

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF CALL-IN EXEMPTION

Overview and Scrutiny Procedure Rule 16

Replacement and expansion of Overdale Primary School onto a new site at Middle Deepdale, Eastfield, Scarborough, North Yorkshire

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 is anticipated that on 6 March 2020 a report regarding the award of a contract for the "Replacement and expansion of Overdale Primary School onto a new site at Middle Deepdale, Eastfield, Scarborough, North Yorkshire" will be considered by the Assistant Director Strategic Resources (CYPS and Property). The intention to make this key decision has been published on the Forward Plan for the requisite 28 clear day period.

It has come to light that timescales are such in this matter that the decision is required to be implemented immediately upon it being taken without allowing for the call in period. This matter requires an urgent decision by the Assistant Director Strategic Resources (CYPS and Property) on 6 March 2020 and cannot reasonably be deferred, to enable the timely consideration and implementation of the matter to comply with project timescales. The Council therefore needs to be in a position to conclude all necessary documentation and steps within a short timeframe. As a consequence of the urgency of the timescales, the matter cannot be subject to the 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. Should the call in period not be exempted, then this would impact project timescales and there may be potential financial consequences for the project.

In accordance with the provisions in this Rule, I am therefore 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. If you so agree, will you please so confirm in writing as soon as possible.

BARRY KHAN

Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

Dated: 4 March 2020

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.

Signed County Councillor Jim Clark

Date 5 March 2020

Chairman of North Yorkshire County Council