

## 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 21 SEPTEMBER 2015**

In accordance with the Scrutiny and Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 29 September 2015** 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://secure.croydon.gov.uk/akscroydon/users/public/admin/kabmenu.pl?cmte=CAB>

**Other options considered and rejected:** are contained in the reports 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: District Centre Prosperity - Purley Business Improvement District (BID)**

The Cabinet RESOLVED,

1.1 Having considered on behalf of the Council as a billing authority, whether the proposal conflicts with any formally adopted policy of the Council and concluding that it does not conflict with any formally adopted policy of the Council:

1.2 To agree that the Council should support the BID proposal and vote 'yes' on the BID ballot;

1.3 To determine and agree the baseline service provision for key services within the Purley BID area for 2016/17 on behalf of Cabinet;

1.4 To agree that the Council formally make arrangements for conducting a BID ballot in accordance with the BID regulations through the Council's electoral services team (with the ballot day scheduled for 18 November 2015);

1.5 To agree that in the event of a 'Yes' vote at ballot:

1.5.1 That the Council manage as the relevant local billing authority, the billing and collection of the additional levy, and its transfer to the BID Company, with all costs incurred by the Council to be paid by the BID Company;

1.5.2 That 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;

1.5.3 That the Council enter into the key legal agreements with the BID Company regarding the operation of the BID and delivery of Council baselines and that the Executive Director – Place in consultation with the Cabinet Member for Economy and Jobs be given delegated authority to approve the final terms of those agreements.

### **AGENDA ITEM 13.2: Planned Maintenance and Improvement General Building Works recommendation of award**

The Cabinet RESOLVED to

1. Agree that Bidder A (as detailed in the associated Part B report on the Agenda) be appointed to preferred bidder status to deliver General Building Works under a term partnering contract to Council homes (including additional housing managed or owned by the Council, and various school/social care buildings as appropriate) for an initial period of 5 years with options to extend further up to a maximum period of 14 years and upon the terms detailed within this and the associated Part B report;

2. Subject to completion of Section 20 Stage 2 Leaseholder consultation, agree the subsequent award of the contract for the provision of General Building Works, and its completion, to Bidder A subject to the Executive Director of Place in consultation with the Borough Solicitor having been satisfied that agreement of any outstanding non material matters has been achieved;  
and

3. Note that if the outcome of the Section 20 consultation makes it necessary, or if the Final Tender and agreement of any outstanding non material matters cannot be achieved with the Preferred Bidder, that the matter be brought back to Cabinet for further consideration, but that otherwise that the name of the successful bidder and price will be published further to resolution 2 above.

### **AGENDA ITEM 13.3: Award of Contract – Main Construction Works Heathfield Academy**

The Cabinet RESOLVED to

1. Approve, subject to satisfactory finalisation of the contract value as detailed in 1.2 of the report, the award of a NEC3 Engineering and Construction contract to Mace Group for the main construction works to provide the 2FE Heathfield Primary Academy at the site known as 7 Aberdeen Road, South End to a maximum value of £8,327,115.00 plus a 5% risk and contingency allowance held by the Council of £416,356.00 to give a maximum contract sum of £8,743,471.00.

2. Agree that, for the reasons detailed in paragraph 3.6 of the report the Executive Director of Place, in consultation with the Executive Director of People, the Cabinet Member for Finance and Treasury and the Cabinet Member for Children, Young People and Learning, be given delegated authority to conclude the final contract value within the maximum contract value detailed above.

3. Note that the final contract value will be included as part of the standard Contracts Report to the next meeting of Cabinet.

## Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 29 September 2015** (5 working days after the decisions were made) unless referred to the Scrutiny and Overview Committee.
2. The Borough Solicitor, Director Legal and Democratic Services 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 Solomon Agutu by **1300 hours on 29 September 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 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 Borough Solicitor, Director Legal and Democratic Services, this would cause undue delay. In such cases The Borough Solicitor, Director Legal and Democratic Services 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: Borough Solicitor & Monitoring Officer, Director of Legal and Democratic Services

**Date: 22 September 2015**

Contact Officers: [jim.simpson@croydon.gov.uk](mailto:jim.simpson@croydon.gov.uk) ; [Solomon.Agutu@croydon.gov.uk](mailto:Solomon.Agutu@croydon.gov.uk)

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**PROFORMA**

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

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

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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