

**NORTH YORKSHIRE COUNTY COUNCIL**

**Access to Information Procedure Rule 15**

**Notice of Urgent Item**

**To County Councillor Derek Bastiman  
Chairman of the Corporate and Partnerships Overview and Scrutiny Committee**

The County Council's Constitution provides that if a matter which is likely to be a key decision has not been included on the Council's Forward Plan for the requisite period, the decision may still be taken if an urgency procedure is followed.

Under Access to Information Procedure Rule 15:

*15.1 If the publication of the intention to make a key decision is impracticable and a matter which is likely to be a key decision has not been included in the forward plan for the requisite period as set out in Rule 13.2, then subject to Rule 16 (special urgency), the decision may still be taken if:*

- (a) the Assistant Chief Executive (Legal and Democratic Services) has informed the Chairman of a relevant overview and scrutiny committee, or if there is no such person, each member of that committee by notice in writing, of the matter about which the decision is to be made;*
- (b) the Assistant Chief Executive (Legal and Democratic Services) has made copies of that notice available to the public at the offices of the Council and on the Council's website; and*
- (c) at least five clear days have elapsed following the day on which the Assistant Chief Executive (Legal and Democratic Services) complied with (a) and (b).*

*15.2 As soon as reasonably practicable after the Assistant Chief Executive (Legal and Democratic Services) has complied with (a) to (c) above, s/he must make available at the Council's offices a notice setting out the reasons why compliance with Rule 13.2 is impracticable and publish that notice on the Council's website.*

It is anticipated that on 18 October 2016 an item regarding proposed amendments to the Constitution will be considered by the Executive, for recommendation on to full Council for approval on 9 November 2016.

The intention to make the key decision has been published on the Forward Plan but not for the full, requisite 28 clear day period.

This matter requires consideration by the Executive on 18 October 2016, and cannot reasonably be deferred, to enable the timely consideration and progress of this matter, hence the need for this Notice under Access to Information Procedure Rule 15. It has recently transpired that certain of the proposed amendments to the Constitution must be approved at the Council's meeting in November to enable certain decisions to be made under the proposed new delegations in a timely manner. This therefore requires consideration by the Executive at its meeting on 18 October. As recommendations to Council from the Executive regarding changes to the Constitution are treated as key decisions, this matter has been published on the Forward Plan but it will not have been on the Plan for the requisite 28 day period before the Executive's meeting on 18 October.

In accordance with the provisions in Access to Information Procedure Rule 15, I am, therefore, informing you as the Chairman of the relevant Overview and Scrutiny Committee, that it is intended that this matter be considered by the Executive on 18 October 2016.

**BARRY KHAN**  
**Assistant Chief Executive (Legal and Democratic Services)**

Dated: 30 September 2016