

## NORTH YORKSHIRE COUNCIL

### NOTICE OF URGENT ITEM

#### Access to Information Procedure Rule 16 – Special Urgency

#### To authorise the passing on of funding to York Music Hub and enter into the York/ North Yorkshire Music Hub partnership agreements.

#### **To Councillor Barbara Brodigan, Chair of the Children and Families 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 16:

*16.1 Where the date by which a decision must be made makes compliance with Rule 15 (general exception) impracticable, then the decision can only be made if the decision maker (if an individual) or the Chairman of the body making the decision, obtains the written agreement of the Chairman of a relevant overview and scrutiny committee that the making of the decision is urgent and cannot reasonably be deferred. If there is no Chairman of a relevant overview and scrutiny committee, or if the Chairman of the relevant overview and scrutiny committee is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the Vice-Chairman will suffice.*

*16.2 As soon as reasonably practicable after the decision maker has obtained agreement under Rule 16.1 above, s/he must make available at the Council's offices a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred and publish the notice on the Council's website.*

It is anticipated that on 1 October 2024, the Executive Member for Education, Learning and Skills in association with the Corporate Director Children and Young People's Services will consider a report regarding the authorisation of the passing on of funding to York Music Hub and enter into the York/ North Yorkshire Music Hub partnership agreements.

The intention to make the key decision is published on the Forward Plan, however, it has not been published on the Plan for the requisite 28-day period.

This matter requires a decision by Executive Member for Education, Learning and Skills in association with the Corporate Director Children and Young People's Services on 1 October 2024 and cannot reasonably be deferred, to enable the timely consideration and progress of this matter.

The DfE allocated the grant on 1 September 2024. There is 45 days within which to gain the necessary authorisations regarding the grant funding. This then means that confirmation of the authorisations needs to be made by 14 October 2024 and given to the DfE. The means for the allocation of the funding and the legalities involved were complex and so a considerable of time was spent on seeking legal advice and guidance. The next meeting, within the 45-day timeframe, of the Children and Young People's Service - Executive Members & Corporate Director is on 1 October 2024. The decision needs to be made then in order to comply with the terms and conditions of the grant funding (£222,551 for academic year 2024/25).

In accordance with the provisions in the Access to Information Procedure Rules, I am, therefore, informing you as the Chair of the Children and Family Overview and Scrutiny Committee that it is intended that this matter be considered by the Executive Member for Education, Learning and Skills in association with the Corporate Director Children and Young People's Services on 1 October 2024 and I am seeking your agreement that the meeting and the making of the decision is urgent and cannot reasonably be deferred beyond this timeframe. If you agree that the meeting and the making of the decision is urgent and cannot reasonably be deferred and that this item should be considered on 1 October 2024, will you please so confirm in writing as soon as possible.

BARRY KHAN  
Assistant Chief Executive (Legal and Democratic Services)

Dated: 24 September 2024

**I agree, for the reasons stated in this notice, that the meeting and the making of this decision is urgent and cannot reasonably be deferred and that this item should be considered on 1<sup>st</sup> Oct 2024**

**Signed: Cllr Barbara Brodigan**

**Date: 24 September 2024**

**Chairman of the Children and Families Overview and Scrutiny Committee**