

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF URGENT ITEM

Access to Information Procedure Rule 15 – General Exception

A59 Kex Gill - acceptance of grant funding conditions

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 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 24 November 2020, the Executive will consider a report regarding the acceptance of conditions related to Department for Transport grant funding for A59 Kex Gill and will be recommended to confirm the Council's commitment to funding any increase in scheme costs over and above the DfT contribution.

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 24 November 2020 and cannot reasonably be deferred, to enable the timely consideration and progress of this matter and to comply with project requirements and timescales.

In accordance with the General Exception 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 24 November 2020 for the above reasons.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)

Dated: 30 October 2020