

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF CALL-IN EXEMPTION

Overview and Scrutiny Procedure Rule 16

Consideration of local government reorganisation Business Case for the creation of a single unitary authority for 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 3 November 2020, the Executive will be asked to consider a proposed initial Business Case for the creation of a single unitary authority for North Yorkshire and to approve the submission of the Business Case to Government before the deadline date of 9 November 2020. The intention to make this key decision is published on the Forward Plan. Any final revisions to the Business Case must be submitted to Government by 9 December 2020.

The Business Case will go on to be considered by full Council on 4 November 2020, so that all County Councillors can input into the debate and make their views known.

Prior to the above formal decision taking, the Scrutiny Board will meet to consider this matter on 28 October 2020 and a dedicated Members' seminar will be held on 2 November 2020.

A public consultation has taken place and also with key stakeholders, however the Government will carry out a full consultation if it considers it wishes to progress with any proposal for local government reorganisation. It is anticipated that the Government will receive a proposal from the District Councils and from the County Council. It will be the Government which decides on whether to approve any changes to create or amend the relevant unitary authorities in North Yorkshire and York.

Timescales are tight in this matter, such that any decision to submit an initial Business Case will be required to be implemented immediately, without allowing time for any call in period, to meet Government timescales and to enable submission of the initial Business Case before the Government deadline.

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. It is suggested, for the above reasons, that this would be the case should the call in period not be exempted in this matter.

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: 21 October 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 21 October 2020

Chairman of North Yorkshire County Council