

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF CALL-IN EXEMPTION

Overview and Scrutiny Procedure Rule 16

Consultation on Hovingham Church of England Primary Voluntary Controlled Primary School Closure Proposal

To the Chairman of North Yorkshire County

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.

On 18 October 2022 a report seeking approval to begin a consultation on a proposal to cease to maintain Hovingham Church of England Voluntary Controlled Primary School from Easter 2023 was considered by the Executive Member for Education and Skills, including early years, schools, apprenticeships, FE colleges & UTC's, and engagement with the skills agenda of the LEP. The intention to make this key decision was not published on the Forward Plan for the requisite 28 clear day period and the appropriate urgency notice was published.

The decision was taken on 18 October 2022, but the decision was only published on 25 October 2022, allowing insufficient time for the usual 5 clear working day call-in period prior to the start of the planned consultation period on 31 October 2022. The Authority needs to move forward on a timetable that retains the possibility of closing the school at the end of the current financial year in order to avoid significant financial implications for the Council. It will also bring the earliest possible certainty to the school community and staff. If the implementation of the decision were deferred, it would not be possible to complete the first stage of the required statutory consultation process by Christmas, which in turn, would delay the completion of the process beyond the end of the financial year.

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.

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: 25 October 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

Date

Chairman of North Yorkshire County