



CORPORATE SERVICES DEPARTMENT
Caroline Holland - Director

To all Members of the Council

Democratic Services
London Borough of Merton
Merton Civic Centre
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Date: 18 June 2014

Dear Councillor

Notification of Cabinet Decisions

The decisions of the Cabinet meeting held on Monday 16 June 2014 are attached.

The call-in deadline is Monday 23 June at noon

The call-in form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

A handwritten signature in black ink, appearing to be "Caroline Holland", written over a light grey circular stamp.

Democracy Services

Decisions of the Cabinet held on Monday 16 June 2014
Call-in deadline – Monday 23 June 2014 at Noon.

5.	Merton Abbey Primary School expansion	<p>RESOLVED:</p> <p>That Cabinet:</p> <p>A). To agree to enter into a construction contract with Mansell PLC for the expansion of Merton Abbey Primary School through a new two storey building at the front of the site, to the maximum contract figure as detailed within the report.</p> <p>B). To note that this is the final phase of works which will ensure sufficient classrooms for the extended 420 place school and the total project cost is estimated to be within the budget as agreed by Cabinet on 10 March 2014.</p>
6.	Dundonald Primary School Expansion	<p>RESOLVED:</p> <p>That Cabinet:</p> <p>A). agrees to enter into a construction contract with FM Conway Limited for phase 1 external works to Dundonald Recreation Ground and Primary School to allow the expansion of Dundonald Primary School, to a contract value as specified within the report,</p> <p>B) agrees that the implementation of the above decision be undertaken by the Director of Children, Schools and Families in liaison with the Cabinet member for Education and be subject to (i) Mr Justice King dismissing the Appropriation Judicial Review (ii) the Court of Appeal refusing permission to appeal in the Planning Judicial Review and (iii) a review of benefits and risk at that time.</p>

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		<p>C). notes that the main phase works are being procured through the OJEU process, and following Pre-Qualifying, the second stage tender documents are due to be issued shortly. The construction contract cost of phase 1 above and the main phase estimated cost is within the budget in the council's capital programme, as agreed by Cabinet on 10 March 2014.</p>
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Merton Council - call-in request form

1. Decision to be called in: (required)

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2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution:

5. Documents requested

6. Witnesses requested

7. Signed (not required if sent by email):

8. Notes – see part 4E section 16 of the constitution

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor’s email account (no signature required) to democratic.services@merton.gov.uk
- **OR** as a signed paper copy to the Head of Democracy Services, 8th floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on 020 8545 3864