

North York Moors National Park Authority

15 December 2014

Arrangements for Consideration of the York Potash Planning Application by Members

1. Purpose of the Report

To ratify the decision of the Planning Committee on 23 October 2014 in relation to the appointment of the Chair and Deputy Chair of the Authority for the determination of the York Potash planning application.

2. Background

2.1 Members considered a report at the Planning Committee meeting on 23 October 2014 which set out proposed arrangements for consideration of the York Potash planning application. Amongst other things the report asked Members to resolve the situation with regard to the positions of Chair and Deputy Chair for the Special Planning Committee meeting, which will be held on a date to be agreed in 2015.

2.2 The report set out the need for an agreement on this matter as follows:

Members agreed in March 2013 that the Chair of the Authority, Mr Jim Bailey would act as Chair of the Planning Committee in connection with the originally submitted York Potash application. This was because the Chair of Planning Committee at that time had declared a prejudicial interest in the proposals from the outset. It was also agreed that the Deputy Chair of the Authority, Mr Malcolm Bowes would act as Deputy Planning Chair for the application. Given the change in Chairmanship of the Planning Committee, Members are asked to consider whether they wish to adopt these arrangements again or whether the current Chair and Deputy Chair of the Planning Committee should take over these duties. There would be no departure from our normal procedures if the current Chair and Deputy Chair of the Planning Committee were to act in connection with the York Potash application. However, Members may consider that the scale of the proposed development and the considerable public and media interest in it mean that it is more appropriate for the Chair and Deputy Chair of the Authority to continue as Chair and Deputy Chair of the Planning Committee with regard to the York Potash application, as both of these Members are already expected to adopt a higher profile role for the Authority in relation to proposals of this significance.

3. Committee Resolution

3.1 The resolution of the Planning Committee on this matter is set out in the formal public minutes of the meeting which record:

That Members resolved the position with regard to the positions of Chair and Deputy Chair for the Special Planning Committee Meeting as discussed in Paragraph 3.3 as it was considered that, in this specific case, it would be beneficial to continue with previous protocol in the spirit of continuity and in the interests of efficient working between officers and the Chair of the Authority who was already involved in public and media interest arising from such a major and complex

matter for the National Park. It was noted that this resolution would need to be ratified by the full Authority as its next meeting in December.

3.2 Authorisation to set up and appoint the Members and Chairs of Committees and Sub-Committees rests with the full Authority and therefore the above resolution of the Planning Committee needs to be ratified by the full Authority as noted in the public minutes.

4. **Financial and Staffing Implications**

4.1 None arising from this report and its recommendation.

5. **Contribution to National Park Management Plan**

5.1 N/A

6. **Legal Implications**

6.1 The York Potash proposal is of great significance for the National Park and there is a high level of public and political interest in the scheme. Members will be aware of the importance of procedures being followed correctly in dealing with the planning application so that the Authority's actions are not open to successful legal challenge. It is important therefore that this arrangement is formally and properly agreed in advance of the determination of the planning application.

7. **Recommendation**

7.1 That Members agree the resolution of the planning committee held on 23 October 2014 that the previous protocol is continued so that the Chair and Deputy Chair of the Authority be appointed as Chair and Deputy Chair of the Special Planning Committee meeting to determine the York Potash Planning application.

Contact Officer:
Chris France
Director of Planning

Tel No 01439 772700

Background papers to this Report

File ref

- 1) North York Moors National Park Authority Planning Committee Report, 23 October 2014 – "Arrangements for Consideration of the York Potash Planning Application by Members"