

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF CALL-IN EXEMPTION

Overview and Scrutiny Procedure Rule 16

Electricity Energy tariff for the new council for the period 1 April 2023 – 31 March 2024

To the Vice-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 17 November 2022 a report seeking agreement on the Electricity energy tariff for the new council for the period 1 April 2023 – 31 March 2024, i.e. whether the new council has a 100% renewable energy tariff or a mixed tariff, will be considered by the Corporate Director of Strategic Resources. The intention to make this key decision has been published on the Forward Plan for more than the requisite 28 clear day period.

The Electricity Framework provider has unexpectedly brought forward the timescale for a decision on the tariff to 18 November 2022, which therefore requires the date of the decision to be brought forward to 17 November 2022 and for it to be implemented immediately, without allowing for the usual 5 clear working day call-in period. The markets supply / demand constraints and the continuing uncertainty generally across the electricity commodity market are all factors which have pushed this requirement forward.

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, as in this instance.

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: 16 November 2022

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 Cllr David Ireton

Date 16 November 2022

Vice-Chairman of North Yorkshire County Council