

**NORTH YORKSHIRE COUNCIL**

**NOTICE OF CALL IN EXEMPTION**

**Overview and Scrutiny Procedure Rule 16**

**Consultation on changes to the Council's Home to School Travel Policy**

**the Chairman of North Yorkshire Council**

The 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, if an urgency procedure is followed.

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 16 July 2024 a report regarding the outcome of a consultation on a proposed new Home to School Travel Policy for North Yorkshire will be considered by the Executive and approval sought for the proposed policy to move forward for adoption by the Council in July 2024.

The intention to make this key decision has been published on the Forward Plan for the requisite 28 clear day period.

This matter requires a decision by the Executive on 16 July 2024, and cannot reasonably be deferred, to enable the timely consideration and progress of this matter. 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 Council therefore needs to progress this matter within a short timeframe. As a consequence of the urgency of the timescales, the matter cannot be subject to the call in period. Overview and Scrutiny Procedure Rule 16 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.

**To the Chairman of North Yorkshire Council:** in accordance with the provisions in Overview and Scrutiny Procedure Rule 16(h), I am 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 that the call-in procedure should therefore not apply to the decision. If you agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency and the call-in process not applying, and that this item should be considered on 16 July 2024, will you please confirm by email as soon as possible.

BARRY KHAN  
Assistant Chief Executive (Legal and Democratic Services)

Dated: 28 May 2024

**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 and that this item should be considered on 16 July 2024.**

**Signed** Cllr Roberta Swiers                      **Date** 28 May 2024

**Chairman of the Authority**