

## **Report to the Cabinet**

**Report reference:** C-008-2013/14

**Date of meeting:** 22 July 2013



**Epping Forest  
District Council**

**Portfolio:** Planning

**Subject:** Planning Budgets – Local Plan & Maternity Cover

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

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

---

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

(1) That the expenditure against the Local Plan budget in the final two months of 2012/13, the overall total for the year, and the expenditure for the first two months of 2013/14 be noted;

(2) That a supplementary District Development Fund estimate in the sum of £331,933 for the Local Plan budget be recommended to the Council for approval to cover:

(a) further evidence base work;

(b) extension of existing temporary staff contracts within the Forward Planning team; and

(c) additional project management support (as outlined within the report);

(3) That the addition of £51,937 to the Planning Salary budget to allow for appropriate maternity cover for the three posts connected to the delivery of the Local Plan be agreed;

(4) That the action taken under delegated authority to engage the services of an Interim Assistant Director, as nominated by Messrs Gatenby Sanderson, for an initial period of one month to shadow the existing post holder so as to ensure continuity in the management of the Local Plan process be noted;

(5) That Contract Standing Orders C14 (1) (Compliance with Contract Standing Orders in relation to the appointment of Consultants) and C14(2) (Engagement of Consultants in respect of Contracts exceeding £50,000 in value) be waived to extend without competition the temporary appointment (3 days per week) under (4) above with Messrs Gatenby Sanderson and enter into a contract with the company for a period of up to 12 months; and

(6) That Contract Standing Order C14(1) and (2) be waived in respect of the extension without competition of the existing management support contract with Fortismere Associates for work in connection with the Local Plan process until October 2014.

## **Executive Summary:**

The last Local Plan budget update reported on the period to 30/01/2013. It is now clear that a total of £303,033 was spent in the whole 2012/13 financial year. A further £14,976 has been spent in the first two months of the new financial year.

Additional work has been commissioned on population and household forecasting, which had not previously been foreseen. Further evidence base work, an extension to the amount available for project management support, and extensions to temporary staff contracts are required. This amounts to additional District Development Funding of £331,933 to be added to the Local Plan budget.

Three posts will need to be covered whilst the post holders are on maternity leave through 2013/14 and 2014/15. An additional amount of up to £51,937 could be required to allow for appropriate cover, should each of the post holders take a full year as maternity leave. This would be used alongside the existing Directorate salary budget.

## **Reasons for Proposed Decision:**

The further District Development Fund bid for the Local Plan budget is required to ensure continued progress on the Local Plan preparation process, and to ensure that sound and robust evidence is obtained to support this emerging document.

The three posts are part of the team responsible for delivery of the Local Plan, and the absence of the post holders must be adequately covered to continue to allow key milestones to be met.

## **Other Options for Action:**

To not agree the further District Development Funding for the Local Plan budget.

To not agree the options set out for maternity cover within the Policy & Conservation section of the Planning Directorate, and the subsequent District Development Funding for the Planning Salary budget.

## **Report:**

### 2012/13 Financial Year – Total Spend

1. An overview of the progress on the Local Plan and Evidence Base studies was provided within the report on the Consultation Responses to the Community Choices, which was considered at Cabinet on 10 June 2013. The last update on the Local Plan budget was presented to Local Plan Cabinet Committee in February 2013 and it is now possible to provide a further update for the entire 2012/13 financial year.

2. A total of £303,033 was spent from the budget during 2012/13, compared to the total amount available within the District Development Fund (DDF) of £610,000 for the financial year. An additional report on this agenda provides details of the current timetable for preparation of the Local Plan, and as such the associated budget has been re-profiled to reflect the changes (see paragraph 18 below).

### 2013/14 Financial Year – Spend to 31 May 2013, Known Commitments and Additional Funds

3. In the first two months of this financial year, £14,976 has been spent, and details are shown in Appendix 1.

4. Existing commitments are in place, or funds are allocated for a number of studies and other work including:

- (a) Level 2 Strategic Flood Risk Assessment;
- (b) Strategic Housing Market Assessment update;
- (c) Sustainability Appraisal support;
- (d) Habitat Regulations Assessment work; and
- (e) District wide Transport Assessment (partial funding available).

5. Due to additional pieces of evidence base work being required, it is necessary to seek an addition to the Local Plan DDF to ensure sufficient funds are available for these.

