

## NORTH YORKSHIRE COUNTY COUNCIL

### Access to Information Procedure Rule 15

#### Notice of Urgent Item

#### **To County Councillor Janet Jefferson, Chairman of the Young People 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 16<sup>th</sup> October 2018 the Executive will consider an item regarding a decision to publish statutory proposals to expand Overdale Community Primary School from 1<sup>st</sup> September 2020.

The intention 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 by the Executive on 16<sup>th</sup> October and cannot reasonably be deferred, to enable the timely consideration of this matter and to allow the project to progress in line with the timescales required for associated capital project. The urgency notice is required to allow the statutory process to expand the school to be determined before proceeding with further capital works. The project is required to be completed by September 2020 in order to meet the statutory duty to ensure sufficiency of school places arising from the associated housing development which is now progressing.

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 Executive on 16<sup>th</sup> October 2018.

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

Dated: 1 October 2018