

DERBYSHIRE COUNTY COUNCIL

COUNCIL MEETING

1 October 2014

Report of the Director of Legal Services

WAIVER OF THE CALL-IN PROVISIONS

Purpose of the Report

To report agreements to waive the call-in provisions.

Information and Analysis

The Council's Constitution provides for a report to be submitted to the next available Council meeting where the call-in provisions have been waived in view of the urgent nature of a decision taken by the Cabinet or a Cabinet Member.

A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interest. The record of the decision states whether, in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chair of the appropriate Improvement and Scrutiny Committee has to agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.

The following decision are reported –

(1) Meeting – Cabinet Member meeting - Children and Young People 3 June 2014.

Decision – William Rhodes Primary School and St Philip Howard Catholic School Performance Standards. (Exempt items).

The Cabinet member considered that these were urgent matters and should not be subject to call-in, as any delay likely to be caused by the call-in process would seriously prejudice the Council's and the public interest and that the decision proposed was reasonable in all the circumstances.

Prior to the meeting, Councillor D Charles, Chair of the Improvement and Scrutiny Committee – People, had agreed that that the decisions should be regarded as urgent and that the decisions proposed were reasonable.

(2) Meeting – Cabinet meeting – 15 July 2014.
Decision – School Staff Redundancies (Exempt item).

Cabinet considered that these were urgent matters and should not be subject to call-in, as any delay likely to be caused by the call-in process would seriously prejudice the Council's and the public interest and that the decision proposed was reasonable in all the circumstances.

Prior to the meeting, Councillor D Charles, Chair of the Improvement and Scrutiny Committee – People, had agreed that that the decisions should be regarded as urgent and that the decisions proposed were reasonable.

(3) Meeting – Cabinet meeting – 15 July 2014.
Decision – Priority School Building Programme 2 – proposed expression of interest

Cabinet considered that these were urgent matters and should not be subject to call-in, as any delay likely to be caused by the call-in process would seriously prejudice the Council's and the public interest and that the decision proposed was reasonable in all the circumstances.

Prior to the meeting, Councillor D Charles, Chair of the Improvement and Scrutiny Committee – People, had agreed that that the decisions should be regarded as urgent and that the decisions proposed were reasonable.

Considerations

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

Background Papers

None.

OFFICER'S RECOMMENDATION

That the report be noted.

John McElvaney
Director of Legal Services