

NOTICE OF A CASE OF SPECIAL URGENCY FOR THE MAKING OF A KEY DECISION¹

¹ In accordance with Regulation 11(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. Where a decision maker intends to make a key decision,² that decision must not be made until at least 28 clear days' public notice has been given³.
2. Where the publication of the intention to make a key decision is impracticable, that decision may only be made where the Chair of the Overview and Scrutiny Committee has been informed of the matter about which the decision is to be made, notice to the Chair has been made available for public inspection at the Council offices and published on the Council's website, and after 5 clear days have elapsed following the day on which notice to the Chair was made publicly available⁴.
3. Where the date by which a key decision must be made makes compliance with the requirements of paragraph 2 above impracticable the decision may only be made where the decision maker has obtained agreement from the Chair of the Overview and Scrutiny Committee that the making of the decision is urgent and cannot reasonably be deferred⁵.
4. **This notice⁶ confirms that the Chair of the Overview and Scrutiny Committee has agreed that the making of the key decision in relation to the business set out below is urgent and cannot reasonably be deferred for the reasons set out below.**

² A Key Decision is defined in legislation as an executive decision, which is likely:

- to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.
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³ In accordance with Regulation 9(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁴ In accordance with Regulation 10(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁵ In accordance with Regulation 11(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁶ In accordance with Regulation 11(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Date of decision or period within which the decision is to be made	Agenda item title	Short description	Decision maker	Cabinet Member & Lead Officer	List of documents to be submitted to the decision maker	If all or part of the report is exempt or confidential this will be stated below and reason given. If all the papers are publicly accessible this column will say public	Reasons why decision is urgent and cannot reasonably be deferred
24-27 April 2023	Approval to enter into grant funding agreement (Memorandum of Understanding - MOU) to support delivery of phase one of the Selby Urban Village Redevelopment Proposals	<p>This report seeks approval to enter into the Levelling-Up grant agreement (Memorandum of Understanding – MOU) with DLUHC, to the value of £20,000,000. And,</p> <p>To give delegated authority to the Director of Placemaking & Housing and the S151 Officer, after consultation with the Cabinet Member for Council Housebuilding, Placemaking and Development, to</p>	Cabinet Member Signing	<p>Cabinet Member for Council Housebuilding, Placemaking and Housing</p> <p>Director of Placemaking and Housing</p>	Report of the Director of Placemaking and Housing	<p>Part Exempt</p> <p>Para 3 – Information relating to the financial or business affairs of any person (including the authority holding that information)'. </p>	<p>The Department for Levelling Up, Housing and Communities have requested that the signed MOU be returned on 25th April. Given that it was received on 18th April, officers are making reasonable endeavours to meet this target.</p> <p>Given the above, it is not practicable to comply with the 28-day notice requirement in Part Four, Section D, Rule 13 of the constitution or the 5-day notice period requirement for key</p>

		agree the final terms and conditions, and finalise the funding agreement if required.					<p>decisions. This is set out in Part Four, Section D, Rule 17, of the Constitution.</p> <p>As set out below the decision is urgent and time critical in accordance with Part 4 Section H paragraph 18 (a) and 18 (b).</p>
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Please be advised that the Chair of Overview and Scrutiny has further agreed that the call-in procedure shall not apply to this urgent decision. This is because the decision is urgent and any delay in implementation caused by the call-in procedure would seriously prejudice the Council's or the public's interests due to the fact that if the Memorandum of Understanding is not completed and returned to the Department for Levelling Up, Housing and Communities by their deadline of 25 April 2023, this will significantly impact the delivery of phase one of the Selby Urban Village Redevelopment proposal. The Chair of Overview and Scrutiny Committee has agreed that the decision is both reasonable in all circumstances, and that it should be treated as a matter of urgency. This is in accordance with Part 4, Section H, and Paragraph 18 (a) and (b) of the Council Constitution.

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