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Councillor Gareth Eales
The Worshipful Mayor of Northampton

by email only to:
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Our Ref:

Your Ref:

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Date: 5th September 2017

Dear Councillor Eales,

Call-In and Urgency

The Cabinet proposes to make an executive decision on the 13th September 2017 in relation to the '*Designation of the Semilong and Trinity Neighbourhood Area & Forum for the purposes of neighbourhood planning*'

The decision proposed, if the recommendations are approved by Cabinet, is:

- 2.1 That Cabinet notes the analysis of representations received in response to the publicising of the Semilong and Trinity Neighbourhood Area and Neighbourhood Forum applications (Appendix 1)
- 2.2 That Cabinet designates the Semilong and Trinity Neighbourhood Area as published in Appendix 2 for the purposes of preparing a Neighbourhood Plan under Section 61G of the Town and Country Planning Act 1990 (as amended)
- 2.3 That, following the designation of the Semilong and Trinity Neighbourhood Area, Cabinet designates Semilong and Trinity Neighbourhood Forum (Appendix 3) under Section 61F of the Town and Country Planning Act 1990 for a period of five years for the purposes of producing a Neighbourhood Plan, subject to the following conditions:
 - Maintaining a written constitution
 - Holding an Annual General Meeting within 12 weeks of the designation
 - Maintaining a minimum of 21 members drawn from each of the subsections set out within the Localism Act section 61F(5)

Advice has been received that Cabinet should make this decision as a matter of urgency and that it should not therefore be subject to call-in. I therefore refer to the "Call-In and Urgency" procedure outlined in the Constitution at paragraph 15.10 of the Overview and Scrutiny Procedure Rules which enables the Mayor to agree in certain circumstances that an urgent decision is not subject to the call-in procedure.

It is considered that the decision proposed is urgent because any delay likely to be caused by the call-in process would seriously prejudice the Council's and the public's interests. The reasons for this are as set out below:

The Neighbourhood Planning (General) (Amendment) Regulations 2015 require the determination of Neighbourhood Area and Forum applications within 13 weeks of first being publicised. The process for determining Neighbourhood Area and Forum applications is set out in the Neighbourhood Planning (General) Regulations 2012 as amended. Once the applications are received the Local Planning Authority has to consult on the applications for a minimum of 6 weeks; analyse the responses and then determine the applications. Taking into account, the statutory requirement for a minimum 6 week consultation and the lead-in times for Cabinet Reports the 13 week timescale is extremely tight.

The Council formally received the applications on Friday 9 June 2017. The applications were publicised and representations invited from Tuesday 13 June to Tuesday 25 July 2017, after which the responses were analysed and report drafted. In this respect, the statutory timescales would not allow this item to go to the earlier Cabinet Meeting on 19 July. It is therefore going to the first meeting available meeting on 13th September.

It is requested that in your capacity as Mayor you:

- agree that the decision proposed is reasonable in all the circumstances; and
- agree to the decision being treated a matter of urgency, in which case the call-in procedure set out in the Overview and Scrutiny Procedure Rules will not apply.

You are asked to agree to the waiver of the call-in provisions in relation to this decision because the delay that would arise from any call-in of the decision would mean that the Council would result in the area applied for automatically being designated as a neighbourhood area. Any delay would mean that Cabinet would not have the opportunity to amend the boundary in response to the public consultation (or for any other reason). Although the report does not recommend any boundary changes in response to the consultation, views were expressed by some residents that the boundary was not appropriate for a number of reasons, and not giving Cabinet the opportunity to amend the boundary could be seen by some to prejudice the Council's/Public interests if they were minded to make any change.

To assist you in making your assessment, I have attached the Officer Report that Cabinet will consider in making their decision.

If you are in agreement with this decision being treated as a matter of urgency, I would be grateful if you could confirm this by return email to epowley@northampton.gov.uk

Yours sincerely,

Francis Fernandes
Borough Secretary