the next step to rebuilding and investing in the Council's staff and ensuring that the Council created an environment where its staff were empowered to succeed and deliver for Croydon's residents.

Accordingly, the Executive Mayor, in Cabinet, **RESOLVED** that the People Strategy 2026-2026 and its implementation, as set out in the appendix to this report, be approved.

12/23

Local Implementation Plan Healthy Streets Funding 2022-23 to 2024-25

Cabinet considered a report, which explained that the Covid19 Pandemic had resulted in erratic stop-start funding from Transport for London (TfL) and that TfL had been looking to return London local authorities to a longer term 'Healthy Streets' investment funding programme, similar to the former LIP (Local Implementation Plan) Funding programme.

It was reported that, in looking to reset the local authority funding programme, TfL had emphasised that local authority Delivery Plans must deliver the 'Healthy Streets' objective and be evidence based and data led but could and should also respond to local priorities.

The report also described the 'Strategic Data' set provided by TfL to underpin new LIP Healthy Street Delivery Plans and recommended agreement of the Delivery Plan 2022/23 element, and agreement to a Delivery Plan for 2023/24 and 2024/25.

The Executive Mayor said, as noted that TfL had been looking to return London local authorities to a longer term 'Healthy Streets' investment funding programme, something which Croydon would very much welcome. In agreeing the recommendations in the report, the Executive Mayor said that, in doing so, would allow the Council to move towards a more stable financial footing, in line with its local priorities and the Executive Mayor's Business Plan.

Accordingly, it was **RESOLVED** that:

1. The Healthy Streets Delivery Programme for 2022/23, be approved, to include:
 - Healthy Neighbourhoods (£574,000)
 - School Streets (£249,000)
 - Road Safety (£125,000)
 - Active Travel (£3,150,000)
 - Bus Priority (£508,000)
 - Transport Strategy (£30,000)

- Station Capacity Improvements (£90,000)
- Cycle Training (£56,000)
- Cycle Parking (£34,000)

as set out at Appendix 1 to the report and forming the LIP Healthy Streets Delivery Plan for 2022/23 made up of TfL LIP/Healthy Streets Funding and other funding.

2. The programme at Appendix 2 to the report, as the basis of a draft LIP Healthy Streets Delivery Plan 2023/24-2024/25, made up of TfL LIP/Healthy Streets Funding and other funding, be approved.
3. The Corporate Director for Sustainable Communities, Regeneration and Economic Recovery, in consultation with the Executive Mayor and the Cabinet Member for Streets and Environment, be authorised to finalise and approve the LIP Healthy Streets Delivery Plan 2023/24-2024/25 for submission to TfL, in order to release 2023/24 LIP Healthy Streets Funding, making any necessary adjustments to the Programme prior to and post submission, without incurring additional expenditure commitments for the Council.
4. The expenditure in 2023/24, as set out in the report and Appendix 2, subject to funds having been confirmed and allocated by external funders and Council funding agreed by Budget Council, be approved.

13/23

Whitgift Indemnity and Land Transfer Agreement (ILTA) Remedy

Cabinet considered a report, which set out the basis of the remedy and works that were required under the ILTA by Croydon Limited Partnership (CLP), following the non-delivery of the redevelopment of the Whitgift Centre within the specified timeframe.

The Executive Mayor said that working closely with the Council's partners was the only way it would make progress to regenerate the town centre. He said he was happy to agree the recommendations in the report which, working collaboratively with CLP, would unlock £4m in improvements to North End over the coming years.

Accordingly, the Executive Mayor, in Cabinet, **RESOLVED** that:

1. The Council triggering the retail remedy under Clause 11.1(c) of the Indemnity Land and Transfer Agreement ("ILTA") by issuing a written notice to CLP as soon as possible, before the deadline of 21 February 2023, in order to seek improvements to North End to a cost of £4 million Indexed (from 5 February 2014) and a programme of asset management initiatives at the existing Whitgift Centre (the "Remedy Notice"), be approved.

2. The Corporate Director of Sustainable Communities, Regeneration and Economic Recovery be authorised to:
 - a) issue the written Remedy Notice referred to in Recommendation 1.1 above.
 - b) Finalise the details of the specification for the Clause 11.1(c) North End works remedy to be agreed with CLP (in consultation with the Mayor and the Cabinet Member for Planning and Regeneration).
 - c) Take all other necessary steps in relation to the Remedy Notice and the Council's obligations under the ILTA.