6. Population and household demographic information has been delivered by Edge Analytics, and was completed on an Essex-wide basis and also included a number of adjoining authorities from the surrounding counties. This has provided useful information, but concerns have been raised around the seemingly inflated projections for the district described in the 2010 sub-national population projections (particularly with regard to net internal migration). The Council also has concerns over the number of Local Plans which are failing at Examination in Public stage, due to challenges over population and growth figures. It must establish a position on population growth and housing which is defensible at Examination in Public, both against a higher target than is reasonable (which could damage environmental and other aspects of the district's character) and a lower target than is reasonable (which would risk the Plan being found unsound through non-compliance with the NPPF). Thus the Council is seeking to obtain the most up to date assessment of future population growth in the district, which it can then balance against other pertinent issues such as planning constraints and land availability.

7. To this end Edge Analytics has been commissioned to prepare an additional set of population forecasts, and related household and housing forecasts, using detailed 2011 Census results, and newly released data comprising revised mid-year population estimates for the period 2001 to 2011 (ONS) and a new set of household projections (Department of Communities and Local Government (CLG)). Some of this work will look at population and housing changes at ward level between the two most recent Censuses as well. This additional work was not anticipated at the time the budget was last fully reviewed (June 2012), and it is therefore requested that a supplementary amount is added to the Local Plan DDF to allow for this work, and further forecasting work that may be needed. The total necessary to fund this work, on the basis of the best available information at this stage, is £46,400 (see table below).

Further Population/Household work required	Amount
Work to current brief – due to report Summer 2013	£20,400
Update following release of further ONS data – Spring 2014 (estimate)	£10,000
Update of Essex-wide project – Spring 2014 (annual update (£2,000) for next 3 years)	£6,000
Attendance by consultants at meetings/briefings, and contingency amount for any further additional work (estimate)	£10,000
<b>TOTAL REQUIRED</b>	<b>£46,400</b>

8. The Strategic Land Availability Assessment (SLAA) was undertaken during 2012. As a result of the Issues & Options consultation exercise, further sites and additional information have come forward which now need to be included within this study. The consultants (Nathaniel Lichfield & Partners) will undertake this work on behalf of the Council, and a further £10,280 is required to cover this additional update.

9. Further funding is also required for several other projects. The Gypsy and Traveller Accommodation Assessment needs to be updated to reflect new guidance published alongside the National Planning Policy Framework, to ensure that any new policies are drafted on the basis of the best available information. This project is being conducted across Essex, and is being led by Uttlesford District Council. The Essex Planning Officers' Association (EPOA) and the Essex Housing Officers' Group (EHOG) are to pay for the majority of this work from existing pooled funds, but a small additional contribution per local authority will be required. The entire cost of the project is £64,000, with £50,000 coming from EPOA/EHOG funds. The Council's contribution at this stage is £1,000, but further work by, and/or in support of, the consultants may be needed as Local Plan preparation progresses. It is anticipated that this will not be more than an additional £4,000 (i.e. £5,000 in total).

10. Further work may be required to consider whether suitable sites may exist for additional glasshouse development across the District. An additional amount to commission consultants could be needed. It is anticipated that this work will not be more than £10,000.

11. A consultant is currently working within Economic Development/Forward Planning to provide updated and detailed economic information for the District. Additional work will be needed to supplement this, and further input to an Economic Development Strategy will also be required. It is not clear whether the current consultant will undertake this work, and this decision is linked to the need for maternity cover for the Economic Development Officer detailed below. The cost for further support is estimated to be £10,000.

12. The initial stage of Transport Assessment work (required in order to ensure a sound Local Plan is achieved) is currently underway. It has proven necessary to test a larger number of potential sites at this stage than originally anticipated, and therefore the cost of work at this point is greater. An initial estimate of £35,000 was set aside for this work. Essex County Council's costed brief now indicates this work will cost £59,000 for this stage alone. Some funding may become available from the County to contribute to the cost, but it is not yet clear how much this may amount to, although it has been made clear that most of the cost will fall to funding from EFDC. This is only the first iteration of such work, and further refinement and testing will be required. It is therefore suggested that an additional £50,000 be made available to cover this area of evidence work. In a similar vein, the Strategic Flood Risk Assessment (Level 2) has already been commissioned, but given the larger number of sites than originally anticipated, an additional cost has been incurred of £3,500.

13. In recognition of some of the issues faced during the last round of consultation around design and distribution of information leaflets, it is considered likely that any leaflets used for subsequent consultation exercises will need to be larger, and more detailed methods of distribution may need to be considered. As such an additional £7,000 for each of the next two consultation periods is required (i.e. a total of £14,000). The number of public drop-in sessions held during the Community Choices consultation was doubled over that originally allowed for. Accordingly, an additional £1,500 is requested to ensure that sufficient funds are available for venue hire etc (i.e. an additional £3,000). An additional £25,000 per consultation period (a total of £50,000) is requested to allow external data entry to take place, in order that consultation responses can be processed and analysed quickly and efficiently. Taking all of the above, a further £67,000 is required across both forthcoming consultation periods to ensure appropriate resources are available for public engagement.

