

# Full Council

14 November 2017



**Report of:** Shahzia Daya, Service Director – Legal & Democratic Services

**Title:** Information report - Exception to call-in procedure

**Ward:** Citywide

## RECOMMENDATION

**Full Council is asked to note an exception to the call-in procedure that has been made since the last report in March 2017 in respect of the following decision taken by the Mayor at Cabinet:**

- **Decision taken at Cabinet on 27 July 2017**  
**Subject: Current West of England Partnership Waste Contract - exempt Report**



## **Background / information**

1. The principle of call-in of executive decisions is firmly embedded within the Council's constitution (Overview and Scrutiny procedure rules).
2. In general, subject to the prescribed constitutional criteria being met, and the relevant procedure being followed, all executive decisions taken by the Mayor at Cabinet are potentially subject to the call-in procedure.
3. The constitution does provide (under Overview and Scrutiny procedure rule 17j) (OSR17j), however, for the call-in procedure not to apply in circumstances where an urgent decision needs to be taken by the executive, and where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. In these circumstances, the Head of Paid Service and the Monitoring Officer must agree, in consultation with the Mayor, taking into account all relevant circumstances, that it is reasonable for the call-in procedure to not apply.
4. The constitution also requires that such exceptions to the call-in procedure are reported to the Full Council for information.
5. This report informs Full Council of one exception made to the call-in procedure since the last report to Full Council, as follows:

### **Current West of England Partnership Waste Contract**

The report was not published and the decision was considered in private by the Cabinet by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 under Category 3 :- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The recommendations were approved as set out in the report.

With regard to the above decisions, as per OSR17j, the Head of Paid Service and Monitoring Officer, in consultation with the Mayor, were satisfied that any delay likely to be caused by a call-in process would seriously prejudice the Council's or the public's interests.

6. This report is presented for Full Council's information, as required by the constitution.