

## **Report to the Cabinet**

**Report reference:** C-006-2012/13

**Date of meeting:** 11 June 2012



**Epping Forest  
District Council**

**Portfolio:** Planning (Councillor Richard Bassett)  
Finance & Technology (Councillor Syd Stavrou)

**Subject:** Local Plan Budget requirements 2012/2013, 2013/2014 and 2014/2015.

**Responsible Officer:** John Preston (01992 564111).

**Democratic Services Officer:** Gary Woodhall (01992 564470).

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### **Recommendations/Decisions Required:**

- (1) That Members note the estimated funding requirements in connection with the Local Plan over the next three financial years;**
- (2) That Members note how existing budgets provide most of the sources of funding for this period and agree that any DDF funding can be rolled forward during these years;**
- (3) That Members recommend to Council that a further DDF budget of £245,000 is provided to ensure that there are sufficient financial resources available to the project; and**
- (4) That the contract periods for the following posts within the wider Forward Planning team are each extended by a further year; Forward Planning Assistant and Information and Technology Officer and the Senior Planning Officer for a further two years.**

### **Executive Summary:**

This report updates Members on the financial and other resources necessary to deliver the Local Plan, which is the Council's number one corporate priority for the foreseeable future, and which requires additional expenditure to meet statutory plan-making duties, and related staffing requirements.

The report recognises that expenditure has been drawn from various sources since 2007 including Continuing Services Budgets (CSB) and District Development Fund (DDF) and expects both such sources to continue to be used; indeed further DDF expenditure is required.

Three fixed-term posts have been created in the last two years to boost the Forward Planning Team with various end dates; it is clear that these posts will be required for longer if the August 2013 deadline is to be achieved

**Reasons for Proposed Decision:**

This report follows a sequence of six monthly reporting on the budgets that have been applied to the Local Plan and related matters since 2007, but where the originally agreed funding will not now allow for all expected further expenditure over the next three years.

Following a review of the budget currently required, and taking into account the requirement of Members to accelerate the timetable, further funding is now available. This review also takes into account the need to deliver items, such as the Community Infrastructure Levy, which was not required when the original budget was estimated.

**Other Options for Action:**

If the Local Plan is to be delivered to the timescales agreed, there are no different options available. Unless an extended timescale is agreed, there is no choice other than that presented. Neither is there much choice over the possible source of future funds from within the Council.

The Plan cannot be delivered without adequate staff, and the current fixed-term arrangements are needed for a longer period, and for the staff occupying those posts it is important to retain their commitment to those roles.

**Report:**

1. The Cabinet agreed a report at its meeting on 17 December 2007 which set out the then estimated costs of delivering a Local Development Framework over the four subsequent financial years, and six monthly reports have been provided thereafter to the Local Development Framework Cabinet Committee showing how the funds have been used. The most recent such report was in December 2011.
2. The original estimated cost over four years was £1.4m. The pattern of the expenditure was much slower to begin with than had been anticipated particularly during the first two of those years, whilst work was diverted to meet the requirements of a Direction by the previous Government to deal with Gypsy Roma and Traveller issues, and which took some £0.25m of the budget.
3. Some pieces of evidence that have been gathered ended up costing slightly less than estimated, whilst some have cost more. The recent switch from a complex Local Development Framework to a new style Local Plan has lessened some tasks that would previously have been necessary. Some of the previous budget was used to fund £65,000 of work on a Design and Development Brief for Debden Broadway, but was re-credited subsequently. (Cabinet decision of 6 October 2008.) The budget has also been used in a similar manner to fund work on a similar brief for the St John's area of Epping (see separate report on this agenda.) £25,000 was re-credited for that work. (Cabinet decision of 6 October 2008.) A further £85,000 has been spent on St John's, but has not yet been re-credited to the Local Plan budget. Additional work is now required to supplement the preparation of the Local Plan, in particular around the adoption of a Community Infrastructure Levy. This requirement was not in place when the original budget was estimated, and substantial research work will be required to test the viability of delivery of the range of tariffs identified as potentially suitable.
4. Under the threat that changing Government planning policy might mean that the District would be left without a transition period to the new Local Plan regime, the work has been accelerated in the past few months, consultants have been appointed to assist on project management of the work, extra staff on a secondment and fixed-

term contracts have been employed to support the established team, and there are new pieces of work to fund.

