

MUNICIPAL YEAR 2018/2019 REPORT NO.77

MEETING TITLE AND DATE:

Overview & Scrutiny
Committee,
27 September 2018

REPORT OF:

Director of Law and
Governance

Agenda – Part: 1

Item:

**Subject: Call-In of Report: Meridian Water
Station – Public Realm Construction**

**Wards: Upper Edmonton & Edmonton
Green**

Key Decision No: KD 4669

**Cabinet Member consulted: Cllr Nesil
Caliskan**

Contact officers and telephone
numbers:

Jeremy Chambers, Director Law and Governance

Tel: 020 8379 4799

Email: Jeremy.chambers@enfield.gov.uk

Claire Johnson, Head of Governance & Scrutiny

Tel: 020 8379 4239

E mail: claire.johnson@enfield.gov.uk

1. EXECUTIVE SUMMARY

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

Leader of the Council Decision (taken on 5/09/2018):

1. To authorise the appointment of VolkersFitzpatrick under a Preconstruction Service Agreement (PCSA) to complete the design of the public realm works and enter into a contract to deliver those works.
2. To authorise the appointment of VolkersFitzpatrick to carry enabling works associated with the awarded contract.
3. To authorise the appointment of VolkersFitzpatrick to construct the Meridian Water Station public realm and enter into a NEC 3 form of contract with a value not exceeding £2,000,000.
4. The contracts to be in a form approved by the Director of Law and Governance.

1.2 Details of this decision were included on Publication of Decision List No. 17/18-19 (Ref. 1/17/18-19 – issued on Friday 7 September 2018).

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 person or 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 in the 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 EXECUTIVE DIRECTOR RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

The financial implications relating to the called-in decision have been detailed in Section 6.1 of the Leader of the Council 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

The property implications relating to the called-in decision have been detailed in Section 6.3 of the Leader of the Council's Decision Report.

7. KEY RISKS

The key risks identified relating to the called-in decision have been detailed in the Leader of the Council's 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 Leader of the Council Decision Report.

9. EQUALITIES IMPACT IMPLICATIONS

The equalities impact implications relating to the called-in decision have been detailed in the Leader of the Council Decision Report.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

The performance management implications identified relating to the called-in decision have been detailed in the Leader of the Council Decision Report.

11. HEALTH AND SAFETY IMPLICATIONS

The health and safety implications identified relating to the called-in decision have been detailed in the Leader of the Council Decision Report.

12. PUBLIC HEALTH IMPLICATIONS

The public health implications identified relating to the called-in decision have been detailed in the Leader of the Council Decision Report.

Background Papers

None