

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF CALL-IN EXEMPTION

Overview and Scrutiny Procedure Rule 16

National Institute for Health and Care Research (NIHR) for a Health Determinants Research Collaboration (HDRC)

To the Chairman of North Yorkshire 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 20 December 2023 a report seeking approval to accept grant funding of £5,050,482.11 to support the establishment and delivery of a NIHR Health Determinants Research Collaboration North Yorkshire for 5-years (January 2024- December 2028) will be considered by the Executive Member for Health & Adult Services.

The announcement of the contract award was embargoed, and the embargo was only lifted on the 29 November 2023. As NIHR require the contract to start on 1 January 2024 this has not allowed the appropriate sufficient time to follow the formal decision-making process, and this matter therefore requires an urgent decision and cannot reasonably be deferred, to enable the timely consideration and implementation of the matter. The decision is therefore being taken by the Executive Member, Health and Adult Services on 20 December 2023 under their power in the Executive Members' Delegation Scheme, after consultation with the relevant Chief Officer to determine any Executive matter which is of such urgency that it is not practicable to refer it to the Executive for determination.

This does 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. Should the call in period not be exempted, then the Council would not be able to meet the NIHR deadline for contract start as detailed above.

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: 8 December 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 9 December 2023

Chairman of North Yorkshire Council