

DERBYSHIRE COUNTY COUNCIL

COUNCIL MEETING

6 February 2019

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 on 12 December 2018.

Decision – Long Term Waste Management Contract - Exempt item

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 interests.

Prior to the meeting, Councillor S Bull, the Chairman of the Improvement and Scrutiny Committee – Places, had agreed that the decisions

should be regarded as urgent and that the decisions proposed were reasonable.

(2) Meeting – Cabinet meeting on 20 December 2018

Decision – Response to the High Speed 2 Ltd Working Draft Environment Statement and Working Draft Equalities Impact Assessment Consultations.
– Non Exempt item.

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 interests in view of the need to meet the deadline of 21st December 2018 for consultation responses.

Prior to the meeting, Councillor S Bull, the Chairman of the Improvement and Scrutiny Committee – Places had agreed 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.

Janie Berry
Director of Legal Services