

LONDON BOROUGH OF CROYDON

To: All Members of Council
Croydon Council website
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PUBLIC NOTICE OF KEY DECISIONS MADE AT THE CABINET MEETING ON MONDAY, 11 MAY 2020

This statement is produced in accordance with Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In accordance with the Scrutiny and Overview Procedure Rules the following decisions may be implemented from **1300 hours on 19 May 2020** unless referred to the Scrutiny and Overview Committee (ie after 13.00 hours on the 6th working day following the day on which the decision was taken). The call-in procedure is appended to this notice.

The following apply to each decision listed below

Reasons for these decisions: As set out in the report
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=1882>

Other options considered and rejected: As set out in the report
<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=1882>

Details of any consultation and representations received not included in the published report: None

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

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

Agenda Item: 8 REPORT ON CONSULTATION ON PROPOSALS TO RENEW THE PRIVATE SECTOR HOUSING SELECTIVE LICENSING SCHEME IN CROYDON

Key Decision No.: 1620CAB

Details of decision:

The Leader of the Council delegated authority to the Cabinet to make the following decisions:

RESOLVED: To

1. Consider the outcome of the consultation process detailed in the Consultation Report produced by Opinion Research Services (April 2020) (at Appendix 1 of the report), in particular the representations received and the Council's consideration of, and response to, these representations (at Appendix 2 of the report).
2. Consider the Consultation Evidence Report (at Appendix 3 of the report) which highlights the scale of problems relating to poor housing conditions and anti-social behaviour (ASB) in the private rented sector, identifies the objectives that a selective licensing designation would help the Council achieve and possible alternatives to such a designation and the equalities analysis at Appendix 13 of the report.
3. Upon consideration of the matters at 1 and 2, agree to choose selective licensing scheme option 3; from the three options presented at Cabinet on the 21st October 2019 that were central to the public consultation exercise and with due consideration of the alternative options presented; as the best option to proceed with, with the aim of achieving the significant improvements needed to the private rented sector in Croydon.
4. Upon consideration of the matters at 1, 2 and the agreement in 3 and using its powers under s.80 Housing Act 2004, agree to the designation of 22 wards, called area A (predominately in north Croydon), as a selective licensing area delineated and edged red and infilled green on the map at Appendix 4 of the report.
5. Upon consideration of the matters at 1, 2 and the agreement in 3 and using its powers under s.80 Housing Act 2004, agree to the designation of 6 wards, called area B (in south Croydon) as a selective licensing area as delineated and edged red and infilled orange on the map at Appendix 5 of the report.
6. Having agreed 4 and 5 that Cabinet delegate to the Executive Director Place, in consultation with the Cabinet Member for Homes & Gateway Services and the Director of Law and Governance, responsibility for agreeing the final document/s forming the application(s) to request confirmation of the selective licensing designation(s) from the Ministry of Housing, Communities and Local Government (MHCLG);
7. Having agreed 4 and 5 and where the appropriate national authority (Secretary of State for Housing, Communities and Local Government) confirms one or both designation(s) that Cabinet:
 - a. Delegate authority to the Executive Director Place, in consultation with the Cabinet Member for Homes & Gateway Services to agree, along with the national authority, that the respective commencement date(s) for the designation(s) be the 1st February 2021 or from such other date as is specified by the national authority for this purpose;

- b. Agree the proposed scheme objectives as detailed in Appendix 6 of the report;
- c. Agree to the proposed fee structure for licence applications made under the selective licensing scheme(s) at Appendix 7 of the report;
- d. Agree the proposed licence conditions that would apply to any granted selective licence as set out at Appendix 8 of the report;
- e. Agree the proposed policy regarding the granting of property licences under any new licensing designation(s) at Appendix 11 of the report;
- f. Delegate to the Executive Director Place in consultation with the Cabinet Member for Homes & Gateway Services authority to agree changes to the proposed implementation of the schemes where necessary including updating scheme documentation to reflect revised commencement date/s specified by the national authority for this purpose and to ensure that all statutory notifications are carried out in the prescribed manner for the designations and to take all necessary steps to provide for the operational delivery of any licensing schemes agreed by Cabinet.

Signed: Council Solicitor and Monitoring Officer

Notice date: 12 May 2020

Contact Officers: Victoria.lower@croydon.gov.uk and Cliona.may@croydon.gov.uk

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 19 May 2020** (the 6th working day following the day on which the decision was taken) 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 Victoria Lower 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: Council Solicitor and Monitoring Officer

Notice Date: 12 May 2020

Contact Officers: victoria.lower@croydon.gov.uk and cliona.may@croydon.gov.uk

PROFORMA

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

For the attention of: Victoria Lower, Democratic Services & Scrutiny
e-mail to
Victoria.lower@croydon.gov.uk and cliona.may@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