

# NORTH YORKSHIRE COUNTY COUNCIL

## NOTICE OF URGENT ITEM

### Access to Information Procedure Rule 15 – General Exception

#### North Yorkshire Digital Infrastructure Programme

#### **To the Chairman of the Corporate and Partnerships Overview and Scrutiny Committee and 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 21 January 2021, the Executive Member for Access, in consultation with the Executive Member for Customer Engagement and the Corporate Director Strategic Resources, will consider a report regarding the North Yorkshire Digital Infrastructure Programme, seeking approval to authorise the Corporate Director Strategic Services to:

- accept the £3M Getting Building Fund (GBF) grant funding from the York and North Yorkshire Local Enterprise Partnership (LEP) for delivery of the North Yorkshire Digital Infrastructure Programme; and
- accept the terms of the funding agreement drawn up between the LEP and County Council.

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 Member on 21 January 2021 and cannot reasonably be deferred, to enable the timely consideration and progress of this matter and to comply with the Programme's requirements and timescales.

In accordance with the General Exception provisions in Access to Information Procedure Rule 15, I am, therefore, informing you as the Chairmen of the relevant Overview and Scrutiny Committees that it is intended that this matter be considered by the Executive Member on 21 January 2021 for the above reasons.

**BARRY KHAN**  
**Assistant Chief Executive (Legal and Democratic Services)**

Dated: 13 January 2021