

## MUNICIPAL YEAR 2016/2017 REPORT NO. 143

### MEETING TITLE AND DATE:

Overview & Scrutiny  
Committee,  
10 November 2016

### REPORT OF:

Director of Finance, Resources  
and Customer Services

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Agenda – Part: 1	Item: 4
<b>Subject:</b> Green Bin Service Change	
<b>Wards:</b> All	
<b>Key Decision No:</b> 4376	
<b>Cabinet Member consulted:</b> N/A	

## 1. EXECUTIVE SUMMARY

1.1 This report details a call-in submitted in relation to the following decision:

**Cabinet Decision (19 October 2016): Green Bin Service Change**

1.2 Details of this decision were included on Publication of Decision List No. 34/16-17 (Ref. 10/34/16-17 – issued on 21 October 2016).

1.3 In accordance with the Council's Constitution, Overview and Scrutiny Committee is asked to consider the decision that has been called-in for review.

1.4 The members who have called-in this decision do not believe it falls outside of the Council's Policy Framework.

## 2. RECOMMENDATIONS

2.1 That Overview and Scrutiny Committee considers the called-in decision and

either:

- (a) Refers the decision back to the decision making person or body for reconsideration setting out in writing the nature of its concerns. The decision making body then has 14 working days in which to reconsider the decision; or
- (b) Refer the matter to full Council; or
- (c) Confirm the original decision.

Once the Committee has considered the called-in decision and makes one of the recommendations listed at (a), (b) or (c) above, the call-in process is completed. A decision cannot be called in more than once.

If a decision is referred back to the decision making person or body; the implementation of that decision shall be suspended until such time as the decision making person or body reconsiders and either amends or confirms the decision, but the outcome on the decision should be reached within 14 working days of the reference back. The Committee will subsequently be informed of the outcome of any such decision.

### **3. BACKGROUND/ INTRODUCTION**

- 3.1 Please refer to Section 3 of the Cabinet decision report.

### **4. ALTERNATIVE OPTIONS CONSIDERED**

None – Under the terms of the call-in procedure within the Council's Constitution, Overview & Scrutiny Committee is required to consider any eligible decision called-in for review. The alternative options available to Overview & Scrutiny Committee under the Council's Constitution, when considering any call-in, have been detailed in section 2 above.

### **5. REASONS FOR RECOMMENDATIONS**

To comply with the call-in procedure within the Council's Constitution.

### **6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

#### **6.1 Financial Implications**

The financial implications relating to the called-in decision have been detailed in the Cabinet decision report.

## **6.2 Legal Implications**

S 21, S 21A-21C Local Government Act 2000, s.19 Police and Justice Act 2006 and regulations made under s.21E Local Government Act 2000 define the functions of the Overview and Scrutiny committee. The functions of the committee include the ability to consider, under the call-in process, decisions of Cabinet, Cabinet Sub-Committees, individual Cabinet Members or of officers under delegated authority.

Part 4, Section 18 of the Council's Constitution sets out the procedure for call-in. Overview and Scrutiny Committee, having considered the decision may: refer it back to the decision making person or body for reconsideration; refer to full Council or confirm the original decision.

The Constitution also sets out at section 18.2, decisions that are exceptions to the call-in process.

## **6.3 Property Implications**

There are no corporate property implications arising from the Cabinet decision Report.

## **7. KEY RISKS**

The key risks identified relating to the called-in decision have been detailed in the Cabinet decision Report.

## **8. IMPACT ON COUNCIL PRIORITIES**

The way in which the called-in decision impacts on the Council priorities relating to fairness for all, growth and sustainability and strong communities have been detailed in the Cabinet decision Report.

## **9. EQUALITIES IMPACT IMPLICATIONS**

The equalities impact implications relating to the called-in decision have been detailed in the Cabinet decision Report.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

The performance management implications identified relating to the called-in decision have been detailed in the Cabinet decision Report.

## **11. HEALTH AND SAFETY IMPLICATIONS**

The health and safety implications identified relating to the called-in decision have been detailed in the Cabinet decision Report.

## **12. PUBLIC HEALTH IMPLICATIONS**

The public health implications identified relating to the called-in decision have been detailed in the Cabinet decision Report.

### **Background Papers**

None