14/23

Local Government and Social Care Ombudsman Report Finding of Fault with Maladministration and Injustice and Report by the Monitoring Officer under section 5A of the Local Government and Housing Act 1989

Cabinet considered a report in the public interest dated 16 June 2022 and the recommendations made by the Local Government and Social Care Ombudsman (LGSCO) in relation to Croydon Council, as set out in Appendix 1 to the report.

It was reported that, on 8 February 2022, the LGSCO had written to the Council's Chief Executive, Katherine Kerswell, to confirm that after consideration of a complaint it had received, it had decided to issue its findings as a public interest report.

The LGSCO considered the following six criteria when deciding whether to issue a public interest report:

- (i) Recurrent faults (for example, the organisation keeps making similar mistakes)
- (ii) Significant fault, injustice or remedy (by scale or the number of people affected)
- (iii) Non-compliance with an Ombudsman's recommendation (it has not agreed or has not carried out their recommendations)
- (iv) A high volume of complaints about on subject
- (v) A significant topical issue
- (vi) Systemic problems and/or wider lessons (for example, problems with how the organisation does things that if not put right are likely to affect others, and this is an opportunity for others to learn).

In this case, before the Executive Mayor in Cabinet, the reasons for issuing the report were (ii), (v) and (vi) above.

The LGSCO had issued a joint report in respect of failings identified by the Council, South London and Maudsley NHS Foundation Trust (SLAM) and Croydon NHS Integrated Care Board (ICB).

The Executive Mayor said it was important that, as a Council, it acknowledged and learned from these faults and reviewed its procedures to make sure that it was offering all Croydon residents the best possible care and support. With that in mind, he agreed the recommendations of this report.

Having considered the public interest report dated 16 June 2022 and the recommendations made by the Local Government and Social Care Ombudsman in relation to Croydon Council, as set out in Appendix 1 to the report, the Executive Mayor, in Cabinet, **RESOLVED** that:

1. The report, being the Executive's formal response, as required by section 5A of the Local Government and Housing Act 1989, for distribution to all Members and the Monitoring Officer, be adopted.
2. The report, being the Council's formal response under Section 31 of the Local Government Act 1974, to be communicated to the Ombudsman, be adopted.
3. The findings be accepted and the recommendations, as set out in the public interest report, be approved.
4. The actions taken by the Council be endorsed and the steps, progress and timeline to implement the recommendations, as set out in Section 7 of the report, be noted.
5. The chronology, that substantive concerns for the LGO were in the main for the period 2017 to 2020, be noted.

15/23

Executive Mayor's Business Plan 2022-2026 Transitional Performance Report

Cabinet considered a report, which presented performance against the five outcomes (listed below), within the Executive Mayor's Business Plan 2022-26, which was approved at Cabinet in November 2022.

1. The Council balances its books, listens to residents and delivers good sustainable services.
2. Croydon is a place of opportunity for business, earning and learning.

3. Children and young people in Croydon have the chance to thrive, learn and fulfil their potential.
4. Croydon is a cleaner, safer and healthier place, a borough we're proud to call home.
5. People can lead healthier and independent lives for longer.

It was reported that the Executive Mayor's Business Plan was the Council's core strategic document setting out its objectives and priorities for the next four years. It reflects the Executive Mayor's manifesto pledges and priorities, as set out in a report to Cabinet in June 2022.

It was further reported that, in September 2022, a final performance report tracking progress against the corporate priorities set prior to the election of the Executive Mayor on 5 May 2022, was presented to Cabinet.

It was noted that the Council was currently developing a set of performance measures that will monitor delivery of the Executive Mayor's Business Plan 2022-26, which was borough wide and would include both Council and Place measures - Council measures would detail those measures which the Council was the lead in terms of delivery; and Place would relate to measures where the Council's partners, such as the Police and NHS were the lead, but where the Council had an important role to play in promoting partnership working.

As I said in my opening comments, this report sets out a transparent and open view of the Council's current performance data ahead of new KPIs being set later this year.

The Executive Mayor said that he and his Cabinet would continue to use this data to drive improvements he was happy to agree the recommendations in the report.

The Executive Mayor, in Cabinet, **RESOLVED** that:

1. The transitional performance report (Appendix A) with latest data available on 30 November 2022 (unless otherwise stated) regarding overall council performance, be noted.
2. The fact that this was a transitional performance report using existing measures previously used as part of the Corporate and Departmental priority performance reporting, which had, for the purpose of this report, been aligned to the five objectives within the Executive Mayor's Plan 2022-26, be noted.
3. That work currently underway to create a full set of both Council and Place measures to fully reflect the ambitions within the Executive Mayor's Business Plan, which would replace this

transitional reporting going forward once this work had been completed and adopted, be noted.

