

LONDON BOROUGH OF CROYDON

To: all Members of the Council (via e-mail)
Access Croydon & Town Hall Reception

PUBLIC NOTICE OF KEY DECISIONS MADE AT THE CABINET MEETING ON 16 MARCH 2015

In accordance with the Scrutiny and Strategic Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 24 March 2015** unless referred to the Scrutiny and Strategic Overview Committee:

The following apply to each decision listed below

Reasons for these decisions: are contained in the report which can be downloaded on the Council's website:

<https://secure.croydon.gov.uk/akscroydon/users/public/admin/kabmenu.pl?cmte=CAB>

Other options considered and rejected: are contained in the report which can be downloaded on the Council's website:

<https://secure.croydon.gov.uk/akscroydon/users/public/admin/kabmenu.pl?cmte=CAB>

Details of conflicts of Interest declared by any Cabinet Member: none

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

AGENDA ITEM 8: Private Rented Sector Licensing Consultation

The Cabinet RESOLVED, having considered the outcome of the public consultation in Appendix 1 of the report on the proposal that the whole borough be designated as subject to selective licensing as detailed in Section 4 of the report and Background Papers 1 to 9;

and having considered the Council's public sector equalities duty and the equalities analysis carried out in respect of the proposals in this report at Appendix 2 of the report

1. To Agree:

1.1 That the second set of general conditions in s.80 of the Housing Act 2004, are satisfied. Namely:

- (a) that the area is experiencing a significant and persistent problem caused by anti-social behaviour;
- (b) that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and
- (c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.

1.2 That the Council have considered whether there are any other courses of action available to the Council, (of whatever nature) that might provide an effective method of achieving the objective or objectives that the designation would be intended to achieve, namely dealing with the significant and persistent problems of anti-social behaviour identified in the report; and

1.3 That the Council consider that making the designation will significantly assist them to achieve the objective or objectives (whether or not they take any other course of action as well).

2. to agree that, as proposed in Option 1 put forward during the public consultation, the whole Borough be designated as subject to selective licensing to come into force on 1st October 2015;

3. to approve the draft selective licensing scheme included in Appendix 3 of the report amended as proposed in response to the consultation as detailed in the report;

4. To agree that, subject to resolution 1 above, the Executive Director – Place, in consultation with the Council Solicitor and Monitoring Officer and the Cabinet Member for Homes and Regeneration, be given delegated authority to take any further steps necessary to implement the designation and the selective licensing scheme, including approving any final amendments to the draft selective licensing scheme included in Appendix 3.

AGENDA ITEM 9: Homes – Our 10 Priorities

The Cabinet RESOLVED,

1. to note the actions set out in the report to tackle housing issues; and

2. to agree that the Executive Director - Place, in consultation with the Cabinet Member for Homes and Regeneration, the Director of Finance and the Council Solicitor and Monitoring Officer, be given executive delegated authority to undertake relevant steps to establish and operate a Development Company in line with the proposed structure set out in the report.

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 24 March 2015** (5 working days after the decisions were made) unless referred to the Scrutiny and Strategic Overview Committee.
2. The Council Solicitor, Director Democratic and Legal Services shall refer the matter to the Scrutiny and Strategic Overview Committee if so requested by:-
 - i) the Chair or Deputy Chair of the Scrutiny and Strategic Overview Committee and 4 members of that Committee; or
 - ii) 20% of Council Members (14)
3. The referral shall be made on the approved pro-forma (*attached*) which should be submitted electronically or on paper to Jim Simpson and Solomon Agutu by **1300 hours on 24 March 2015**. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
 - i) The grounds for the referral
 - ii) The outcome desired
 - iii) Information required to assist the Scrutiny and Strategic Overview Committee to consider the referral
 - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Strategic Overview Committee unless, in view of the Council Solicitor, Director Democratic and Legal Services, this would cause undue delay. In such cases The Council Solicitor, Director Democratic and Legal Services will consult with the decision taker and the Chair of Scrutiny and Strategic Overview to agree a date for an additional meeting. The Scrutiny & Strategic Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Strategic Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee will give to the call in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the decision taker for reconsideration, setting out in writing the nature of the concerns.
8. The Scrutiny and Strategic Overview Committee may refer the decision to Full Council if it considers that the decision is outside of the budget and policy framework of the Council.

9. If the Scrutiny and Strategic Overview Committee decides that no further action is necessary then the decision may be implemented.
10. The Full Council may decide to take no further action in which case the decision may be implemented.
11. If the Council objects to the decision it can nullify the decision if it is outside of the policy framework and/or inconsistent with the budget.
12. If the decision is within the policy framework and consistent with the budget, the Council will refer any decision to which it objects together with its views on the decision. The decision taker shall choose whether to either amend / withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet of the referral from the Council.
13. The response shall be notified to all Members of the Scrutiny and Strategic Overview Committee
14. If either the Council or the Scrutiny and Strategic Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
15. **URGENCY:** The referral procedure shall not apply in respect of urgent decisions. A decision will be urgent if any delay likely to be caused by the referral process would seriously prejudice the Council's or the public's interests. The record of the decision and the notice by which it is made public shall state if the decision is urgent and therefore not subject to the referral process.

Signed: Council Solicitor & Monitoring Officer, Director of Democratic and Legal Services

Date: 17 March 2015

Contact Officers: jim.simpson@croydon.gov.uk ; Solomon.Agutu@croydon.gov.uk

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PROFORMA

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

For the attention of: Jim Simpson & Solomon Agutu,
Democratic & Legal Services Division

Meeting:
Meeting Date:
Agenda Item No:

Reasons for referral:

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:

The outcome desired:

Information required to assist the Scrutiny and Strategic Overview Committee to consider the referral:

Signed:

Date:

Member of _____ Committee