

# NORTH YORKSHIRE COUNCIL

## Full Council

18 March 2026

### Report on Special Urgency and Call-in Exemption decisions under Access to Information Procedure Rule 16 and Overview and Scrutiny Procedure Rule 16

#### Report of the Leader of the Council

#### **1.0 PURPOSE OF REPORT**

- 1.1 To provide the Council with a report on the use of the special urgency and call-in exemption procedures under Access to Information Procedure Rule 16 and Overview and Scrutiny Procedure Rule 16 in respect of decisions taken since the Council's last meeting.

#### **2.0 BACKGROUND**

- 2.1 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.
- 2.2 The Access to Information Procedure Rules in the Constitution set out two urgency procedures, depending on the time available before the decision needs to be taken: the Rule 15 General Exception Urgency procedure and the Rule 16 Special Urgency procedure for use in more urgent cases. Use of the latter procedure is required to be reported back to full Council.
- 2.3 The Overview and Scrutiny Procedure Rules in the Constitution set out a call-in exemption process at Rule 16, use of which is also reported back to Council.

#### **3.0 SPECIAL URGENCY AND CALL IN EXEMPTION PROCEDURES**

- 3.1 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.

- 3.2 Access to Information Procedure Rule 17 then includes provision for the reporting back to full Council on the use of the Rule 16 special urgency procedure:

### **17.3 Reports on special urgency decisions**

17.3.1 The Leader will submit to the next meeting of the Council, a report on any executive decisions taken in the circumstances set out in Rule 16 (special urgency). The report must include particulars of the decision, a summary of the matters in respect of which the decision was made, the reasons for it and the reasons for use of the special urgency procedure.

17.3.2 The Leader must submit at least one report under 17.3.1 annually to Council.

3.3 Under Overview and Scrutiny Procedure Rule 16(h):

(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.

3.4 This report therefore provides the report back to Council on the use of the special urgency and call-in exemption procedures since the last meeting of full Council on 16 July 2025. Rule 15 (General Urgency) notices have also been referred to where they also include call in exemption.

## **4.0 USE OF SPECIAL URGENCY AND CALL IN EXEMPTION PROCEDURES**

4.1 At the time of writing this report, the use of special urgency and call-in exemption procedures in relation to decisions taken since the last meeting of full Council on 16 July 2025, is as summarised below. Full details of the decisions taken under the procedures and the reasons for them along with the reasons for using the special urgency and/or call in exemption procedures can be accessed via the hyperlinks.

### **4.1.1 Adult Skills Fund acceptance**

Access to Information Procedure Rule 16 – Special Urgency

[Decision - Additional Environment Agency Local Levy Funding for the Upper Dales Flood Alleviation Scheme | North Yorkshire Council](#)

On 19 December 2025 the Corporate Director of Environment considered a report in which authorisation was requested to submit an application for funding of £219,370 of the available Flood and Coastal Committee Local Levy and grant approval of the funding application. The matter could not reasonably be deferred as to do so would mean that the deadline for funding applications would be missed which would mean that the funding would not be available to enable the Upper Dales Flood Alleviation Scheme development, which offers peace of mind to residents that in adverse weather conditions their properties would be protected. The intention to make the key decision was published on the Forward Plan however it was not published on the Plan for the requisite 28 day period

### **4.1.2 North Yorkshire Council / NY Highways – Highway Officer Integration**

Access to Information Procedure Rule 4 – Urgent Private Item  
Access to Information Procedure Rule 15 – General Exception

[Issue details - North Yorkshire Council/NY Highways - Highway Officer Integration | North Yorkshire Council](#)

On 17 March 2026 the Executive will be considering a report providing an 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). The report will contain exempt information and under the provisions of Access to Information Procedure Rule 4 at least 28 clear days' notice must be given of a private meeting. The intention to make the key decision was published on the Forward Plan however it was not published on the Plan for the requisite 28 day period, nor was 28 days' notice given of the intention to hold a private meeting. The matter could not 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.

#### **4.1.3 Border to Coast Pensions Governance Arrangements**

Access to Information Procedure Rule 4 – Urgent private item

[Issue details - Border to Coast Governance Arrangements | North Yorkshire Council](#)

On 24 March 2026 Shareholder Committee will consider a report regarding approval of updated governance documents for Border to Coast pensions. The report will contain exempt information and under the provisions of Access to Information Procedure Rule 4 at least 28 clear days' notice must be given of a private meeting. Notification of the private item was received a day later than it should. The matter could not be deferred as the documents needed to be approved before 31 March 2026.

## **5.0 FINANCIAL IMPLICATIONS**

5.1 There are no financial implications arising from this report.

## **6.0 LEGAL IMPLICATIONS**

6.1 There are no legal implications arising from this report.

## **7.0 CLIMATE CHANGE IMPLICATIONS**

7.1 There are no significant climate change implications arising from this report.

## **8.0 EQUALITIES IMPLICATIONS**

8.1 There are no significant equalities implications arising from this report.

## **9.0 CONSULTATION**

9.1 Consultation is undertaken with relevant officers and Members prior to the use of the urgency and/or call-in exemption procedures.

## **10.0 REASONS FOR RECOMMENDATIONS**

10.1 To report back to full Council on the use of the special urgency and call-in exemption procedures in compliance with the Access to Information Procedure Rules and Overview and Scrutiny Procedure Rules.

## **11.0 RECOMMENDATION**

11.1 That Council receives and notes this report.

COUNCILLOR CARL LES  
Leader of the Council

10 March 2026

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### **Background Documents:**

The Council Constitution - [Constitution - 12 November 2025](#)

**Note:** Members are invited to contact the author in advance of the meeting with any detailed queries or questions.