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## Full Council

21 November 2024

Director of Governance and Monitoring Officer  
(Portfolio of the Executive Leader)

### **Use of General Exception (Urgency) and Special Urgency Procedures**

#### **Summary**

1. To report to Council on the use of Special Urgency procedures, as required by legislation, and as set out within the City of York Council Constitution.
2. To report, for information, the instances where General Exception (i.e. Urgency) Procedures were used.

#### **Background**

3. Prior to taking a Key Decision, the Council's Executive must give notice of the intention to take the decision, and this notice must be given at least 28 clear calendar days before the decision is made.
4. Where publication of the intention to make a Key Decision is impracticable within the required 28-day timeframe, then the General Exception (urgency) rules, as set out at paragraph 14.1 of the Appendix 7 in the Council's constitution, may be applied.
5. If a decision is sufficiently urgent, the requirement to give five clear days' notice of the decision may be waived by invoking the Special Urgency procedure. As the City of York Council constitution stipulates that both Key Decisions and those Non Key Decisions taken by the Executive collectively or by an individual Executive Member may be called in, then the use of Special Urgency procedures is reported in respect of both Key and Non Key Decisions.

6. In accordance with the Access to Information Procedure Rules (Rule 17) and paragraph 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the use of the Special Urgency procedure in relation to Executive decisions is to be reported quarterly to Council.
7. The Access to Information Procedure Rules set out at Appendix 7 of the Council's Constitution, provide that a quarterly report should be submitted to Council detailing the instances where Special Urgency procedures have been used in the preceding three months.
8. There has been one instance of the Special urgency procedures being used in the preceding four months, since last reported to Council in July 2024. The details of that decision are set out in Annex A to this report.
9. There have been no instances of the General Exception rules being used in the preceding four months in respect of a Key Decision, since last reported to Council in July 2024.

## **Implications**

**Financial** – None.

**Human Resources (HR)** – None.

**Equalities** – No implications arising from the report.

**Legal** – The report ensures compliance with the legislative requirement to report on the use of Special Urgency procedures.

**Crime and Disorder, Information Technology and Property** – None directly arising from this report.

## **Options**

N/A

## **Recommendations**

10. Council is requested to note the report.

## Reasons for the Recommendations

To comply with legislative and constitutional requirements, and ensure full transparency.

**Author** Lindsay Tomlinson, Head of Democratic Governance

**Chief Officer responsible for the report:** Bryn Roberts, Director of Governance and Monitoring Officer

**Report Approved**

**Date**

13  
November  
2024

**Specialist Implications Officer(s):** None

**Wards Affected:** List wards or tick box to indicate all

**All**

**For further information please contact the author of the report**

**Background Papers:** City of York Council constitution CYC Constitution

### **Annexes:**

Annex A - Log of decisions taken under Urgency Procedures and Special Urgency Procedures, July to November 2024.