



COUNCIL, 1 FEBRUARY 2012

REPORT OF THE CHIEF EXECUTIVE

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

SUMMARY

Under paragraph 18e of these Rules, the Leader of the Council is required to submit quarterly 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 two such decisions:

- 1) Appointment of contractor for works related to Phase 1 of the Transport for London funded Hornchurch Major Scheme; and
- 2) Award of the Rainham Traffic Management Scheme contract

RECOMMENDATION

That the report be noted.

REPORT DETAIL

- 1 Rule 18 of the Overview and Scrutiny Committee 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 and avoid call-in procedures after obtaining agreement from the Chairman or in the absence of the Chairman, the Vice Chairman of the relevant overview and scrutiny committee that the decision be treated as urgent.

2 Appointment of contractor for works to Hornchurch Major Scheme

- 2.1 On behalf of Cabinet, Cynthia Griffin, Group Director Culture and Community sought the agreement of the Chairman of the Towns and Communities Overview & Scrutiny Committee to exempt from call-in an Executive decision concerning the appointment of a contractor to undertake the works related to Phase 1 of the Transport for London funded Hornchurch Major Scheme.
- 2.2 The Chairman of the Towns and Communities Overview and Scrutiny Committee, Councillor Fred Osborne, gave his agreement to the exemption from call-in as any delay to the appointment of the successful contractor could compromise the ability to achieve full spend of the funding in the current financial year.

3 Award of the Rainham Traffic Management Scheme contract

- 3.1 On behalf of Cabinet, Cynthia Griffin, Group Director Culture and Community sought the agreement of the Chairman of the Towns and Communities Overview & Scrutiny Committee to exempt from call-in an Executive decision concerning the award of the contract for the Rainham Traffic Management Scheme.
- 3.2 The Chairman of the Towns and Communities Overview and Scrutiny Committee, Councillor Fred Osborne, gave his agreement to the exemption from call-in as any delay in the appointment a contractor the for the scheme would compromise the Council's ability to achieve full spend of the £1.145million TfL grant funding within the financial year.

4. Financial Implications and Risks:

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

5. Legal Implications and Risks:

There are none directly associated with this report.

6. Human Resource Implications and Risks:

There are none directly associated with this report.

7. Equalities and Social Inclusion Implications and Risks:

There are none directly associated with this report.

Background Papers List

1. Appointment of contractor for works to Hornchurch Major Scheme (Exempt from public disclosure)
2. Award of the Rainham Traffic Management Scheme contract. Signed by Andrew Blake-Herbert, Group Director Finance and Commerce (in the absence of Cynthia Griffin, Group Director Culture and Community) dated 16 December 2011.