

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 JUNE 2016

In accordance with the Scrutiny and Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 28 June 2016** 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: Brick by Brick Croydon Limited – Property and Financial

The Cabinet **RESOLVED** to

1.1 agree that the sites listed in Appendix A (in the Part B papers) be disposed to Brick by Brick Croydon Limited subject to satisfactory terms and conditions being reached to the satisfaction of the Assistant Chief Executive (Corporate Resources and Section 151 officer) acting in consultation with the Cabinet Members for Homes and Planning and Finance and Treasury, and that the scope of this delegation includes whether to dispose of the site by freehold or by way of long leasehold but in line with the indicative terms of proposal set out in Part B.

1.2 agree that the Council lend Brick by Brick Croydon Limited funding to progress the development of the sites and that such funding will include funding for professional services to be received by Brick by Brick, funding for construction costs ('development finance') and funding for working capital and that the Assistant Chief Executive (Corporate Resources and Section 151 officer) be given delegated authority to finalise and agree the terms of such lending acting in consultation with the Cabinet Member for Finance and Treasury.

1.3 agree that, where considered necessary by officers, and subject to the consideration of any objections by the Assistant Chief Executive (Corporate Resources and Section 151 officer) acting in consultation with the Cabinet Member for

Finance and Treasury, that the sites listed in Appendix A be appropriated for planning purposes pursuant the Council's powers under section 122 of the Local Government Act 1972 and/or under section 226 of the Town and Country Planning Act or such other relevant statutory powers as may be relevant in each case, prior to their disposal to Brick by Brick.

1.4 Note the governance and monitoring processes set out in this report.

AGENDA ITEM 11: Live Well Croydon Programme

The Cabinet **RESOLVED** to

Approve the direction of the Live Well Croydon Programme's, and specifically to approve:

- Development and launch of the online digital platform, 'Just Be...'
- Development of an in house integrated lifestyle service, known as 'MI Change' that will offer an evidence-based 12 week behaviour change service.

AGENDA ITEM 15.2: Primary School Expansion Main Construction Works for: Heathfield Academy at Aberdeen Road. New 2FE School West Thornton Academy at Canterbury Mills. New 2FE School

The Cabinet **RESOLVED** to

1.1 The Cabinet is recommended to note that in order to effectively deliver the Primary School Expansion for West Thornton & Heathfield Academies, the Leader of the Council will be asked to agree the following delegations associated with the award of contracts to Willmott Dixon Construction Ltd (Ref: 42.16.LR):

1.1.1 In respect of subsequent associated contracts valued above £500,000 up to the value of £5m authority to award is delegated to the Executive Director Place, in consultation with the Cabinet Member for Children, Young People and Learning and the Cabinet Member for Finance and Treasury;

1.1.2 In respect of subsequent associated contracts valued above £5m authority to award is delegated to the Assistant Chief Executive Corporate Resources and Section 151 Officer, in consultation with the Cabinet Member for Children, Young People and Learning and the Cabinet Member for Finance and Treasury;

1.1.3 Subject to the decision maker being satisfied that the council has received satisfactory proposals from Willmott Dixon Construction Ltd on Time, Cost and Quality, that the above delegations include any subsequent contract approvals and decisions relating to:

- the Main Build NEC3 Contract;
- associated Enabling Works Contracts;
- and any early orders which may be necessary to secure production slots
- any requirement for additional temporary accommodation

1.1.4 That any awards made under these delegations will be reported within the Investing in Our Borough report at the Cabinet meeting following any award.

1.2 To note that contract awards anticipated under these delegations and associated with the Primary School Expansion for West Thornton & Heathfield Academies are expected not to exceed a maximum value of £20.071m. This total potential commitment of £20.071m represents the construction budgets allocated from the Schools Expansion Budget for these two new schools of £23.096m.

AGENDA ITEM 15.3: Award of Independent Fostering Agencies Framework

The Cabinet **RESOLVED** to

1. Approve the establishment of a framework agreement for the delivery of independent fostering placements for looked after children and the appointment of the providers to the Lot 1 Standard Placements, Lot 2 Sub-lots Specialist Placements (and their respective Reserve Lists) detailed in the associated Part B report on the Cabinet meeting agenda for a term for a term of three (3) years with an option to extend for a further one (1) year.

2. Note that the names of the successful providers will be released once the appointments to the framework have been agreed and implemented.

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 28 June 2016** (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 **1300 hours on 28 June 2016**. 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: Acting Council Solicitor & Acting Monitoring Officer

Date: 22.06.16

Contact Officers: jim.simpson@croydon.gov.uk ; james.haywood@croydon.gov.uk

Telephone: 020 8726 6000 Ext. 62326 or 63319

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 and james.haywood@croydon.gov.uk

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 Overview Committee to consider
the referral:**

Signed:

Date:

Member of _____ Committee