

Committee: Council

Date: 10 July 2013

Agenda item: 17

Wards:

Subject: Call-in and Urgency – Award of Contract for Window Replacement Project at the Civic Centre

Lead officer: Paul Evans, Assistant Director Corporate Governance

Lead member: Councillor Stephen Alambritis, Leader of the Council

Forward Plan reference number: N/A

Contact officer: David Dunford, Assistant Head of Democracy Services

Recommendations:

- A. That Council note the taking of an urgent key decision requiring the waiving of the call-in procedure.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report advises Council of the taking of an urgent key decision in accordance with the provisions of Part 4 E, section 17 of the Council's constitution.

2 DETAILS

- 2.1. The Constitution makes provision for the taking of an urgent decision i.e.

“Part 4 E, Paragraph 17(a) states that the call-in procedure ...shall not apply where the decision being taken 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 interest.

- 2.2. In accordance with paragraph 17(b) of the constitution the above titled report was brought to the attention of the Chair of Overview and Scrutiny Commission. Following consultation with the Vice Chair and group leads for scrutiny, the Chair of the Overview and Scrutiny Commission issued the following statement:

“I have read the report to Cabinet, plus extensive supporting documentation supplied to me by Gerald Porter, Interim Head of Facilities Management.

Based on my reading, I am persuaded that any delay in the implementation of this decision for the purposes of hearing a call-in would pose an unacceptable Health and Safety risk.

The poor state of repair of the Civic Centre windows ranks as the top priority on the corporate risk register, and failure to act could expose the council to the risk of criminal charges in the event of an accident causing injury or death.

In my opinion, this risk outweighs the normal member right to call-in for this decision, and I therefore exempt it.”

- 2.3. Paragraph (c) of section 17 requires that “Decisions taken as a matter of urgency must be reported to the next available meeting of the Council together with the reason for urgency (the reason for urgency is identified at 2.2 above).

3 ALTERNATIVE OPTIONS

- 3.1. None for the purpose of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purpose of this report.

5 TIMETABLE

- 5.1. None for the purpose of this report

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None for the purpose of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. None for the purpose of this report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purpose of this report.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purpose of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None for the purpose of this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

None

12 BACKGROUND PAPERS

- 12.1. None.