

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF CALL-IN EXEMPTION

Overview and Scrutiny Procedure Rule 16

Urgent and Emergency Care Support Fund for local authorities - grant acceptance for up to £1.1m funding

To the 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 22 November 2023 a report seeking permission to accept a bid for a grant from the Department of Health and Social Care (DHSC) for funding under the Urgent and Emergency Care Support Fund for Local Authorities for the amount of £1.1m, will be considered by Executive Member for Adult Social Care (following consultation with the Corporate Director for Health & Adult Services, and the Corporate Director for Resources). The Council previously submitted proposals on how they would use the funding to strengthen the resilience of urgent and emergency care services this winter.

It is anticipated that an exemption of the call in period will be required, to enable the decision to be implemented immediately to enable preparations for the winter period to commence. There has been a delay in the Council being informed of the success of its bid application, and a deadline date for acceptance of the funding has not yet been confirmed to the Council; however given the overall timescales involved, including that of the spending of the funding by 31 March 2024, it is anticipated that there is likely to be a short turnaround time for acceptance of the funding, necessitating the exemption of the call in period, so as to avoid prejudicing the Council's position if the timescales are indeed short. If there is a longer period ultimately granted for acceptance of the funding, the call in period will be applied to the decision. This will be made clear in the future decision record of the decision.

This matter therefore requires an urgent decision by the Executive Member for Adult Social Care on 22 November 2023, and cannot reasonably be deferred, to enable the timely consideration and implementation of the matter and, which would not allow for the usual 5 clear working day call-in period. 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: 13 November 2023

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 13 November 2023

Chairman of North Yorkshire County Council