

NORTH YORKSHIRE COUNTY COUNCIL

Access to Information Procedure Rule 15

Notice of Urgent Item

To the Chairman of the Care and Independence 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 23 March 2017 an item entitled "Fees payable by service users for in-house community care services plus meals, transport and laundry services for 2017/18" will be considered by the Corporate Director Health and Adult Services in consultation with the Executive Member for Adult Social Care and Health Integration.

The intention of the Corporate Director Health and Adult Services 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 a decision on 23 March 2017, and cannot reasonably be deferred, to enable the timely setting and implementation of the fee level structure and uplift mechanism for 2017/18, hence the need for this Notice under Access to Information Procedure Rule 15.

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 Corporate Director Health and Adult Services in consultation with the Executive Member for Adult Social Care and Health Integration on 23 March 2017.

BARRY KHAN

Assistant Chief Executive (Legal and Democratic Services)

2 March 2017