

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 14 NOVEMBER 2016

In accordance with the Scrutiny and Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 22 November 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 11.2: Planned Maintenance and improvements: Electrical Works:
Recommendation of Preferred Bidder Status**

The Cabinet **RESOLVED** to

1.1 Agree that Bidder A (as detailed in the associated Part B report on the Agenda) is appointed to preferred bidder status to deliver electrical works under a term partnering contract to Council homes for an initial period of 5 years with options to extend up to a maximum period of 14 years, comprising 5 plus 3 plus 3 plus 1 plus 1 plus 1, up to a maximum value of £26m and upon the terms detailed within this and the associated Part B report on the basis that this represents the most economically advantageous tender;

1.2 Subject to completion of Section 20 Stage 2 Leaseholder consultation, and, if necessary, Stage 3, pursuant to Section 20 of the Leasehold and Tenant Act 1985 (as amended by the Commonhold & Leasehold Reform Act 2002) agree the subsequent award of the contract for windows and associated works, and its completion, to Bidder A.

and

1.3 Agree that consideration of the outcome of the Section 20 consultation be delegated to the Director of District Centers and Regeneration. If the consultation outcome raises any significant or material issues then the matter will again be reported to Cabinet for further consideration, but that otherwise that the name of the successful bidder and price will be published further to 1.2 above.

AGENDA ITEM 11.3: Planned Maintenance and improvements: Windows and Associated Works: Recommendation of Preferred Bidder Status

The Cabinet **RESOLVED** to

1.1 Agree that Bidder A (as detailed in the associated Part B report on the Agenda) is appointed to preferred bidder status to deliver windows and associated works under a term partnering contract to Council homes for an initial period of 5 years with options to extend up to a maximum period of 14 years, comprising 5 plus 3 plus 3 plus 1 plus 1 plus 1, up to a maximum value of £25m and upon the terms detailed within this and the associated Part B report on the basis that this represents the most economically advantageous tender;

1.2 Subject to completion of Section 20 Stage 2 Leaseholder consultation and, if necessary, Stage 3, pursuant to Section 20 of the Leasehold and Tenant Act 1985 (as amended by the Commonhold & Leasehold Reform Act 2002) agree the subsequent award of the contract for windows and associated works, and its completion, to Bidder A

and

1.3 Agree that consideration of the outcome of the Section 20 consultation be delegated to the Director of District Centers and Regeneration. If the consultation outcome raises any significant or material issues then the matter will again be reported to Cabinet for further consideration, but that otherwise that the name of the successful bidder and price will be published further to 1.2 above.

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 22 November 2016** (5 working days after the decisions were made) unless referred to the Scrutiny and Overview Committee.
2. The Acting 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 Acting Council Solicitor this would cause undue delay. In such cases the Acting 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: 16.11.16

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