

Birmingham City Council

Sustainability and Transport Overview and Scrutiny Committee

18 May 2023



Subject: Request for Call-In - Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres

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1 Purpose

- 1.1 This report outlines a Request for a Call-In of the Executive Decision of the Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres by the Executive on 25 April 2023 (Appendix 1).
- 1.2 All Executive decisions are subject to Call-In before approval. Further information relating to the Call-In procedure and its criteria is set out in Appendix 2. Two Requests for a Call In have been received for this decision. The first Request for a Call In was submitted by Cllrs Ewan Mackey and Roger Harmer (Appendix 3A); the second request was submitted by Cllrs Julien Pritchard and Rob Grant (Appendix 3B). Both Requests were received on 26 April 2023.

2 Recommendations

- 2.1 The Committee:
 - Reviews the reason(s) provided to request this Call-In, and how and why the decision had been reached by the Executive; and
 - Considers whether either of these requests meets the criteria for a Call-In as set out in [Part B \(11.9\) of the Constitution](#), and decides if the decision to approve Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres should be 'called-in'.

3 Any Finance Implications

- 3.1 With specific regard to these Requests for a Call-In, there are no financial implications.
- 3.2 The Cabinet Report (Appendix 4) outlines the financial implications related to the decision of the Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres.

4 Any Legal Implications

- 4.1 As set out in [Part B, 11.9 of the Constitution](#), the purpose of this meeting is to discuss whether the Committee should or should not exercise its power of a Call-In. Specifically, it will formally discuss whether the Executive should reconsider its decision to approve the Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres. Further information relating to the Call-In procedure and its criteria is set out in Appendix 2.
- 4.2 The Cabinet Report (Appendix 4) outlines the legal implications related to the decision of the Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres.

5 Any Equalities Implications

- 5.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.2 The Report for Cabinet (Appendix 4) outlines that the [Procurement Strategy for Waste Management Services in support of the Waste Strategy Framework 2017-2040 included an Equalities Analysis \(reference EA002528\)](#), and was agreed by Cabinet in February 2018. This provides the equalities impact for this report.
- 5.3 With specific regard to this Request for a Call In, there are no equalities implications.

6 Appendices

- 6.1 Appendix 1 – Executive Decision Record – Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres
- 6.2 Appendix 2 – Call-In Procedure and Criteria Briefing Note
- 6.3 Appendix 3A – Call In Request submitted by Cllrs Ewan Mackey and Roger Harmer for the Executive Decision of the Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres
- 6.4 Appendix 3B – Call In Request submitted by Cllrs Julien Pritchard and Rob Grant for the Executive Decision of the Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres
- 6.5 Appendix 4 – Report to Cabinet for the Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres
- 6.6 Appendix 4A – Exempt Appendix to Report to Cabinet for the Contract Award for the Operation and Maintenance of Tyseley ERF, Waste Transfer Stations and Household Waste Recycling Centres (referred to in Appendix 4 as Appendix 1)
- 6.7 Appendix 4B – Birmingham Total Waste Strategy (referred to in Appendix 4 as Appendix 2)
- 6.8 Appendix 4C – Options Appraisal (referred to in Appendix 4 as Appendix 3)
- 6.9 Appendix 4D – Environmental and Sustainability Assessment (referred to in Appendix 4 as Appendix 4)

7 Background Papers

- 7.1 [Birmingham City Council Constitution](#)
- 7.2 Birmingham City Council Overview and Scrutiny Framework April 2021