

**NORTH YORKSHIRE COUNTY COUNCIL**

**NOTICE OF CALL-IN EXEMPTION**

**Overview and Scrutiny Procedure Rule 16**

**Adoption of Minerals and Waste Joint 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 15 February 2022 a report seeking approval for the adoption of the Minerals and Waste Joint Plan will be considered by Chief Executive Officer. The intention to make this key decision has been published on the Forward Plan for the requisite 28 clear day period.

The Joint Minerals and Waste Plan also has to be considered for adoption by Full Council. However, as a result of local government elections there is only one Council meeting scheduled for 16 February 2022, before the pre election period in March 2021.

Without this, it would be delayed until a future Council meeting in July 2022, which would also delay clarity on planning decisions coming up in the next 6 months ( as well as in the longer term). To avoid this delay and to it is necessary to consider adoption at the earliest opportunity.

This matter therefore requires an urgent decision by Chief Executive Officer on 15 February 2022, and cannot reasonably be deferred, to enable the timely consideration and implementation of the matter and 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. Should the call in period not be exempted, the recommendation of the Chief Executive Officer could not be considered at Full Council on 16 February 2022.

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: 7 February 2022

**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** Cllr Stuart Martin

**Date** 7 February 2022

**Chairman of North Yorkshire County Council**