

# NORTH YORKSHIRE COUNTY COUNCIL

## Notice of Urgent Item (Access to Information Procedure Rule 15)

### To County Councillor Mike Jordan Chairman of the Transport, Economy and Environment 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 25 July 2017 an item regarding the approval for publication of an updated minerals and waste development scheme (project plan for the minerals and waste local plan remaining stages), will be considered by the Executive.

The intention to make the key decision has been published on the Forward Plan but not for the full, requisite 28 clear day period, hence the need for this Notice under Access to Information Procedure Rule 15. This matter requires a decision by the Executive on 25 July 2017 and cannot reasonably be deferred to enable the timely consideration and progress of this matter. The Minerals and Waste Development Scheme comprises the formal published project plan for local plan documents to be produced by the Council. Its preparation and publication is a legal requirement. The Scheme was last updated in October 2016 and needs to be updated to reflect the timetable now in progress for completion of the remaining stages of Plan preparation.

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 determined by the Executive on 25 July 2017.

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

Dated: 28 June 2017