

**PUBLIC**

**AGENDA ITEM No.8 (g)**

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL MEETING**

**6 December 2017**

**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 Chairman 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 decisions are reported –

(1) Meeting – Cabinet Member for Council Services on 14 September 2017.

Decision – Approval for the County Council to jointly enter into the proposed Deed of Grant of easement and property transfers with The Chesterfield Canal Trust and the purchaser of 266A Sheffield Road, Killamarsh – Exempt item

The Cabinet Member considered that this was an urgent matter and should not be subject to call-in, as the house purchase arrangements and those of the buyers in the chain were dependent upon completion being achieved

by the end of September and any delay likely to be caused by the call-in process would seriously prejudice the Council's and the public interest. The decisions proposed were reasonable in all of the circumstances.

Prior to the meeting, Councillor T Kemp, Chairman of the Improvement and Scrutiny Committee – Resources, 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, social value and transport considerations.

**Background Papers**

None.

**OFFICER'S RECOMMENDATION**

That the report be noted.

**John McElvaney**  
**Director of Legal Services**