

**Customer & Corporate Services Scrutiny  
Management Committee (Calling-In)**

9 August 2017

Report of the Assistant Director – Legal and Governance

**Called-in Item: City of York Local Plan**

**Summary**

1. This report sets out the reasons for the post decision call-in of the decisions made by the Executive on 13 July 2017 in respect of the City of York Local Plan. This cover report sets out the powers and role of the Customer & Corporate Services Scrutiny Management Committee (CSMC) (Calling-In) in relation to dealing with the call-in.

**Background**

2. An extract from the Decision Sheet issued after the Executive meeting is attached as Annex A to this report. This sets out the decision taken by the Executive on the called-in item. The original report to the Executive on 13 July 2017 on the called-in item is attached as Annex B to this report.
3. The Executive's decision has been called in post decision by Councillors N Barnes, Derbyshire and Looker for review by the Customer & Corporate Services Scrutiny Management Committee (Calling-In), in accordance with the constitutional requirements for call-in. The following are the reasons given for the call-in:
  - I. The Executive has disregarded evidence provided by GH Hearn as part of the overall evidence base that underpins submission of a sound Local Plan;
  - II. The decision to wittingly submit an unsound Local Plan represents an unnecessary risk of high financial cost to the local taxpayer that should be avoided;

- III. Through submission of an unsound Plan, the council's ruling Coalition puts at significant risk York's ability to define a permanent Green Belt, and in doing leaves it vulnerable to speculative development;
- IV. The Plan drawn up for submission fails in the requirement to ensure housing need is met. Of particular concern are the needs of key workers such as nurses, teachers and care workers for whom York's housing costs are a significant barrier to working in the city.

### **Consultation**

4. In accordance with the requirements of the Constitution, the calling-in Members have been invited to attend and/or speak at the Call-In meeting, as appropriate.

### **Options**

5. The following options are available to CSMC (Calling-In) Members in relation to dealing with this post decision call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
  - a) To decide that there are no grounds to make specific recommendations to the Executive in respect of the report. If this option is chosen, the original decision taken on the item by the Executive on 13 July 2017 will be confirmed and will take effect from the date of the CSMC (Calling-In) meeting; or
  - b) To make specific recommendations to the Executive on the report, in light of the reasons given for the post decision call-in. If this option is chosen, the matter will be reconsidered by the Executive at a meeting of Executive (Calling-In) to be held on 31 August 2017.

### **Analysis**

6. Members need to consider the reasons for call-in and the report to the Executive and form a view on whether there is a basis to make specific recommendations to the Executive in respect of the report.

## **Council Plan**

7. There are no direct implications for this call-in in relation to the delivery of the Council Plan and its priorities for 2015-19.

## **Implications**

8. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in.

## **Risk Management**

9. There are no risk management implications associated with the call in of this matter.

## **Recommendations**

10. Members are asked to consider all the reasons for calling-in this decision and decide whether they wish to confirm the decisions made by the Executive or refer the matter back for reconsideration and make specific recommendations on the report to the Executive.

Reason: To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

## **Contact details:**

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### **Chief Officer Responsible for the report:**

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**Report  
Approved**



**Date** 1 August 2017

**Specialist Implications Officer(s)** None

**Wards Affected:** All

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

## **Annexes**

Annex A – Extract from the Decision Sheet produced following the Executive meeting on the called-in item.

Annex B – Report to the Executive of the Corporate Director of Economy and Place on the Local Plan (13 July 2017)[Annexes to this report available online]

## **Background Papers**

None