



## **COUNCIL, 13 September 2017**

### **REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: OVERVIEW AND SCRUTINY RULES – EXCEPTION 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) within the previous 3 months.

This report deals with 1 such decision:

- 1) Authority to waive standing orders to award a works contract directly to Valuegrade for an extension to the 16+ SEN facility of the Avelon Road Centre

#### **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 Authority to waive standing orders to award a works contract directly to Valuegrade for an extension to the 16+ SEN facility of the Avelon Road Centre**

- 2.1 On behalf of Cabinet, Andy Skeggs, Head of Technical Services, sought agreement from the Chairman of the Overview & Scrutiny Board to exempt from call-in a non-key decision by the Cabinet Member for Children & Learning to waive standing orders for the award of a works contract directly to Valuegrade for an extension to the 16+ SEN facility of the Avelon Road Centre.
- 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 An urgent need had arisen to make provision for additional students aged between 16 and 25 with special educational needs. As such, it was agreed to waive the competitive process in accordance with clause 14.1 of the Contract Procedure Rules and negotiate a contract with Valuegrade to build an extension to expand the existing facility established in September 2016. Any delay to the award of contract could result in the Council being unable to provide places for students that had already been offered places.

**Financial Implications and Risks:**

While there were financial implications around the decision 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.

Staff Contact:	Andrew Beesley
Designation	Head of Democratic Services
Telephone No:	01708 432437
Email:	andrew.beesley@onesource.co.uk

**Background paper List**

None