



Havering
LONDON BOROUGH

CABINET

The report is part-exempt and its appendices are not available for public inspection as they contain or relate to exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972.

The appendices are in the exempt part of the agenda because they refer to confidential business and financial information and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

CABINET

8 February 2023

Subject Heading:

Authorisation to award a contract for the extension and modification of Central Depot

Cabinet Member:

Councillor Barry Mugglestone

SLT Lead:

Imran Kazalbash, Assistant Director of Public Realm

Report Author and contact details:

Anthony Clements, Principal Democratic Services Officer

Policy context:

The call-in process under Overview and Scrutiny Procedure Rule 17 of the Constitution.

Financial summary:

None of this covering report.

Is this a Key Decision?

The original decision is key with the reasons as stated on the attached Executive Decision report.

When should this matter be reviewed?

Not applicable.

Reviewing OSC:

Overview and Scrutiny Board

The subject matter of this report deals with the following Council Objectives:

People - Things that matter for residents

Place - A great place to live, work and enjoy **X**

Resources - A well run Council that delivers for People and Place.

SUMMARY

Following the upholding of a requisition of a key decision by the Overview and Scrutiny Board on 1 February, Cabinet is invited to consider whether it wishes to make changes to its original decision.

RECOMMENDATIONS

1. That Cabinet considers the comments of the Overview and Scrutiny Board (attached) giving the reasons for its upholding of a requisition of the key Executive Decision on the authorisation to award a contract for the extension and modification of Central Depot.
2. That Cabinet decides whether or not it wishes to make any changes to the original decision and gives its reasons for this.

REPORT DETAIL

its meeting of 1 February 2023, the Overview and Scrutiny Board upheld a requisition of the key Executive Decision on the Authorisation to award a contract for the extension and modification of Central Depot. The original decision, grounds for the requisition and a response by officers are attached to this report (not available to press or public) as is a summary of the Board's comments and reasons for upholding the call-in (not available to press or public).

- 1.1** In accordance with Overview and Scrutiny Procedure Rule 17 of the Council's Constitution Cabinet is required to consider whether, in light of the requisition and comments by the Board, it wishes to make any changes to the original decision. Cabinet does not necessarily have to agree any changes and may continue with the original decision. It should however agree its reasons for any decision and these should be recorded in the minutes of the meeting.

REASONS AND OPTIONS

Reasons for the decision:

To comply with the requirements of the Overview and Scrutiny Procedure Rules in the Council's Constitution.

Other options considered:

Given that the process this report relates to is a Constitutional requirement, there are no viable alternative options.

IMPLICATIONS AND RISKS

Financial implications and risks: As detailed in the attached Key Executive Decision report.

Legal implications and risks: This cover report addresses the requirement of Overview and Scrutiny Procedure Rule 17 of part 4.9 of the Council's Constitution. Legal implications of the requisitioned decision itself are as detailed in the attached Key Executive Decision report.

Human Resources implications and risks: As detailed in the attached Key Executive Decision report.

Equalities implications and risks: As detailed in the attached Key Executive Decision report.

Health and Wellbeing implications and Risks

As detailed in the attached Key Executive Decision report.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

As detailed in the attached Key Executive Decision report.

Background papers: None.

Appendices (not available to press or public):

Summary of grounds for upholding requisition, 1 February 2023
Key Executive decision report and appendix
Grounds for requisition
Response by officers to requisition grounds

UPDATE:

Following the Overview and Scrutiny Special Call-In meeting on **1st February 2023**, the requisition of the Key Executive Decision for authorisation to award a contract for the extension and modification of Central Depot was **NOT UPHOLD** which means the decision can now be implemented as set out in the Key Executive Decision report.

Please note the following recommendations were noted:

- All agendas including partially exempt and completely exempt items, should be open to councillors to access for effective scrutiny for their respective committees. Officers are to email members when agendas and documentation are available.

- Reports for new projects should only be brought to Committee meetings and Cabinet when all the relevant information is available especially noting capital costs, the associated chargeable interest to the general fund and the impact of such expenditure on Council resources.

- If for any reason this cannot be detailed in the report, sufficient reasoning must be stated as to why. As an example future benefits of the project, not already incorporated and quantified in budget/financial assessments, will exceed by far the costs associated with the potential additional revenue and capital expenditure.