NORTH YORKSHIRE COUNCIL

NOTICE OF ITEM UNDER ACCESS TO INFORMATION PROCEDURE RULE 4 (URGENT PRIVATE BUSINESS) AND RULE 15 (GENERAL EXCEPTION URGENCY)

North Yorkshire Council/NY Highways - Highway Officer Integration

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.

The Council's Constitution further provides that, under Access to Information Procedure Rule 4, at least 28 clear days' notice must be given of a private meeting (or meeting, or part of a meeting, during which the public are excluded) and, at least five clear days before the meeting, a further notice must be given of the intention to hold the meeting in private. The Access to Information Procedure Rules further provide that these provisions shall not apply where the decision being taken is urgent, if an urgency procedure is followed:

4.5 Where the date by which a meeting must be held makes compliance with Rules 4.3 and 4.4 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.

4.6 As soon as reasonably practicable after agreement is given under Rule 4.5 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 17 Mar 2026 a report providing a detailed update on work relating to the proposed alternative operating model for duties currently undertaken by Highway Officers, Assistant Highway Officers and some Maintenance Managers in North Yorkshire Council's (NYC's) Highway Operations Area teams, and seeking approval for implementation of a new way of delivering that element of the service via NY Highways (NYH) will be considered by the Executive. The proposed alternative method of service delivery will contribute to the Council's wider transformation savings agenda.

The intention to make this key decision has been published on the Forward Plan but not for the full, requisite 28-day period.

It is also likely that the report will contain exempt information as described in paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended):

- Information relating to any individual.
- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

It is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. It is therefore not possible to give the required 28 days' notice of the intention to hold this part of the meeting in private.

This matter requires a decision by the Executive on 17 March 2026 and cannot reasonably be deferred, because consideration of this item at the following Executive meeting on 21 April would not provide sufficient time to enable a decision to be taken prior to the next financial year, hence the need for this Notice under Access to Information Procedure Rules 4 and 15.

In accordance with the provisions in the 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 determined by Executive on 17 March 2026.

Furthermore, the meeting on 17 March 2026 may only be held in private where the decision-making body has obtained agreement that the meeting is urgent and cannot reasonably be deferred from the Chair of the relevant Overview and Scrutiny Committee. If you agree, will you please so confirm in writing as soon as possible.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)

Dated: 19 February 2026

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 17 Mar 2026.

Signed Councillor David Staveley **Date** 19 February 2026

Chairman of the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee