



# Delegations by Cabinet

## Report for the Co-ordinating O&S Committee

### 1 Purpose

- 1.1 At its meeting in March 2020, the Resources O&S Committee considered matters in relation to procurement and contract management. One of the issues discussed was the timeliness of the implementation of Cabinet delegations, and members asked that this be referred to the Co-ordinating O&S Committee.

### 2 Cabinet Delegations

- 2.1 The issue arose in relation to the publication of an OJEU notice for the procurement of waste treatment services. The concern was whether what was being proposed was able to meet the terms/needs of the climate change declaration made in June 2019, and indeed whether the procurement route selected allowed for any changes to be made.
- 2.2 The specific issue of the waste treatment services is being picked up the Sustainability and Transport O&S Committee, but the Resources O&S committee had noted the time taken between the Cabinet report (February 2018) and the implementation of the delegations to Chief Officers (February 2020).
- 2.3 Whilst there may be cases where there are good reasons for a delay of this length, members queried what steps were taken to ensure that any changes in policy were taken into account. It is important that, where procurement is proposed, there should be sufficient thought given to the impact of any likely policy changes and the route selected should have the right level of flexibility.
- 2.4 As Co-ordinating O&S committee has the Constitution within its remit, it was therefore suggested that members consider whether a time limit on Cabinet delegations should be considered. If so, a recommendation could be made to the Leader of the Council to ensure that any outstanding delegations are reviewed after a certain period (perhaps 12 months), or are time-limited, to ensure any subsequent policy, budget or statutory changes are taken into account.
- 2.5 A second area raised by the discussion in March, was the issue of the timeliness of decisions. There were instances where the need for a quick decision overrode the usual governance or transparency requirements, such as call-in. This is an area the Resources O&S Committee will revisit.

### 3 For Decision

- 3.1 Members are asked to recommend to the Leader that the Constitution is amended so that delegations from Cabinet are reviewed after a specified period (12 months) to ensure the decision is still in line with Council policy.