

**NORTH YORKSHIRE COUNCIL**

**NOTICE OF URGENT ITEM**

**Access to Information Procedure Rule 16 – Special Urgency**

**Highways Capital Programme**

**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 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 Chairman of the body making the decision, obtains the written agreement of the Chairman of a relevant overview and scrutiny committee that the making of the decision is urgent and cannot reasonably be deferred. If there is no Chairman of a relevant overview and scrutiny committee, or if the Chairman of the relevant overview and scrutiny committee is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the Vice-Chairman will suffice.*

*16.2 As soon as reasonably practicable after the decision maker has obtained agreement under Rule 16.1 above, s/he 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.*

It is anticipated that on 19 May 2023, the Corporate Director for Environment, Karl Battersby, will consider a report regarding the 'indicative headline structural highways maintenance capital allocations for 2024/25 delivery based on current planning assumptions'.

The intention to make the key decision is published on the Forward Plan however it has not been published on the Plan for the requisite 28 day period.

This matter requires a decision by Karl Battersby on 19 May 2023 and cannot reasonably be deferred, to enable the timely consideration and progress of this matter.

In accordance with the provisions in the Access to Information Procedure Rules, 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 considered by Karl Battersby on 19 May 2023 and I am seeking your agreement that the meeting and the making of the decision is urgent and cannot reasonably be deferred beyond this timeframe. If you agree that the meeting and the making of the decision is urgent and cannot reasonably be deferred and that this item should be considered on 19 May 2023, will you please so confirm in writing as soon as possible.

**BARRY KHAN**  
Assistant Chief Executive (Legal and Democratic Services)

Dated: 11 May 2023.

**I agree, for the reasons stated in this notice, that the meeting and the making of this decision is urgent and cannot reasonably be deferred and that this item should be considered on 19<sup>th</sup> May 2023.**

**Signed Councillor David Staveley**

**Date 11<sup>th</sup> May 2023**

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