

Dear Andy

I am writing to you in your capacity as Head of Paid Service pursuant to Chapter 3- Meeting Procedure Rules relating to the Overview and Scrutiny Committee of the Council's constitution. In accordance with clause 12.4 of the Overview and Scrutiny Procedure Rules and in my capacity as Chairman of Overview and Scrutiny I give notice of call-in of the decision of the Executive at its meeting held on 14 October 2021 wherein it was resolved "That the Executive has considered the range of options (as set out in section 4 of the published agenda report) and agrees to continue the suspension of garden waste collections until Spring 2022".

The reaching of the decision is in breach of the principles for good decision-making because of the following.

1. Failure to adequately consult with Members prior to the meeting of 14 October 2021
2. Late delivery of report in support of recommendation. The report was only made available to Members on the morning of the meeting and as such many Members were not made aware of the serious nature of the recommendation until the last minute if at all prior to the decision being made.
3. Lack of openness in respect of the content of the report and the reaching of the decision. For example, it was not made clear as to whether or not FCC had requested a continued suspension.

In consequence of the call-in I propose that this be dealt with at O&S's next meeting on 4 November 2021 in accordance with clause 12.6 and 12.7.

To avoid any challenge as to whether or not this notice was served on time, I would draw your attention to clauses 12.2 and 12.3 dealing with the publication of the decision. A call-in notice is to be served on the expiry of five clear working days after the publication of the decision. Clause 12.2 requires a copy of the record of decisions to be sent to the Chairman of O&S. I have not received such a copy and it follows that the decision is yet to be published in accordance with the Constitution or in a proper form.

Please note that all references to the Constitution relate to those approved by Full Council on 15 July 2021.

Regards

John

Cllr John Birch
Chair of Overview and Scrutiny Panel
SHDC Member for Totnes