

**NORTH YORKSHIRE COUNCIL**

**NOTICE OF URGENT ITEM**

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

**Neighbourhood Planning – Making of the Malton & Norton Neighbourhood  
Development Plan**

**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 5 November 2024, the Executive will consider a report presenting the results of the Malton and Norton Neighbourhood Development Plan referendum and the requirements of North Yorkshire Council as the Local Planning Authority to formally 'make' the Malton and Norton Neighbourhood Development Plan. The report will also present the Regulation 19 Decision Statement, set out at Appendix A to the report, which sets out the Local Planning Authorities' decision in terms of making or adopting the Malton and Norton Neighbourhood Development Plan and the reasons for making that decision. The Executive is asked to recommend to Full Council that the Malton and Norton NDP is made and that the Decision Statement set out at Appendix A to the report is approved.

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 the Executive on 5 November 2024 and cannot reasonably be deferred, to enable the timely consideration and progress of this matter. The Neighbourhood Planning (General) Regulations 2012 (amended) requires a Neighbourhood Plan to be formally 'made' by the Local Planning Authority within 8 weeks from the day following the Referendum. The Referendum for the Malton and Norton NDP was held on Thursday 3 October 2024, which means that the date by which the NDP is required to be made is Friday 29 November 2024.

An urgent decision is required as there are less than 28 days until Executive can be asked to

recommend to Full Council that the Malton & Norton NDP is made to meet the requirements of the Regulations.

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 the Executive on 5 Nov 2024 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 5 Nov 2024, will you please so confirm in writing as soon as possible.

BARRY KHAN  
Assistant Chief Executive Legal and Democratic Services

Dated: 9 October 2024

**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 5 November 2024.**

**Signed** Cllr David Staveley

**Date** 11 October 2024

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