

**NORTH YORKSHIRE COUNTY COUNCIL**

**NOTICE OF CALL-IN EXEMPTION**

**Overview and Scrutiny Procedure Rule 16**

**Neighbourhood Planning – Making of the Bradleys Both Neighbourhood Development Plan**

**To the Chairman of North Yorkshire County Council**

The County Council's Constitution 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.

***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 Chairman 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 Chairman, the Vice-Chairman's consent shall be required. In the absence of both, the Head of Paid Service or his/her 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.*

It is anticipated that on 19 September 2023 the Executive will consider a report presenting both the results of the Bradleys Both Neighbourhood Development Plan referendum and the requirements of North Yorkshire Council as the Local Planning Authority to formally 'make' the Bradleys Both Neighbourhood Development Plan, and the Regulation 19 Decision Statement, which sets out the Local Planning Authorities' decision in terms of making or adopting the Bradleys Both Neighbourhood Development Plan and the reasons for making that decision.

The Executive will be asked to recommend to Chief Executive Officer that using his emergency powers he 'make' the Bradleys Both NDP and approve the Decision Statement. The intention to make this key decision has been published on the Forward Plan for the requisite 28 clear day period.

It has come to light that timescales are such in this matter that this matter requires an urgent decision by the Executive on 19 September 2023, in order that the Chief Executive Officer can make his decision on 20 September 2023. This cannot reasonably be deferred, to enable the timely consideration and implementation of the matter, which would not allow for the usual 5 clear working day call-in period. Overview and Scrutiny Procedure Rule 16(h) 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.

In accordance with the provisions in this Rule, I am therefore 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 exempt from call-in. If you so agree, will you please so confirm in writing as soon as possible.

BARRY KHAN

Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

Dated: 14 August 2023

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

**Signed**

**Date**

**Chairman of North Yorkshire County Council**