

NORTH YORKSHIRE COUNCIL

NOTICE OF URGENT ITEM

Access to Information Procedure Rule 15 – General Exception

Interim Supply of Wheeled Bins

**To the Chairman of the Transport, Economy, Environment and 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 14 Jun 2024, the Assistant Director - Environmental Services and Climate Change will consider a report seeking approval to undertake the procurement for the interim supply of wheeled bins. 30,000 wheeled bins are required to be procured and delivered in batches of 1,800 commencing July 2024. The procurement route is a direct award through ESPOs Refuse and Recycling Framework.

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 Assistant Director - Environmental Services and Climate Change on 14 Jun 2024 and cannot reasonably be deferred, to enable the timely consideration and progress of this matter and due to the late request for inclusion on the Procurement Forward Plan therefore an urgent decision/turnaround is required for the rollout of the wheeled bins to households. A delay would result on impacting members of the public not being able to manage their household waste.

In accordance with the General Exception provisions in Access to Information Procedure Rule 15, I am, therefore, informing you as the Chairman of the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee that it is intended that this matter be considered by Assistant Director - Environmental Services and Climate Change on 14 Jun 2024.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)

Dated: 3 June 2024