

NORTH YORKSHIRE COUNTY COUNCIL

Overview and Scrutiny Procedure Rule 16

Notice of Call-in exemption

To the Chairman of North Yorkshire County Council

The County Council's Constitution provides that where the call-in procedure would otherwise apply to an executive decision, it shall not apply where the decision being taken is urgent.

Under Overview and Scrutiny Procedure Rule 16:

- (h) *The call-in procedure set out above shall not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public interest. The Chairman of the council must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the Vice-Chairman's consent shall be required. In the absence of both, the Head of Paid Service or his/her nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.*

It was anticipated that on 3 or 10 October 2017 a report by the Corporate Director Health and Adult Services regarding the development of integrated health and social care in Scarborough and Ryedale would be considered by the Executive. It is now intended that the matter will be considered by the Executive at a later meeting, on 17 October 2017, to enable account to be taken of further information provided to the Council which will inform the bid process. The intention to make this key decision is published, and has been throughout, on the Forward Plan.

The report is likely to contain exempt information. 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 part of the meeting may therefore be held in private. The relevant privacy notices have been published.

This matter requires an urgent decision by the Executive on 17 October 2017, and cannot reasonably be deferred, to enable the timely consideration and implementation of the matter to meet the bid submission deadline date of 20 October 2017. Due to the short timeframe between the decision by the Executive and the bid submission date, the Council needs to be in a position to implement the decision immediately, which would not allow for the usual 5 clear working day call-in period. Overview and Scrutiny Procedure Rule 16(h) enables matters to be determined on an urgency basis and be exempt from call-in, where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interest.

In accordance with the provisions in this Rule, I am seeking your agreement that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency (where any delay likely to be caused by the call in process would seriously prejudice the Council's or the public interest) and exempt from call-in and that this item should be considered on 17 October 2017. If you so agree, will you please so confirm in writing as soon as possible.

JOSIE O'DOWD
Democratic Services Manager

Dated: 26 September 2017

I agree, for the reasons stated in this notice, that the decision proposed is reasonable in all the circumstances, to it being treated as a matter of urgency and exempt from call-in and that this item should be considered on 17 October 2017.

**Signed: COUNTY COUNCILLOR HELEN SWIERS
Chairman of North Yorkshire County Council**

Date: 28 September 2017