

**PUBLIC**

**AGENDA ITEM No 11 d**

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL MEETING**

**13 April 2016**

**Report of the Director of Legal Services**

**WAIVER OF THE CALL-IN PROVISIONS**

**Purpose of the Report**

To report an agreement 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 is reported –

(1) Meeting – Cabinet 23 February 2016.

Decision – Ilkeston Rail Station.

Cabinet considered that this was an urgent matter 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 K Gillott, Chair of the Improvement and Scrutiny Committee – Places, 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**