

## Merton Council - call-in request form

### 1. Decision to be called in: (required)

<p>Cabinet – 10 November 2014</p> <p>Agenda item 12 SLWP – options for joint procurement</p> <p>LOT 2 <u>only</u></p>
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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:

<p>(a) proportionality (i.e. the action must be proportionate to the desired outcome);</p> <p><b>The benefits to be derived from joint procurement (e.g. economies of scale) appear to apply almost exclusively to LOT 1 (waste collection etc.) and not to LOT 2. The risks attaching to a move to joint procurement for LOT 2 may well exceed the potential rewards.</b></p>	✓
<p>(b) due consultation and the taking of professional advice from officers;</p> <p><b>None of the key stakeholders have been consulted at this stage – Sustainable Merton, Friends of Parks groups, the Greenspaces team, as well as the many residents of Merton and visitors to the borough who use our parks and open spaces. Specifically the Sustainable Communities Overview and Scrutiny Panel was not invited to undertake pre-decision scrutiny (PDS) of this far reaching decision.</b></p>	✓
<p>(c) respect for human rights and equalities;</p> <p><b>No equalities impact assessment (EIA) has been published for this decision, making it difficult to estimate its impact. However mothers with young children and the retired are heavy users of parks for play and recreation, and they include more vulnerable segments of the population.</b></p>	✓
<p>(d) a presumption in favour of openness;</p> <p><b>The proposed competitive dialogue process is opaque, and decision making authority will be delegated to joint committees, making oversight by elected members difficult. Although consultation is offered at later stages, the key decision to proceed to joint procurement has been made without adequate scrutiny; once underway, it appears irreversible.</b></p>	✓
<p>(e) clarity of aims and desired outcomes;</p> <p><b>Competitive dialogue defines the aims through an iterative process as the bidding progresses. As the aims are not defined at the outset, in either quantitative or qualitative terms, the</b></p>	✓

<b>desired outcomes cannot be specified or subsequently verified.</b>	
(f) consideration and evaluation of alternatives; <b>The report sets out the alternatives of keeping services in house or moving to solus procurement, but fails to distinguish between LOT 1 and LOT 2 in these choices. The benefits of joint procurement appear to accrue principally to LOT 1; therefore the alternatives for LOT 2 have not been properly considered.</b>	✓
(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:

**Perversely, the lack of an evidential basis for this decision provides the evidence to justify the call in. Specifically no estimate is given of the savings that might be achieved for LOT 2. Given that a potential commitment for 25 years is proposed, this is a high risk decision with no certainty of outcome.**

**5. Documents requested**

**All meeting notes and emails between officers and Cabinet members leading up to the recommendation to proceed to joint procurement, particularly for LOT 2.**

**6. Witnesses requested**

**Chris Lee and Cormac Stokes (officers).  
Councillors Judy Saunders and Andrew Judge (Cabinet members).  
We may also call representative of Friends of Parks groups, Sustainable Merton and Greenspaces staff.**

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

**8. Notes**

Call-ins must be supported by at least three members of the Council  
(Part 4E Section 16(c)(a)(i))

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision  
(Part 4E Section 16(c)(a)(iii)).

The form and/or supporting requests must be sent **EITHER** by email from a Councillor's email account (no signature required) **OR** as a signed paper copy  
(Part 4E Section 16(c)(a)(iv)).

For further information or advice contact the Democratic Services Manager on 020 8545 3361

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