

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2640
Author:	Steve Ryder
Department:	Development
Contact:	Steve Ryder (Job Title: Planning Officer, Email: steve.ryder@nottinghamcity.gov.uk, Phone: 0115 8763970)
Subject:	Land & Planning Policies (Local Plan Part 2) Examination in Public
Total Value:	£201,900 (Type: Revenue)
Decision Being Taken:	Approval of expenditure of £201,900. Expenditure relates to the Local Plan Part 2 Examination in Public (EIP) including: <ul style="list-style-type: none">. Appointment of Programme Officer. Planning Inspector fees (set by Govt). Approval to dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) (Operational Issues) to allow payment of fixed and non-negotiable fees to the Planning Inspectorate. Representation/notifications mail out, external notices and press adverts. Printing of publication and submission documents. Venue and Equipment Hire for Examination in Public. Legal Advice
Reasons for the Decision(s)	<ul style="list-style-type: none">. To ensure timely preparation for the Local Plan Part 2 Examination in Public;. To avoid delay in allocation of Inspector and Hearing dates by Government;. To ensure that adoption of strategic planning policies for Nottingham takes place at the earliest opportunity.
Briefing notes documents:	LAPP delegated report briefing paper 02_09_16.docx

Other Options Considered:

1. Do nothing.
Rejected. EIP is a statutory requirement
2. Internal appointment of Programme Officer.
Rejected. Specialist skills, expertise and experience of running Examinations needed.
3. Use of council venue.
Under consideration. External venue only to be used if a suitable council venue is not available (date of Examination not yet confirmed).
However, Planning Inspectorate's venue requirements are exacting and options and costs for external venues required to ensure no delay to hearing dates.

Background Papers:

Published Works:

Planning and Compulsory Purchase Act 2004 (s.20)
Procedural Practice in the examination of Local Plans (The Planning Inspectorate June 2016 (4th Edition v.1))

Affected Wards:

Citywide

Colleague / Councillor Interests:

Dispensation from Financial Regulations:

Yes

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

N/A

Equality:

EIA not required. Reasons: The decision does not relate to new or changing policies or functions. An EIA has been undertaken for the Local Plan part 2 document.

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

07/11/2016

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

As outlined in the report and briefing note the requirements for Examinations in Public are prescribed by law and the Planning Inspectorate. The decision to be taken here is financial to enable the Council to meet with it's obligations and does not raise any legal issues. Advice provided by Ann Barrett (Team Leader) on 26/09/2016.

Finance Advice:

The cost totaling £201,900 of the activity outlined within this decision can be met from approved resources in the MTFP in Planning Strategy and reserves established and held for this activity.

Advice provided by Susan Tytherleigh (Senior Finance Manager) on 23/09/2016.

Procurement Advice:

Approval to dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) (Operational Issues) for £125,000 is required to allow payment of fixed and non-negotiable fees to the Planning Inspectorate (set by Govt.)

The Programme Officer @ £22,000 will be sourced via 3 quotes in line with Contract Procedure Rules.

The examination venue @ £15,000 will be sourced using Council premises and if none are available will be sourced via 3 quotes in line with Contract Procedure Rules.

The Administration costs @ up to £10,000 will be bought on an as and when required basis and is in line with Contract Procedure Rules.

There is also a £30,000 contingency allowance in case resources are required to respond to specific issues raised by the inspector or by representors, which may require immediate expenditure on additional evidence and/or advice relating to legal compliance.

Advice provided by Paul Ritchie (Lead Procurement Officer) on 11/10/2016.

Signatures

Jane Urquhart (Portfolio Holder for Planning and Housing)

SIGNED and Dated: 31/10/2016

David Bishop (Deputy CE, CD for Development and Growth)

SIGNED and Dated: 17/10/2016

Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations

SIGNED and Dated: 27/10/2016

Chief Finance Officer's Comments: