

NORTH YORKSHIRE COUNTY COUNCIL

Access to Information Procedure Rule 4

FURTHER NOTICE OF PRIVATE ITEM

Report on Implications of TUPE

The County Council's Constitution provides that at least 28 clear days before a private meeting (a meeting, or part of a meeting, of the executive decision making body during which the public are excluded) the executive decision-making body must give notice of its intention to hold the meeting in private (including a statement of the reasons for holding it in private) by making the notice available at County Hall and at the venue for the meeting (if different) and publishing it on the Council's website.

The Constitution further provides that at least five clear days before a private meeting, the executive decision making body must give **further** notice of its intention to hold the meeting in private including:

- a statement of the reasons for holding it in private;
- details of any representations received about why the meeting should be open to the public; and
- a statement of its response to any such representations

by making the notice available at County Hall and at the venue for the meeting (if different) and publishing it on the Council's website

It is anticipated that on 2 May 2023 a report will be considered by Executive setting out the implications of TUPE as applies to senior managers transferring from district and borough councils. where they are not appointed to posts in the new NYC senior management structure and seeking approval for future payments which may take place if future duties/roles are not available. The intention to make this key decision is published on the Forward Plan.

The appendix to the report will contain confidential information of the type defined in paragraphs 2,3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 i.e.:

- Information which is likely to reveal the identity of an individual.
- Information relating to the financial or business affairs of any particular person (including the authority holding that information)
- Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority

It is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. This part of the meeting may therefore be held in private.

A notice giving the required 28 days' notice of the intention to hold this part of the Executive meeting in private was published on 23 March 2023 and confirmed that any representations as to why this part of the meeting should be held in public should be sent to:

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)

North Yorkshire County Council
County Hall
Northallerton
North Yorkshire
DL7 8AD

Tel: 01609 532173

Email: barry.khan@northyorks.gov.uk

To date, no representations have been received as to why this part of the meeting should be held in public.

It is therefore intended that this matter shall be considered in private by Executive on 2 May 2023 for the reasons set out earlier in this notice.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)

Dated: 27 March 2023