5. The fixed-term posts are for periods which will end well before August 2013 (see table below); however, those posts and contracts are clearly going to be required for a longer period, and it would be preferable to retain staff whose knowledge of the area and the issues has grown rather than having to replace them and bring other new recruits up to speed. That is particularly the case in respect of the Senior Planning Officer post (which is filled internally by secondment from Development Control).

Post Title	Commencement date	End date	Member authorisation	Requested further extension
Senior Planning Officer (PPC05F) (secondment from Devt. Control)	12/09/2011	11/10/2012	Cabinet 01/02/2010	2 years to 11/10/2014
Information & Technical Officer (PPC20F)	12/03/2012	11/03/2013	Cabinet 01/02/2010	1 year to 11/03/2014
Forward Planning Assistant (PPC24F)	19/03/2012	18/03/2013	Portfolio Holder 11/10/2011	1 year to 18/03/2014

6. The original DDF underspends have been rolled forward, although given requirements (Finance & Performance Management Cabinet Committee 27/9/10-minute 15) concerning DDF underspends not being rolled beyond two years without a renewed authority, such a renewed authority is now required, and will be required throughout the years covered by this report.
7. The up to date project plan for this project has a key milestone of the end of August 2013, at which point the Local Plan should have been developed to a point where it can be submitted for public examination, having been through various stages of consultation and refinement in the meantime. That has clear consequences for some important items of expenditure both in timing and in quantum.
8. Other significant costs will arise from decisions to bring in project management support, to update evidence so that it meets any requirements arising from the National Planning Policy Framework, to ensure that a complementary Community Infrastructure Levy (CIL) is brought in with a new Local Plan (and which will have to substantially replace Section 106 agreements from 2014/2015.) The preparation of the CIL in particular will create additional costs, as significant evidence is required to support any tariff that may be applied to development in the district. The reasonable options for the level of CIL to be adopted must be fully tested to ensure that they will not cause development viability to be threatened, and the cost for this work had not been included in the original budget estimates. The estimated additional cost is £94,000, with further Counsel advice estimated in the region of £15,000. Some other costs will have to be borne with assessments, such as updating the Sustainability Assessment with these other new dimensions, and over an extended period.

9. The table in the appendix therefore sets out what the expenditure has been since 2007, what is committed, and what the predicted requirements are over the next three financial years, and what sources of funding are being used. There is also a more detailed breakdown of expected expenditure by topic and year. What has been delivered to date has been within budget; however, the funding of £85,000 of work on the St John's Road brief, and the £72,000 funding recently committed to Project Management support would now use up all the originally agreed budget. To fully complete the Plan to a quicker timescale will require some additional funding. The budget will continue to be regularly reviewed, and reported to Members at six monthly intervals.

### **Resource Implications:**

The Continuing Services budgets which provide the core Forward Planning team will continue to be applied throughout this period, as will budgets already agreed to be used (some of which may now be committed to such expenditure, but where the actual expenditure has not yet arisen.) Those would not provide sufficient budgets, and thus they need to be supplemented from other Council resources, despite the many calls on those. The latest Medium Term Financial Forecast agreed by the Council showed that at the end of four years there was £1.3m of DDF not presently allocated, and it is from this source that the extra resources for the Local Plan to be successfully delivered are requested in the sum of £245,000.

### **Legal and Governance Implications:**

As set out in detail in this report, and in the risk management analysis below.

### **Safer, Cleaner and Greener Implications:**

In order to be as safe, clean and green locally as possible the Local Plan is an important document for setting out such policies for this area.

### **Consultation Undertaken:**

None.

### **Background Papers:**

The original reports to Cabinet and decisions as listed in the report.

### **Impact Assessments:**

#### Risk Management

Unless an adequate, but realistic budget and staff resources are provided, and the project actively managed, there is a risk that, by March 2013, the development of the new Local Plan will not have sufficiently progressed leaving the risk that only the policies of the National Planning Policy Framework (NPPF) would prevail. The NPPF may not be so attuned to local considerations, nor based on local and specific evidence, as policies considered and justified based on local circumstances. This could result in what are considered to be seen locally as unsatisfactory developments which, once in place, will impact upon the local environment thereafter for many years.

In considering staff resources, it is clear that neither of the fixed-term posts, if extended by 1 year each, will cause those post holders to gain a full time post as a result of having been employed by the authority for four years or more. Each post holder was new to the authority in March 2012. The postholder on secondment from Development Control has a substantive post to return to at the end of the position in Forward Planning, and therefore this issue will

not arise.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?