

NORTH YORKSHIRE COUNCIL

Access to Information Procedure Rule 16 Overview and Scrutiny Procedure Rule 16

NOTICE OF URGENCY AND CALL IN EXEMPTION

Re: Household Support Fund Phase 4

**To: the Chair of the Corporate and Partnerships Overview and Scrutiny Committee and
the Chair of North Yorkshire Council**

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 Chair of the body making the decision, obtains the written agreement of the Chair of a relevant Overview and Scrutiny Committee that the making of the decision is urgent and cannot reasonably be deferred. If there is no Chair of a relevant Overview and Scrutiny Committee, or if the Chair of the relevant Overview and Scrutiny Committee is unable to act, then the agreement of the Chair of the Council, or in their absence the Vice-Chair will suffice.*
- 16.2 *As soon as reasonably practicable after the decision maker has obtained agreement under Rule 16.1 above, they 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.*

The Council's Constitution further 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, if an urgency procedure is followed.

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 their 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.*

The Executive Member for Corporate Services took a decision regarding the initial deployment of a small part of the fourth Household Support Fund allocation on 23 March 2023, with a further report to follow. Details of this decision are published here - [Decision - Initial Deployment of Household Support Fund phase 4 | North Yorkshire Council](#)

It is anticipated that on 16 May 2023 the Executive Member for Corporate Services will, under his urgency decision making powers set out in the Executive Members' Delegation Scheme, consider a report regarding the deployment of a fourth Household Support Fund (HSF) allocation (1 April 2023 – 31 March 2024) in order to provide crisis support to vulnerable households in most need of

support, and to help with significantly rising living costs over the next 12 months. This is further to the report considered on 23 March 2023, outlining the initial deployment of HSF funds for North Yorkshire Local Assistance Fund (NYLAF).

This matter has been published on the Forward Plan but not for the requisite 28 day period.

This matter requires an urgent decision, which cannot reasonably be deferred, to enable its timely consideration and implementation, to enable the delivery plan for the deployment of the funding to be submitted to the Department for Work and Pensions by the deadline of 17 May 2023. This means that not all of the usual access to information timescales can be met.

As a consequence of the urgency of the timescales, the decision referred to above will need to be implemented immediately. Overview and Scrutiny Procedure Rule 16 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, which it is believed would be the case here.

To the Chair of the Corporate and Partnerships Overview and Scrutiny Committee: in accordance with the provisions in the Access to Information Procedure Rules, I am, therefore, informing you as the Chair of a relevant Overview and Scrutiny Committee, that it is intended that the above matter be considered by the decision taker on 16 May 2023 and I am seeking your agreement that the making of the decision is urgent and cannot reasonably be deferred beyond this timeframe. If you agree, will you please confirm by email as soon as possible

To the Chair of North Yorkshire Council: in accordance with the provisions in Overview and Scrutiny Procedure Rule 16(h), I am 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 that the call-in procedure should therefore not apply to the decision. If you agree, will you please confirm by email as soon as possible.

BARRY KHAN
Assistant Chief Executive Legal and Democratic Services

Dated: 5 May 2023

I agree, for the reasons stated in this notice, that the making of the decision as referred to above is urgent and cannot reasonably be deferred.

Signed David Ireton

Date 5 May 2023

Chair of the Corporate and Partnerships Overview and Scrutiny Committee

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

Signed David Ireton

Date 5 May 2023

Chair of North Yorkshire Council