4. The complete set of measures and targets as detailed in point 1.4 of this report would be brought to a future meeting of Cabinet for sign-off.

16/23

Dedicated Schools Grant (DSG) School Funding 2023/24 Formula Factors

Cabinet considered a report, which advised that the Dedicated School Grant (DSG) was a ring-fenced grant, of which the Schools' Block element was used to fund individual school's budgets in Croydon maintained schools and academies.

The report provided the basis for the final funding allocation across Croydon individual school budgets approved by Schools Forum on 7 November 2022. This paper is to inform cabinet about how the budget was set and to seek cabinet approval prior to updating the DfE Authority Proforma Tool (APT) which is a model used in setting the schools' budget before submission to ESFA by the set January 2023 deadline.

The Local Authority was responsible in setting the £301.8m annual school's budget for Croydon. There were currently 109 schools with a total population of 50,330 pupils according to the most recent DfE statistical data. The 109 schools comprised of 86 Primary schools and 22 secondary schools. There was only one all-through school making a total of 109 schools.

The Executive Mayor acknowledged there was a lot of work required to ensure this process went smoothly and he thanked officers and the Schools' Forum for their efforts.

The Executive Mayor, in Cabinet, **RESOLVED** that:

1. The provisional funding formula for Croydon schools for the financial year 2023/24, for both maintained schools and academies, in line with the recommendations voted for by School Forum, be approved.
2. The DfE optional factors values reported in table 3 in section 6.1 and paragraphs 6.4 to 6.14 (summarised in table 3) which forms the bases underlying the draft budget for 2023/24
3. The three new underlisted requirements for setting the 2023/24 school's budget, be noted.
 - (a) Local authorities will only be allowed to use National funding formula (NFF) factors in their local formulae.

- (b) Local authorities must use all NFF factors – except for the locally determined premises factors which remain optional, and the fringe factor which is compulsory for the 5 local authorities on the fringe.
- (c) Local authorities must also move their local formula factor values to at least 10% closer to the NFF, except where local factor is already mirroring the NFF.

17/23

Education Estates Strategy

Cabinet considered a report, which set out the draft education estates strategy for the three-year period 2022-2025. It was reported that the Strategy aimed to minimise Council borrowing to an absolute minimum whilst fulfilling the Council's statutory duty for sufficiency of school places.

The proposals outlined in the report would ensure that the Council was compliant with its school place planning duties (Sections 13 and 14 to the Education Act 1996) to promote high standards of education and fair access to education; secure provision for children with SEN; and to respond to parental preference.

The Executive Mayor said that the recommendations in the report were set out to ensure that the Council was compliant with its statutory duties as an education authority and, as such, he was pleased to agree the recommendations.

The Executive Mayor, in Cabinet, **RESOLVED** that:

In Respect of School Admissions:

1. The proposed community schools' Admission Arrangements for the 2024/25 academic year (Appendix 1 to the report), be approved.
2. The continued adoption of the proposed Pan London scheme for coordination of admissions to Reception and Junior schools (Appendix 1a to the report); and adoption of the proposed Pan London scheme for co-ordination of admissions to secondary schools (Appendix 1b to the report), be approved.

In Respect of School Place Planning:

3. The Capital Programme Budget summary (Appendix 3 to the report), be approved.

School Maintenance and Compliance

4. That the proposed Schools' Maintenance Plan (Appendix 4) for 2023/24, with an overall budget cost of £4,580,016; and £3,191,514 for 2024/25, be approved.

5. That the Interim Corporate Director for Children, Young People and Education be authorised 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 the Executive Mayor in Cabinet in respect of any exercise of such authority.*)

The Executive Mayor, in Cabinet, **NOTED** that:

In Respect of School Place Planning

6. Comparison between the available school places vs 2022 School Capacity (SCAP) Pupil Projections (Appendix 2 (primary) and Appendix 2a (secondary) to the report.

Managing Surplus School Places

7. The local authority is working in partnership with partners to discuss and agree a collective strategy to manage the high level of surplus school places in some primary schools.
8. The proposed reduction of All Saints Primary School, Published Admission Number from 60 to 30, with effect from September 2024.

Academy Conversion

9. The change of status to an academy for the following schools:

- Orchard Way Primary School from 1 April 2022
- The Minster Junior School from 1 April 2022
- The Minster Infant and Nursery School from 1 September 2022
- Coloma Convent Girls' School from 1 November 2022

Early Years

10. Croydon Childcare Sufficiency Assessment 2022 (Appendix 5 to the report) which measured the demand for, and supply of childcare across the borough.

