

**North Yorkshire County Council**

**Notice of Urgent Private Item in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012**

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

**Establishing a Development Company**

On 18 October 2016 the Executive will consider a report regarding whether to agree to establish a development company.

The intention to make this decision has been included in the Forward Plan for some time and so the required 28 days' advance notice of decision taking is achieved. It is has only now become apparent that part of the report – Appendix 2 - contains exempt information, for which it is therefore not possible to give the required 28 days' notice of the intention to hold this part of the meeting in private, hence this Notice.

This decision cannot reasonably be deferred, due to the financial and operational consequences of any delay. The information anticipated to be contained in appendix 2 to the report is classed as exempt as it contains commercially sensitive information.

**If you agree that the meeting in respect of this matter is urgent and cannot reasonably be deferred and that this item should be considered on 18 October 2016, will you please countersign this document and email it back to Josie O'Dowd.**

Barry Khan  
Assistant Chief Executive (Legal and Democratic Services)

10 October 2016

**I agree, for the reasons stated in this notice, that the meeting in respect of this matter is urgent and cannot reasonably be deferred and that this item should be considered on 18 October 2016.**

**Signed DEREK BASTIMAN (REDACTED)  
County Councillor Derek Bastiman**

**Dated 11 OCTOBER 2016**

**Chairman of the Corporate and Partnerships Overview and Scrutiny Committee**

## NOTES:

The County Council's Constitution provides that at least 28 clear days before a private meeting (a meeting, or part of a meeting, of the executive decision making body during which the public are excluded) the executive decision-making body must give notice of its intention to hold the meeting in private (including a statement of the reasons for holding it in private) by making the notice available at County Hall and at the venue for the meeting (if different) and publishing it on the Council's website. At least five clear days before a private meeting, the executive decision making body must give further notice of its intention to hold the meeting in private including:

- a statement of the reasons for holding it in private;
- details of any representations received about why the meeting should be open to the public; and
- a statement of its response to any such representations

by making the notice available at County Hall and at the venue for the meeting (if different) and publishing it on the Council's website.

In relation to urgent private business, where the date by which a meeting must be held makes compliance with the above Access to Information Procedure Rules impracticable, the meeting may only be held in private where the executive decision making body has obtained agreement that the meeting is urgent and cannot reasonably be deferred from the chairman of the relevant overview and scrutiny committee; or, if there is no such person, or if s/he is unable to act, the chairman of the Authority; or where there is no chairman of either, the vice-chairman of the Authority. As soon as reasonably practicable after such agreement is given to hold a private meeting, the executive decision making body must give notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred by making the notice available at County Hall and at the venue for the meeting (if different) and publishing it on the Council's website.