

NORTH YORKSHIRE COUNTY COUNCIL

Access to Information Procedure Rule 16

Notice of Urgent Item

To the Chairman of the Corporate and Partnerships 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 31 March 2020 the Chief Executive Officer will, under his emergency delegated powers in light of the current Covid19 pandemic, consider a report regarding changes required to the Officers' Delegation Scheme in the Council's Constitution to implement emergency Coronavirus legislation which has been enacted in relation to the closure of certain premises and businesses during the pandemic.

In the circumstances it has not been possible to publish the intention to make this key decision on the Forward Plan.

This matter requires a decision by the Chief Executive Officer on 31 March 2020 and cannot reasonably be deferred, to enable timely decision making to enable the Council to react swiftly to the emergency legislation and to take relevant prompt enforcement action where appropriate.

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 this matter be considered by the Chief Executive Officer on 31 March 2020 and I am seeking your agreement that the meeting and the making of the decision 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 this item should be considered on 31 March 2020, will you please so confirm in writing as soon as possible.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)

Dated: 30 March 2020

I agree, for the reasons stated in this notice, that the meeting and the making of this decision is urgent and cannot reasonably be deferred and that this item should be considered on 31 March 2020.

Signed County Councillor Derek Bastiman

Date 30 March 2020

Chairman of the Corporate and Partnerships Overview and Scrutiny Committee