



COUNCIL, 23 November 2016

REPORT OF THE CHIEF EXECUTIVE

**SUBJECT: OVERVIEW AND SCRUTINY RULES – EXCEPTIONS TO
THE CALL-IN (REQUISITION) PROCEDURE**

SUMMARY

Under paragraph 18e of the Overview and Scrutiny Procedure Rules, the Leader of the Council is required to submit reports to Council on decisions taken by himself, Cabinet or individual Cabinet members, or key decision made by a member of staff in the circumstances set out in Rule 18 (exemption to the call-in (requisition) procedure) in the preceding three months.

This report deals with 4 such decisions:

- 1) Services Dispute Resolution (exempt from publication)
- 2) Decision to support revision to the GLA High Street Fund project, The Retailery
- 3) Extension to three highways and street lighting term maintenance contracts:
Volker Highways Limited
Marlborough Surfacing Ltd
Miller Bros (Romford) Ltd
- 4) ICT Core Infrastructure Platform Placement

RECOMMENDATIONS

That the report be noted.

REPORT DETAIL

- 1 Rule 18 of the Overview and Scrutiny Committee Procedure Rules provides that:

(a) The call-in procedure shall not apply where a decision being taken by Cabinet or an individual Cabinet member, or a key decision made by a member of staff is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interests. The record of the decision and notice by which it is made shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in.

(b) The decision making person or body can only take an urgent decision under (a) above and avoid the call-in procedures after obtaining agreement from the Chairman of the Board that the decision be treated as urgent.

- 2 **Services Dispute Resolution (exempt from publication)**

- 2.1 On behalf of Cabinet, Neil Stubbings, Interim Director for Housing, sought agreement from the Chairman of the Board to exempt from call-in a key decision by the Leader of the Council concerning a dispute resolution with a contractor, the details of which are exempt from publication.
- 2.2 The Chairman of the Overview & Scrutiny Board, Councillor Gillian Ford, gave her agreement to the exemption from call-in for the following reason:
- 2.3 The settlement date had to be authorised by a set date which, if missed, would recommence legal proceedings at a cost to the Council.

3. Decision to support revision to the GLA High Street Fund project, The Retailery

3.1 On behalf of Cabinet, Steve Moore, Interim Director of Neighbourhoods, sought agreement from the Chairman of the Board to exempt from call-in a non-key decision by the Leader of the Council on supporting a revision to the GLA High Street Fund project, The Retailery, by entering into a 4 year lease for 80-84 Market Place, Romford.

3.2 The Chairman of the Overview & Scrutiny Board, Councillor Gillian Ford, gave her agreement to the exemption from call-in for the following reason:

3.3 In order to meet a GLA deadline, urgent authority was sought to sign the lease by 1 August, this would allow suitable time to complete the necessary actions connected to the lease.

**4. Extension to three highways and street lighting term maintenance contracts:
Volker Highways Limited
Marlborough Surfacing Ltd
Miller Bros (Romford) Ltd**

4.1 On behalf of Cabinet, Steve Moore, Interim Director of Neighbourhoods, sought agreement from the Chairman of the Board to exempt from call-in a key decision for the extension of three highways and street lighting term maintenance contracts.

4.2 The Chairman of the Overview & Scrutiny Board, Councillor Gillian Ford, gave her agreement to the exemption from call-in for the following reason:

4.3 Due to unforeseen delays in the procurement of new contracts, extensions to existing contracts were essential in order to avoid any negative impact on highways infrastructure.

5 ICT Core Infrastructure Platform Replacement

5.1 On behalf of Cabinet, Jane West, Managing Director for oneSource, sought agreement from the Chairman of the Board to exempt from call-in a key decision for the purchase of an ICT Core infrastructure platform.

- 5.2 The Chairman of the Overview & Scrutiny Board, Councillor Gillian Ford, gave her agreement to the exemption from call-in for the following reason:
- 5.2 The recent power failure at Dockside had further highlighted a number of critical stability issues and deficiencies in the current ICT Infrastructure. The failure accelerated the deterioration of the current ICT Infrastructure to the point which the stability, retention of business critical data and the provision of service could no longer be guaranteed.

Financial Implications and Risks:

While there were financial implications around the decisions described in this report, there are none directly associated with this report.

Legal Implications and Risks:

There are no immediate legal implications directly associated with this report.

Human Resource Implications and Risks:

There are none directly associated with this report.

Equalities and Social Inclusion Implications and Risks:

There are none directly associated with this report.

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Background paper List

1. Non-Key decision to support revision to the GLA High Street Fund project, The Retailery, dated 26 July 2016.
2. Key decision to Extension of three highways and street lighting term maintenance contracts; Volker Highways Limited, Marlborough Surfacing Ltd and Miller Bros (Romford) Ltd, dated 22 August 2016
3. Key decision on ICT Core Infrastructure Platform Replacement, dated 30 October 2016