

## 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 20 NOVEMBER 2017**

In accordance with the Scrutiny and Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 28 November 2017** unless referred to the Scrutiny and Overview Committee:

The following apply to each decision listed below

**Reasons for these decisions:**

are contained in the reports which can be downloaded on the Council's website:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=298>

**Other options considered and rejected:**

are contained in the reports which can be downloaded on the Council's website:

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=298>

**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: New Air Quality Action Plan 2017-2022**

The Cabinet **RESOLVED** to

1. Approve the actions in the final draft Air Quality Action Plan 2017-2022 (AQAP) for purposes of consultation as set out in paragraph 4.1 and 4.2 and Appendix A of the report;
2. Note the further requirement for statutory consultation on the AQAP as detailed in paragraph 4 of the report
3. Delegate to the Executive Director of Place authority to undertake a consideration of the outcome of the statutory consultation and make a final determination in relation to the implementation of the AQAP, including any final amendments required to the AQAP consequent on the outcome of the consultation.

## **AGENDA ITEM 13b: Sport, Physical Activity and Leisure Services Operator - appointment of preferred bidder**

The Cabinet **RESOLVED** to

1. Agree the appointment of the party named in the Part B report (agenda item 15) as the Preferred Bidder for the Sport, Physical and Leisure Services Operator concessions contract.
2. Agree that the name of the Preferred Bidder be published upon conclusion of the standstill period required under regulation 47 of the Concessions Contract Regulations 2016.
3. Agree that subject to:
  - 3.1 'fine tuning' discussions with the Preferred Bidder being resolved to the satisfaction of the Council and there being no material changes to the proposed solution beyond the scope set out in the report; AND
  - 3.2 The terms and conditions of all necessary documentation being to the satisfaction of the Director of Law and Monitoring Officer; that
  - 3.3 authority to award the final contract and leases and agree all necessary documentation be delegated to the Executive Director Place, in consultation with the Cabinet Member for Culture, Leisure and Sport and the Cabinet Member for Finance and Treasury.
4. Note that the contract is valued at £160m for a term of twenty years (15+5), with a review clause at year 10.

## **AGENDA ITEM 13d: South London Work & Health Programme Contract Award**

The Cabinet **RESOLVED** to

Appoint Bidder A as the Preferred Bidder for the provision of South London Work and Health Programme services to the residents of Croydon, Merton, Sutton, Kingston and Richmond. The service is to support residents with disabilities, health conditions, disadvantaged groups and the long term unemployed into sustainable employment and improved well-being.

Subject to fine tuning discussions with the Preferred Bidder being resolved to the Council's satisfaction and there being no material change to the proposed solution, delegate authority to award the final contract and agree all necessary documentation to the Executive Director Place.

### **Scrutiny Referral/Call-in Procedure**

1. The decisions may be implemented **1300 hours on 28 November 2017** (5 working days after the decisions were made) unless referred to the Scrutiny and Overview Committee.

2. The Council Solicitor shall refer the matter to the Scrutiny and Overview Committee if so requested by:-
  - i) the Chair or Deputy Chair of the Scrutiny and 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 James Haywood by the deadline stated in this notice. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
  - i) The grounds for the referral
  - ii) The outcome desired
  - iii) Information required to assist the Scrutiny and Overview Committee to consider the referral
  - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Overview Committee unless, in view of the Council Solicitor this would cause undue delay. In such cases the Council Solicitor will consult with the decision taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny & Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee will give to the call in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the decision taker for reconsideration, setting out in writing the nature of the concerns.
8. The Scrutiny and 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 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 Overview Committee
14. If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
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: Director of Law and Monitoring Officer

**Date: 22 November 2017**

Contact Officer: [jim.simpson@croydon.gov.uk](mailto:jim.simpson@croydon.gov.uk)  
[victoria.lower@croydon.gov.uk](mailto:victoria.lower@croydon.gov.uk)

**PROFORMA**

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

For the attention of: Jim Simpson, Democratic Services & Scrutiny  
e-mail to

[jim.simpson@croydon.gov.uk](mailto:jim.simpson@croydon.gov.uk)

[victoria.lower@croydon.gov.uk](mailto:victoria.lower@croydon.gov.uk)

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:

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**The outcome desired:**

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

Signed:

Date:

Member of \_\_\_\_\_ Committee