

REPORT TITLE: CALL-IN OF DECISION IN RESPECT OF THE WASTE DISPOSAL CONTRACT – HOUSEHOLD WASTE AND RECYCLING CENTRE EFFICIENCY SAVINGS

Meeting:	Environment and Climate Change Scrutiny Panel
Date:	10 September 2024
Cabinet Member (if applicable)	Councillor Munir Ahmed – Environment and Highways
Key Decision Eligible for Call In	No Not applicable
<p>Purpose of Report To provide the Committee with the information considered by the Executive Director, Place when making the decision and the validated areas of focus for the call-in.</p>	
<p>Recommendations Members of the Panel are asked to consider all the evidence and make a recommendation, in accordance with the provisions of the Overview and Scrutiny Procedure Rules (Part 4.5 of the Constitution).</p> <p>Reasons for Recommendations The decision of the Executive Director has been called-in for review by the Panel.</p>	
<p>Resource Implications: Not applicable</p>	
<p>Date signed off by <u>Executive Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance</p> <p>Is it also signed off by the Service Director for Legal, Governance and Commissioning (Monitoring Officer)</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Leigh Webb, Acting Head of Governance on behalf of Samantha Lawton 2-9-24</p>

Electoral wards affected: Not applicable

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Yes

1. Executive Summary

- 1.1 On 23 August 2024, the Service Director for Legal, Governance & Commissioning received written notification from six councillors of their wish to call-in a decision of the Executive Director, Place, published on 16 August 2024. The decision was in relation to the Household Waste Recycling Centre Efficiency Savings.
- 1.2 Following a validation exercise of the call-in request form by the Chair of Scrutiny and the Service Director for Legal, Governance and Commissioning, a document has been produced, which sets out the validated areas of focus for the call-in (Appendix 1).
- 1.3 The Panel will have access to all papers considered by the Executive Director when making the decision and will be able to question the relevant officers and the Cabinet Member. The Panel is also able to hear from other interested parties, including other councillors and members of the public. A timetable for the Panel meeting is attached at Appendix 2.
- 1.4 The Panel and interested parties should focus attention and questions on those issues that are set out in the validated areas of focus for the call-in.
- 1.5 Once the Panel has considered the points raised and all supporting information and evidence, it must resolve either to:
 - (1) Free the decision for implementation
 - (2) Refer the decision back to the Executive Director with a recommendation for amendment.
 - (3) In exceptional circumstances, refer the issue to the next Council meeting if the decision is not consistent with the budget or any policy previously agreed by the Council. This can only be done with advice from the relevant senior officers and the Service Director for Legal, Governance and Commissioning.
- 1.6 If the decision is referred back to the Executive Director, the options available will include:
 - Accept the recommendation of the Scrutiny Panel, in full or in part, and amend the decision;
 - Decide that further work needs to be done and defer the item until this is completed. The Scrutiny Panel/non-executive members should be kept informed of the work as it progresses and be formally notified when it is to be reconsidered;
 - Not accept the view of the Scrutiny Panel and confirm the original decision;
 - Refer the issue for discussion at the next appropriate Council meeting.
- 1.7 If the Executive Director confirms the original decision, it can be implemented immediately as there is no scope for further review and challenge. A decision may only be reviewed once.

2. Information required to take a decision

The Panel will have access to all the information considered by the Executive Director when making the original decision.

3. Implications for the Council

There are no specific implications for the Council within this report as the Panel does not have decision making powers. However, as a result of hearing the call-in evidence, recommendations may be made to the Executive Director to amend the decision which, if accepted, could result in implications for the Council.

3.1 Council Plan

Not applicable

3.2 Financial Implications

Not applicable

3.3 Legal Implications

Not applicable

3.4 Other (eg Risk, Integrated Impact Assessment or Human Resources)

Not applicable

4. Consultation

Not applicable

5. Engagement

Not applicable

6. Options

6.1 The options for the Panel are set out in paragraph 1.5 of this report.

7. Next steps and timelines

Following consideration of all the information and evidence, the Scrutiny Panel will make a recommendation, in accordance with the Council Procedure Rules. This recommendation will then be actioned as appropriate.

8. Contact officer

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9. Background Papers and History of Decisions

Overview and Scrutiny Rules – Council Constitution

10. Appendices

Appendix 1 - Areas of Focus
Appendix 2 - Hearing Timetable
Appendix 3 – Decision, dated 14/8/24
Appendix 4 - Information considered in making the decision

11. Service Director responsible

Samantha Lawton, Service Director, Legal, Governance and Commissioning