

**PUBLIC**

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

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL MEETING**

**4 February 2015**

**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 2 December 2014.

Decision – Appointment of Civil Parking enforcement Contractor (Exempt item).

The 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 K Lauro, 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.

(2) Meeting – Cabinet Member for Council Services 22 December 2014.

Decision – Use of Internet and Email services.

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 C Moesby, Chair 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.

(3) Meeting – Cabinet Member for Children and Young People 2 December 2014.

Decision – Income Collection Services in Schools (Exempt item).

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.

### **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**