

Briefing paper

Local Plan part 2 Examination in Public

This is not a key decision because it does not result in the Council incurring expenditure or making income or savings of more than £1 million revenue or capital, taking into account the overall impact of the decision, and does not significantly affect communities in 2 or more wards

Background to the decision

Nottingham City Council has been preparing the Land & Planning Policies Development Plan Document (Local Plan Part 2), which forms the second part of the statutory local Plan for Nottingham, alongside the Aligned Core Strategy (Local Plan Part 1). The LAPP includes a raft of policies that will be applied to manage development, facilitate regeneration and protect the environment across the Nottingham area. On its adoption, this plan will replace the 2005 Nottingham Local Plan.

As part of the plan making process, Government requires that the strategies be subject to scrutiny via an Examination in Public. Regulations set out the detailed requirements for Examinations, for which Councils must bear the cost, including:

- Programme Officer administrative services - to ensure the smooth running of the Examination and act as key contact point for the Inspector;
- Payment of Inspectors fees (following allocation of Inspector by Government);
- Hosting of the Examination at a suitable venue;
- Issuing (web and printed versions) of Publication and Submission documents;
- Issuing of representation invitations, formal notices, press adverts.

Approval is sought to incur expenditure on the above procedural items. Information and cost estimates are provided for each element below. It should be noted though, that the duration of an Examination is difficult to predict and will depend on the scale and type of representations received and the direction of the appointed Inspector in allowing time for discussion/debate within Hearing Sessions. The date of the Examination has not yet been set but is expected to commence early in 2017.

Programme Officer

Programme Officers are required to support the appointed Planning Inspector and ensure the efficient running of the Examination. The Programme Officer is not a consultant, but a legal administrative requirement for the Public Examination process which the Council is required to pay for by law. It should be noted that the Programme Officer does not provide support or advice to the Council but provides administrative services direct to the Planning Inspector appointed by Government. Use of Consultant approval is therefore not required, and there are no staffing implications.

Appointment is required to take place prior to submission of the LAPP to Government – this is anticipated to be in Winter 2016/17. An examination is likely to require the appointment of a Programme Officer for a period of approximately 6 months (3 months full time, 3 months part-time).

The Programme Officer would be drawn from the Planning Inspectorates' List of Programme Officers. Estimated costs would fall below the threshold for tender, and 3 competitive quotes would be sought. Selection will be based on quotes, daily rates and experience. The Programme Officers will be hosted by Nottingham City Council and arrangements are in hand regarding accommodation and IT equipment. The duration of an Examination is difficult to predict however the following costs are anticipated:

Programme Officer - Estimated day rate of £230. (3 month FT, 3 months PT)

Total Estimated Cost: £22,200.

Inspectors Fees

Based on past experience, it is anticipated that Inspectors costs for 25 weeks duration will be required (Examination and report writing) at daily rate of approximately £1,000 per day.

Total Estimated Cost: £125,000

Examination Venue

As a date for the Examination is yet to be set by Government, arrangements for the venue cannot be confirmed. If possible, the council intends to use local authority premises to reduce costs.

However, requirements for Examination venues are exacting and it may be necessary to use an external venue – subject to room suitability/availability. Estimated costs for an examination venue would fall below the threshold for tender, and 3 competitive quotes would be sought. In this case approval is sought for venue hire based the following costs (quotes to be sought):

Main Hearing Room 8 days - £8,000

2 x anterooms (PO room, Inspectors Room) 8 days - £2,700

'Round Table Session' room 8 days at min - £4,000

Total Estimated Cost - £14,700

Further Evidence Requirements

As the Examination procedure progresses additional resources may be 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. An allowance of £30,000 is included in the budget to cover such eventualities.

Administration Costs

Councils must issue notifications to interested parties inviting formal representations on the document, along with formal notices and press adverts. Hard copies of the document must be made available in accessible locations. Where possible, electronic notifications are issued. The following costs are based on past consultation and print runs.

LAPP Document Printing

Estimated Cost £5,000 (subject to quotes)

Mail Out/Formal Notices

Estimated Cost: £3,000

Examination Resources £2,000

Total Estimated Cost - £10,000

The overall cost of the EIP and associated tasks is estimated to be in the region of £201,900. Provision for the EIP has been made in the Planning Policy core budget