

# **Report to the North Weald Airfield and Asset Management Cabinet Committee**



**Report reference:** **NWA-005-2012/13**  
**Date of meeting:** **29 October 2012**

**Epping Forest  
District Council**

**Portfolio:** **Asset Management and Economic Development**

**Subject:** **Strategic Review of North Weald Airfield**

**Responsible Officer:** **John Gilbert** (01992 564062)

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

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## **Recommendations/Decisions Required:**

- (1) To consider and agree the brief to be issued to consultants on the Government Procurement Service “Multi-Discipline Consultancy Framework Agreement (RM353) for the strategic review of North Weald Airfield;**
- (2) To note that this strategic review will form an intrinsic part of the ongoing Local Plan preparation process; and**
- (3) That the Members of this Cabinet Committee should form the Member interview panel for the appointment of the preferred consultant.**

## **Executive Summary:**

Following consideration of the Ernst and Young review of the Halcrow Report by Cabinet at its meeting in September, a brief has been drawn up for appropriate consultants to bid against for undertaking the strategic review of North Weald Airfield. Some changes have been made to the consultation requirements in view of the receipt of Counsel’s advice about ensuring there was no conflict between consultation undertaken as part of this review and that which is required as part of the preparation of the Local Plan, in effect ensuring that this strategic overview forms part of the Local Plan preparation process

## **Reasons for Proposed Decision:**

To enable the strategic review of the Airfield to be undertaken as part of the Local Plan preparation process.

## **Other Options for Action:**

To undertake the strategic review entirely separately from the Local Plan preparation process. This cannot be recommended since it runs the risk of the final Local Plan being considered to be unsound following Examination in Public.

## **Report:**

1. Cabinet at its meeting on 10 September 2012 considered the outcome of the review of the Halcrow report on aviation intensification at North Weald Airfield and resolved that:

*“(1) That the Ernst and Young overview of North Weald Airfield be noted;*

*(2) That the comments of the North Weald Airfield & Asset Management Cabinet Committee be noted, including the extension of the minimum terms for leases at the Airfield to April 2015;*

*(3) That work package 1 and 2 recommended by Ernst & Young be agreed for implementation, with work package 1 to include consultation with local residents;*

*(4) That the appointment of consultants to advise on the future potential development of the Airfield be agreed;*

*(5) That a supplementary District Development Fund estimate in the sum of £150,000 be recommended to the Council for approval, to enable the consultancy exercise to be undertaken; and*

*(6) That the use of the Government Procurement Service Framework Agreement, or similar suitable framework, for the appointment of consultants be approved.*

2. Recommendation 1 makes reference to package 1, which includes the following key tasks:

- define the Council’s commercial objectives;
- define potential options for managing the site;
- assess these options against the Council’s stated commercial objectives on a qualitative basis;
- establish an option shortlist based upon that qualitative assessment; and
- a detailed qualitative assessment of the short listed options.

3. Ernst & Young considered the second point above to be very important, in that at this stage all options, whether aviation based or not, should be freely considered, to establish what type of development would generate best value.

4. At Cabinet, concerns were raised in regard to ensuring that any consultation undertaken as part of the Airfield strategic review did not cause a conflict with that being undertaken as part of the Local Plan preparation, such that at a later Examination in Public, the Local Plan might be found, by a Government Inspector, to be unsound.

5. Counsel’s opinion was therefore sought on this matter (alongside similar advice relating to the St John’s Road development brief). Counsel, in his advice, expressed a similar concern, and strongly advised that any widespread public consultation on the outcomes of the Airfield strategic review should not be undertaken separately but as part of the Local Plan preparation process, and specifically at the time of consultation upon the “Preferred Options”. However, the Council remains committed to ensuring that relevant views are taken into account through this review and therefore the consultants will, as part of the strategic review, be expected to consult with all relevant stakeholders as part of their consideration of options. A district wide public consultation will be then undertaken as part of the “Preferred Options” consultation process anticipated to take place in the summer of 2013. This also avoids consultations on separate documents that overlap or duplicate one another.

6. A brief for the strategic review has been drafted and is attached as Appendix 1. The brief is based upon the tasks identified within the Ernst & Young report (package 1) but also includes specific reference to the Local Plan preparation process, particularly:

(a) the need to consider any reasonable options arising from the “Issues and Options” consultation; and

(b) the need to coordinate wider public consultation with the Local Plan process (see paragraph 5 above).

6. The Cabinet recommendation (6) refers to procuring appropriate consultants using a government (or similar) procurement framework. Having discussed this approach with the Essex Procurement Hub, it has been decided to make use of the Government Procurement Service “Multi-Discipline Consultancy Framework Agreement (RM353). This agreement has 10 consultants included within it, and includes all of the major consultants who will have the ability and experience to act as lead consultant and bring into the process the necessary additional skills required to deliver upon the brief.

7. In order to meet the very tight timescale, the procurement exercise will need to be completed and the consultant appointed by the end of this calendar year. This will enable the strategic review to be undertaken and completed by the end of March 2013 with a view to reporting to Cabinet in April 2013. This should enable the outcomes of the strategic review to be fully incorporated into the “Preferred Options” consultation.

8. It is also considered sensible, again to ensure meeting the tight timescale, that a decision be made at this meeting in respect of the establishment of a Member panel to consider the appointment of the preferred consultant. It is suggested that the members of this Cabinet Committee should constitute the appointment panel.

9. In paragraph 2 above, the first of the identified key tasks refers to the Council setting its commercial objectives for the Airfield. Whilst the establishment of these will be an important element of the assessment of potential development options, they are not required ahead of the procurement exercise or as part of the initial brief. Cabinet will however be requested to consider the establishment of commercial objectives at its December meeting.

#### **Resource Implications:**

Council agreed a supplementary DDF estimate in the sum of £150,000 at its meeting on 27 September 2012. That estimate is to cover packages 1 and 2 of the Ernst & Young recommendations, but this report deals only with the tasks identified in package 1. However, the actual cost of this phase of the strategic review will not be known until the procurement exercise has been completed.

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

The procurement exercise will be made with the assistance of the Essex Procurement Hub and will make use of government framework agreements. This will avoid the need for a costly full EU procurement exercise since the consultants have already been through a competitive procurement exercise to be within the frameworks. This approach is in accordance with the Council’s contract standing orders and will also enable the tight timescale to be achieved.

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

There are no significant implications at this time, but any decisions made in the future clearly have the potential to impact upon the local environment, and these would have to be considered at that time

### Consultation Undertaken:

Consultation with the Essex Procurement Hub on the most appropriate government framework agreement to utilise for this commission.

### Background Papers:

- Drivers Jonas Report
- Halcrow report (publicly available parts only)
- Ernst & Young Report
- Publicly accessible reports to the North Weald Cabinet Committee and Cabinet in March 2011
- Minutes of Cabinet meeting on the 10<sup>th</sup> of September 2012

### Impact Assessments:

#### Risk Management

As the Council's largest landholding, the future management of the site is key. It is essential that well informed decisions are made, supported by professional consultancy advice where that is considered appropriate. Any decisions made have also to dovetail into the revisions of the Local Plan which are currently underway.

The Airfield is not supported financially by aviation, and if it were not for other non aviation income sources, the Airfield would not generate a surplus. A significant element of the non aviation financial support arises from just one Airfield user, the Saturday and Bank Holiday market operator. This reliance upon one major income source presents a significant risk to the Council's income streams.

#### 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?*  
N/A.

*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?*  
N/A.