

**NORTH YORKSHIRE COUNCIL**

**NOTICE OF CALL-IN EXEMPTION**

**Overview and Scrutiny Procedure Rule 16**

**Consideration of the acceptance of the delegation of certain transport functions from York and North Yorkshire Combined Authority to North Yorkshire Council, for recommendation to the Chief Executive Officer for approval**

**To the Chair of North Yorkshire Council**

The Council's Constitution provides that where the call-in procedure would otherwise apply to an executive decision, it shall not apply where the decision being taken is urgent.

***Under Overview and Scrutiny Procedure Rule 16:***

*(h) The call-in procedure set out above shall not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public interest. The Chair of the council must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chair, the Vice-Chair's consent shall be required. In the absence of both, the Head of Paid Service or his/her nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.*

It is anticipated that on 31 March 2026 a report regarding the consideration of the proposed delegation of certain transport functions by York and North Yorkshire Combined Authority to North Yorkshire Council for recommendation to the Chief Executive for consideration and acceptance of the delegation under his delegated power in paragraph 5.7 of the Officers' Delegation Scheme will be considered by Executive.

Subject to any comments Members may have, to recommend the proposed arrangements for the delegation of certain transport functions by York and North Yorkshire Combined Authority to North Yorkshire Council, to the Chief Executive Officer for acceptance of the delegation under his delegated power in paragraph 5.7 of the Officers' Delegation Scheme.

A decision on the delegation of certain transport functions is required by 31 March 2026 as the current delegation is due to expire on 31 March 2026 and extending the current delegation of Transport Functions will allow officers to carry out local bus activities on a BAU basis while a detailed review is undertaken and longer-term recommendation made.

This matter requires an urgent decision by Executive on 31 March 2026, and cannot reasonably be deferred, to enable the timely consideration and implementation of the matter. Call in exemption is required as the decision of the Executive making recommendations to the Chief Executive Officer will need to be implemented immediately after it is taken, which would not allow for the usual 5 clear working day call-in period.

Overview and Scrutiny Procedure Rule 16(h) enables matters to be determined on an urgency basis and be exempt from call-in, where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interest. Should the call in period not be exempted, then there will be no delegation for the provision of public transport for the benefit of residents.

In accordance with the provisions in this Rule, I am therefore seeking your agreement that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency (where any delay likely to be caused by the call in process would seriously prejudice the Council's or the public interest) and exempt from call-in. If you so agree, will you please so confirm in writing as soon as possible.

BARRY KHAN

Assistant Chief Executive Legal and Democratic Services and Monitoring Officer

Dated: 20 March 2026

**I agree, for the reasons stated in this notice, that the decision proposed is reasonable in all the circumstances, to it being treated as a matter of urgency and exempt from call-in.**

**Signed Councillor George Jabbour**

**Date 20 March 2026**

**Chair of North Yorkshire Council**