Special Educational Needs and Disability (SEND)

11. Provision sufficiency for children and young people with complex SEND remained a challenge.

(The Council continued to develop provision in line with the planned expansion and was addressing the areas of need in

addition to this. The use of robust data to inform medium to long-term planning to meet demand was now much more accurate.)

Alternative Provision / Pupil Referral Unit (PRU)

12. The Council had received from the DfE, the Academy Order for the proposed conversion to an academy of Saffron Valley Collegiate (SVC) Pupil Referral Unit. The intended date of conversion was 1 April 2023.
13. Additional demand for Alternative Provision places was met by commissioning suitable places via the Council's Approved Alternative Provision Provider List.

18/23

Education Standards 2022

Cabinet considered a report, which summarised the education performance and outcomes of children and young people in Croydon schools for the academic year 2021/22, across all phases from Early Years Foundation Stage (EYFS) to Key Stage 5 (KS5).

It was reported that the academic year 2021/22 had seen a return to primary national curriculum assessments, and end of year 11 and 13 examinations (including GCSE & A levels) following two years of teacher/centre assessed grades. It was noted that the DfE did not publish performance data for 2019/20 or 2020/21.

In thanking all key partners involved in this important work, the Executive Mayor agreed the recommendations in the report and said he looked forward to seeing further improvements in next year's data.

The Executive Mayor, in Cabinet, **RESOLVED** to **NOTE**:

1. The report and commend the continued actions that were being taken by all partners to secure improvement in pupil educational outcomes.
2. That pupil attainment and school outcome data had not yet been fully published for the 2021/22 academic year.
3. The Council's activities planned and underway, to improve pupil and school outcomes as set out within this report.

19/23

Secure Children's Home for London and Pan-London Commissioning Vehicle (PLV)

Cabinet considered a report (Part A – open for inspection), which was being presented to all Councils in London in some form and which sought permission, in principle, for Croydon Council to join the PLV at the developmental stage, acknowledging limited liability to the Council for any

debts incurred by the PLV to a maximum of £1 and to delegate a decision about the financial aspect to the interim Corporate Director for Children, Young People and Education.

It was noted that Part B (exempt – not for publication) to this report contained confidential legal advice and the options appraisal referred to in Part A.

The Executive mayor said that the use of facilities like this was always a last resort and despite the Council's usage of secure homes currently being low, he recognised the benefits that provision could provide to a small number of the Borough's young people.

He said that through the Council's membership of the Pan-London Commissioning Vehicle, it would be better positioned to influence future decisions that could impact its residents and as such, he agreed the recommendations in the Part A report.

The Executive Mayor, in Cabinet, **RESOLVED** that:

1. The Council becomes a member of a not-for-profit company, limited by guarantee, provisionally to be known as the Pan London Vehicle, to:
 - develop and then oversee the running of London's secure children's home provision for a five-year period from 1st April 2023 to 31st March 2028, with a breakpoint after three years once the refreshed business case had been developed to include service pricing structure, commissioning approach, practice model and location. Once the provision had launched – which would be after the breakpoint – membership would be at a fixed annual cost of £20,000 (subject to inflation adjustment), unless an alternative model for funding the PLV was agreed by members during the development phase, and
 - collaborate with other PLV members on future joint commissioning programmes.
2. The Interim Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member for Children, Young People and Education, the S151 Officer and Corporate Director of Resources and the Director of Legal Services and Monitoring Officer, be authorised to:
 - a) finalise the legal documents required to set up, join and run the PLV alongside the other London boroughs.
 - b) approve any operational arrangements.

- c) decide whether or not to exercise the break option at year three of the Council's membership of the PLV, following completion of the revised SCH business case.
- d) Approve the appointment of the Interim Corporate Director of Children, Young People and Education as:
 - i) the Council's Member Representative of the PLV.
 - ii) the Director of the PLV on a rotation basis for a period of five years, when required.
- 3. It be noted that a decision on whether to continue the PLV Membership at the third-year break point, and all subsequent forthcoming break points, would be reported back to the Executive Mayor unless otherwise delegated.
- 4. It be noted that the Croydon Companies Supervision and Monitoring Panel (CCSMP) had been consulted on this proposal and the Council's group company supervision arrangements would apply to the PLV.

The meeting was declared closed at 7.53pm

EXECUTIVE MAYOR