

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF URGENT ITEM AND CALL IN EXEMPTION

Overview and Scrutiny Procedure Rule 16

Approval of Response to the Ministry of Housing, Communities and Local Government (MHCLG) on Local Government Reorganisation

To the Chairman of North Yorkshire County Council

The County 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 Chairman 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 Chairman, the Vice-Chairman'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 19 Apr 2021 the Leader will be asked to consider a report regarding the approval of the Council's response to the Government's consultation on Local Government Reorganisation, to support the proposal for a single unitary Council in North Yorkshire as approved by full Council on 4 November 2020. The consultation closes on 19 April 2021. This is not a key decision.

It is open to all Councillors to respond to the consultation individually should they so wish. It will ultimately be the Government which decides on whether to approve any changes to create or amend the relevant unitary authorities in North Yorkshire and York.

Timescales are tight in this matter, such that the decision will be required to be implemented immediately, without allowing time for any call in period, to meet Government timescales and to enable submission of a response before the Government deadline of 19 April 2021.

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. It is suggested, for the above reasons, that this would be the case should the call in period not be exempted in this matter.

In accordance with the provisions in the Access to Information Procedure Rules, I am, therefore seeking your agreement that the meeting and the decision proposed is reasonable in all 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)

Dated: 7 April 2021

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 County Councillor Jim Clark

Date 8 April 2021

Chairman of North Yorkshire County Council