



Derby City Council

**CONFIRMATION OF A DECISION OF AN OVERVIEW AND SCRUTINY CHAIR  
TO AGREE THAT A MATTER BE CONSIDERED IN PRIVATE SESSION  
WITHOUT 28 DAYS NOTICE OF THAT INTENTION BEING PROVIDED**

**DECISION NOTICE**

**1. Meeting**

Council Cabinet – 12 February 2020

**2. Matter to be considered in private**

Street Lighting PFI Contract – Performance Review

**3. Reasons for proposing to consider the matter in private session**

The report will include information which is commercially sensitive and which could prejudice the council's negotiating position if the information provided is made public. The Mayor has therefore agreed to exempt this information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. Furthermore, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**4. Reason for notice not being given of this intention 28 days prior to the meeting taking place**

At the point when it became known that the report was required and would contain confidential information, the deadline for giving 28 days notice had already passed. Therefore it was not possible to give 28 days notice prior to the meeting taking place. Further work was required to be undertaken before 31 March 2020 and therefore could not wait until the next scheduled meeting.

It was recommended to Councillor Frank Harwood, Mayor, that this matter be considered in private session. This was agreed by Councillor Harwood on 7 February 2020.

Emily Feenan  
Monitoring Officer