

NORTH YORKSHIRE COUNTY COUNCIL

Access to Information Procedure Rule 4

Notice of Urgent Private Item

To the Chairman of the Care and Independence Overview and Scrutiny Committee and To the Chairman of the Scrutiny of Health Overview and Scrutiny Committee

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.

It is anticipated that on 25 April 2017 a report by the Corporate Director Health and Adult Services regarding the development of integrated health and social care in Scarborough and Ryedale will be considered by the Executive. The intention to make this key decision is published on the Forward Plan.

It has become apparent that the report will contain exempt information. 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. The information anticipated to be contained in the report is classed as exempt as it is commercially sensitive information and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

This matter requires a decision by the Executive on 25 April 2017, and cannot reasonably be deferred to avoid any delay in meeting project and procurement timescales.

In accordance with the provisions in the Access to Information Procedure Rules, I am, therefore, informing you as the Chairmen of the relevant Overview and Scrutiny Committees, that it is intended that this matter be considered by the Executive on 25 April 2017 and I am seeking your agreement that the meeting in respect of this matter is urgent and cannot reasonably be deferred.

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 25 April 2017, will you please so confirm in writing as soon as possible.

JOSIE O'DOWD
Democratic Services Manager

Dated: 18 April 2017

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 25 April 2017.

Signed: Councillor Patrick Mulligan

Date: 20 April 2017

COUNTY COUNCILLOR PATRICK MULLIGAN
Chairman of the Care and Independence Overview and Scrutiny Committee

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 25 April 2017.

Signed: Councillor Jim Clark

Date: 19 April 2017

COUNTY COUNCILLOR JIM CLARK
Chairman of the Scrutiny of Health Overview and Scrutiny Committee