

Environment Overview and Scrutiny Committee

19 December 2005

Agenda

A special meeting of the Environment Overview and Scrutiny Committee will be held at the **SHIRE HALL, WARWICK** on **MONDAY 19 DECEMBER 2005** at **2:15 p.m.**

The agenda will be:-

1. General

(1) Apologies for absence

(2) Members' Disclosure of Personal and Prejudicial Interests

Members should disclose the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a prejudicial interest the Member must withdraw from the room unless one of the exceptions applies.

2. Reports Containing Confidential or Exempt Information

To consider passing the following resolution:

'That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of confidential or exempt information as defined in paragraph 7 of the Local Government Act 1972'.

(NB. Copies of extracts describing exempt information are available in Warwickshire Libraries, the County Council Handbook and the Access to Information Register held in my office).

3. Consideration of Called-in Matter.

At it's meeting on the 8th December 2005 the Cabinet considered a report relating to the following matter:-

Street Column Advertising

The Cabinet was asked to consider the award of a seven year contract for maintenance, installation and advertising on up to 225 street columns in Warwickshire to generate a new source of revenue.

(1) Call-in

This decision has been called-in by Councillor Ken Browne, Chair of the Environment Overview and Scrutiny Committee, in accordance with Standing Order 11 for the following reasons:-

That there is not sufficient information provided to ascertain whether letting such a contract would be 'robust' and whether the option selected would in any event provide best value.

(2) Enclosures

The report to Cabinet on 8th December 2005 relating to this issue is attached to this agenda.

Recommendation

That the Overview and Scrutiny Committee consider this issue and makes recommendation to the Cabinet.

Shire Hall,
Warwick.

JIM GRAHAM
Chief Executive

Overview and Scrutiny Committee Membership

County Councillors:- George Atkinson, Ken Browne (Chair), Richard Chattaway (Vice Chair), Jose Compton, Gordon Collett, Eithne Goode, Katherine King, Nina Knapman, Joan Lea, Bryan Levy, Phillip Morris-Jones and Ray Sweet.

Cabinet Portfolio Holder:- Councillor Martin Heatley (Environment).

The reports referred to are available in large print if requested

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STANDING ORDER 11 – CALL-IN

11.1 Subject to standing orders 13 and 16 below call-in applies to the following executive decisions i.e. decisions made by

- The Cabinet
- Committees of the Cabinet
- Area Committees making executive decisions
- Officers making key executive decisions

11.2 Any such decision shall be published electronically, normally within 2 working days of being made. Chairs of all overview and scrutiny committees will be sent copies of the records of all such decisions at the same time.

11.3 The decision will come into force and may then be implemented on the expiry of 5 working days after the date of electronic publication of the decision, unless the monitoring officer receives a written request as set out in 11.4 below.

11.4 During that period if the monitoring officer receives a written request from

- (i) the Chair of the relevant Overview & Scrutiny Committee or
- (ii) any four members of the Council

he/she will notify the decision maker and the Chair of the relevant Overview & Scrutiny Committee that the decision has been called in. Any such request must set out the nature of the concern and the reasons for the call-in.

11.5 Where it appears that the decision might reasonably be considered to be contrary to the policy framework or budget the monitoring officer may request the Chief Executive to set a date for a meeting of the full Council with the agreement of the Chair of the relevant Overview and Scrutiny Committee and the Chair of the Council.

11.6 The relevant Overview & Scrutiny Committee or Council as appropriate, shall meet to consider the decision no later than 10 working days after receipt of the call-in request.

11.7 Having considered the decision the relevant Overview and Scrutiny Committee may

- (i) refer it back to the decision making person or body for reconsideration setting out in writing the nature of its concern
- (ii) refer the matter to full Council; or
- (iii) decide to take no action

The outcome of the Overview and Scrutiny Committee consideration will normally be published electronically within 2 working days of the meeting.

11.8 If the Overview and Scrutiny Committee decides to take no action, the decision shall take effect on the expiry of 5 working days from the date of publication of the outcome unless a request has been made as set out at 11.9 below

11.9 Any 6 members may by written notice to the monitoring officer within 5 working days of date of publication of the outcome of the Overview and Scrutiny Committee meeting require the decision to be referred to full Council. Such notice shall nullify any referral to any other decision-making person or body. The Council shall meet to consider the decision within 10 working days of the request. Any request for a referral of the decision must set out the nature of the concern and the reasons for the referral.

11.10 The Council may after considering the decision

- (i) refer the matter back to the decision making person or body for reconsideration setting out in writing the nature of its concerns.
- (ii) make the decision with or without amendment, if it falls within the Council's power to do so.
- (iii) decide to take no action

11.11 If the Council decides to take no action or makes the decision itself the decision shall take effect on the date of the Council meeting.

11.12 Where an Overview and Scrutiny Committee (unless standing order 11.9 applies) or the full Council refer the matter to another decision-making person or body, that other decision-making person or body shall reconsider the decision at its next meeting. No further right of call-in may be exercised. The decision shall take effect on the date of that reconsideration.