

NORTH YORKSHIRE COUNTY COUNCIL

Access to Information Procedure Rule 16

Notice of Urgent Item

To the 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 16:

- 16.1 *Where the date by which a decision must be made makes compliance with Rule 15 (general exception) impracticable, then the decision can only be made if the decision maker (if an individual) or the Chairman of the body making the decision, obtains the written agreement of the Chairman of a relevant overview and scrutiny committee that the making of the decision is urgent and cannot reasonably be deferred. If there is no Chairman of a relevant overview and scrutiny committee, or if the Chairman of the relevant overview and scrutiny committee is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the Vice-Chairman will suffice.*
- 16.2 *As soon as reasonably practicable after the decision maker has obtained agreement under Rule 16.1 above, s/he must make available at the Council's offices a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred and publish the notice on the Council's website.*

It is anticipated that on 22 February 2019 the Corporate Director Business and Environmental Services, in consultation with the Executive Members for Business and Environmental Services will consider a report for additions to the Highways Capital Works Programme for Structural Highway Maintenance for 2018/19 identified since the last such report.

The intention to make the key decision will be published on the Forward Plan but not for the full, requisite 28 clear day period.

These matters require decisions by the Corporate Director Business and Environmental Services on 22 February 2019 as the required additions to the Programme have recently been identified and cannot reasonably be deferred, to enable timely decision making and the meeting of project deadlines to ensure delivery of the schemes in the relevant timescales.

In accordance with the provisions in the Access to Information Procedure Rules, I am, therefore, informing you as the Chairman of the relevant Overview and Scrutiny Committee, that it is intended that these matters be considered by the Corporate Director Business and Environmental Services on 22 February 2019 and I am seeking your agreement that the meeting and the making of the decisions is urgent and cannot reasonably be deferred beyond this timeframe. If you agree that the meeting and the making of the decision is urgent and cannot reasonably be deferred and that these items should be considered on 22 February 2019, will you please so confirm in writing as soon as possible.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)

Dated: 21 February 2019

I agree, for the reasons stated in this notice, that the meeting and the making of these decisions is urgent and cannot reasonably be deferred and that these items should be considered on 22 February 2019.

Signed COUNTY COUNCILLOR STANLEY LUMLEY **Date** 21 February 2019

Chairman of the Transport, Economy and Environment Overview and Scrutiny Committee