

## NORTH YORKSHIRE COUNCIL

### NOTICE OF URGENT ITEM

#### Access to Information Procedure Rule 15 – General Exception

#### Local Electric Vehicle Infrastructure (LEVI) Capital Fund - Grant Acceptance

#### To the Chair of the Transport, Economy, Environment & Enterprise Overview and Scrutiny Committee

The Council's Constitution provides that if a matter which is likely to be a key decision has not been included on the Council's Forward Plan for the requisite period, the decision may still be taken if an urgency procedure is followed.

Under Access to Information Procedure Rule 15:

- 15.1 *If the publication of the intention to make a key decision is impracticable and a matter which is likely to be a key decision has not been included in the forward plan for the requisite period as set out in Rule 13.2, then subject to Rule 16 (special urgency), the decision may still be taken if:*
- (a) the Assistant Chief Executive (Legal and Democratic Services) has informed the Chairman of a relevant overview and scrutiny committee, or if there is no such person, each member of that committee by notice in writing, of the matter about which the decision is to be made;*
  - (b) the Assistant Chief Executive (Legal and Democratic Services) has made copies of that notice available to the public at the offices of the Council and on the Council's website; and*
  - (c) at least five clear days have elapsed following the day on which the Assistant Chief Executive (Legal and Democratic Services) complied with (a) and (b).*
- 15.2 *As soon as reasonably practicable after the Assistant Chief Executive (Legal and Democratic Services) has complied with (a) to (c) above, s/he must make available at the Council's offices a notice setting out the reasons why compliance with Rule 13.2 is impracticable and publish that notice on the Council's website.*

It is anticipated that on 22 February 2024, the Corporate Director of Environment will consider a report recommending acceptance of a grant award of £4.88m from the Office for Zero Emissions Vehicles to deliver Electric Vehicle Charging Infrastructure. This decision is not open to call-in as it was previously agreed at the Executive meeting on 4 July 2023. The intention to make the key decision has been published on the Forward Plan but not for the full, requisite 28 clear day period.

This matter requires a decision by the Corporate Director of Environment on 22 February 2024 and cannot reasonably be deferred, to enable the timely consideration and progress of this matter as all grant documents have to be submitted to the Office for Zero Emissions Vehicles by 1 March 2024. Delaying the decision would result in NYC not receiving the grant funding.

**In accordance with the General Exception provisions in Access to Information Procedure Rule 15, I am, therefore, informing you as the Chair of the relevant Overview and Scrutiny Committee that it is intended that this matter be considered by Corporate Director of Environment on 22 February 2024.**

**BARRY KHAN**

**Assistant Chief Executive (Legal and Democratic Services)**

**Dated:** 31 January 2024