

NORTH YORKSHIRE COUNCIL

URGENT FURTHER NOTICE OF PRIVATE ITEM

Access to Information Procedure Rule 4

Health and Adult Services Care and Support Hubs

To the Chairman of the Care and Independence Overview and Scrutiny Committee

The Council's Constitution further provides that at least 28 clear days before a private meeting (a meeting, or part of a meeting, of the executive decision making body during which the public are excluded) the executive decision-making body must give notice of its intention to hold the meeting in private (including a statement of the reasons for holding it in private) by making the notice available at County Hall and at the venue for the meeting (if different) and publishing it on the Council's website.

At least five clear days before a private meeting, the executive decision making body must give further notice of its intention to hold the meeting in private including:

- *a statement of the reasons for holding it in private;*
- *details of any representations received about why the meeting should be open to the public; and*
- *a statement of its response to any such representations*

by making the notice available at County Hall and at the venue for the meeting (if different) and publishing it on the Council's website.

In relation to urgent private business, where the date by which a meeting must be held makes compliance with the above Access to Information Procedure Rules impracticable, the meeting may only be held in private where the executive decision making body has obtained agreement that the meeting is urgent and cannot reasonably be deferred from the chairman of the relevant overview and scrutiny committee; or, if there is no such person, or if s/he is unable to act, the chairman of the Authority; or where there is no chairman of either, the vice-chairman of the Authority.

As soon as reasonably practicable after such agreement is given to hold a private meeting, the executive decision making body must give notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred by making the notice available at County Hall and at the venue for the meeting (if different) and publishing it on the Council's website.

It is anticipated that on 7 January 2025 a report to consider and agree proposals for development of new Council-run Care and Support Hubs to support market capacity for adult social care, for inclusion in the Capital Plan will be considered by Executive.

The report will contain exempt information as described in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. A Statutory Notice was published to give the required 28 days' notice of the intention to hold these parts of the meeting in private.

A further Notice was required at least five clear days before the meeting giving details of representations received and a statement of the Council's response to any such representations. However the Notice was not published in the required timescale, hence the requirement for urgency.

This matter requires consideration by Executive on 7 January 2025 and cannot reasonably be deferred to enable the timely consideration and progress of this matter, hence the need for this Notice under Access to Information Procedure Rule 4.

In accordance with the provisions in the Access to Information Procedure Rules, I am, therefore, informing you as the Chairman of the relevant Overview and Scrutiny Committee, that it is intended that this matter be considered in private by Executive on 7 January 2025 and I am seeking your agreement that the meeting in respect of this matter is urgent and cannot reasonably be deferred.

If you agree that the meeting in respect of this matter is urgent and cannot reasonably be deferred and that this item should be considered in private on 7 January 2025, will you please so confirm in writing as soon as possible.

To date, no representations have been received as to why this part of the meeting should be held in public. It is therefore intended that this matter shall be considered in private by Executive on 7 January 2025 for the reasons set out earlier in this notice.

BARRY KHAN
Assistant Chief Executive Legal and Democratic Services

Dated: 6 January 2025

I agree, for the reasons stated in this notice, that the meeting in respect of this matter is urgent and cannot reasonably be deferred and that this item should be considered on 7 January 2025.

Signed: Councillor Karin Sedgwick **Date:** 6 January 2025
Chairman of the Care and Independence Overview and Scrutiny Committee