14. In recognition of the proposed extended timetable for the Local Plan it is requested that the three temporary posts within the team are extended to 31 December 2015 to ensure the necessary staff resources are in place to deliver this new timetable. The table below indicates the current and requested positions.

Post	Current end date	Proposed end date	Cost
PPC05F – Senior Planning Officer	11/10/2014	31/12/2015	£46,780
PPC25F – Planning Officer	31/12/2014	31/12/2015	£28,540
PPC20F – Information & Technical Officer	31/12/2014	31/12/2015	£24,420
<b>Total</b>			<b>£99,740</b>

15. Fortismere Associates are currently working with the Forward Planning team to provide essential project management support. The existing contract extends to September 2013, and allows for a total spend of £72,000. As of the end of May 2013, only £4,861 remains available within the current contract. The committed funding has been used earlier than anticipated as Fortismere Associates have been required to provide additional support beyond their original brief. An additional £20,000 is requested to fulfil the last four months of the existing contract.

16. It is also requested that funds be made available to extend the contract with Fortismere Associates to September 2014, to ensure their continued support in the delivery of the Local Plan. It is suggested that this is capped at a maximum of £5,000 per calendar month. Accordingly, an additional £60,000 is required to contract Fortismere Associates for a further year.

17. In summary, the total amount required as a supplementary District Development Fund for the Local Plan budget at this stage is:

Item	Amount
Population/Household forecasting work	£46,400
Strategic Land Availability Assessment update	£10,280
Contribution to Gypsy & Traveller Accommodation Assessment	£5,000
Consideration of land for the Glasshouse Industry	£10,000
Economic Development support	£10,000
Transport Assessment	£50,000
Additional Strategic Flood Risk Assessment work	£3,500
Consultation arrangements and data entry	£67,000
Extension of contracts for temporary posts	£99,740
Fortismere Associates (existing contract to Sept 2013)	£20,000
Fortismere Associates (extend contract to Sept 2014)	£60,000
<b>Amount required</b>	<b>£381,920</b>
<b>Surplus amounts identified from agreed budget June 2012</b>	<b>-£39,987</b>
<b>TOTAL REQUIRED</b>	<b>£341,933</b>

18. The proposed revised timetable is contained within a further report on this agenda. Including the additional amount required to supplement the DDF, the budget necessary to deliver the Local Plan has been re-profiled to indicate likely expenditure over the coming

financial years. Given the nature of this project, and the number of variables involved, the figures put forward at this point are estimates based on the best available information.

	2012/13	2013/14	2014/15	2015/16	2016/17	Total
Required budget (July 2013)	£303,033 (spent)	£416,768	£303,861	£331,771	£30,500	£1,385,933
Available budget (June 2012)	£620,000	£282,000	£152,000	-	-	£1,054,000
Existing budget re-profiled	£303,033 (spent)	£416,768	£303,861	£30,338	-	£1,054,000
<b>Additional funds required</b>	-	-	-	<b>£301,433</b>	<b>£30,500</b>	<b><u>£331,933</u></b>

### Maternity Cover Arrangements

19. It will be necessary to cover three posts within the Policy and Conservation section of Planning during 2013/14 - 2014/15, whilst the post holders take maternity leave. These posts are PPC01 (Assistant Director (Policy and Conservation)), PPC03 (Principal Planning Officer) and PPC07 (Economic Development Officer).

20. It is considered that the most appropriate option for PPC01 is to employ an Interim Assistant Director to undertake management of the Forward Planning functions, and preparation of the Local Plan from July 2013. The cost for this arrangement is estimated to be £97,200 for up to 12 months cover, on the basis of 3 days per week. The existing unused salary available can be put towards this amount (£51,473), and using £21,000 from other savings within the Directorate, this leaves £24,727 to be further agreed. The Interim Assistant Director will not perform a management role for the Conservation Team and the Trees and Landscape Team, and this role will be undertaken by the Assistant Director (Development Control). An honorarium payment of £5,000 per annum for the current post holder, paid monthly, is therefore requested for these additional responsibilities whilst they last.

21. The Principal Planning Officer (PPC03) is not due to commence maternity leave until late October/early November 2013, and the possible opportunities for filling this role during her absence have not yet been fully explored. Costs for external cover of this post are currently estimated on the basis of a 6 month initial fixed term contract at current salary rates (including on costs), with a rolling monthly contract thereafter for up to a further 6 months. This would cost £21,965 for the initial 6 months, and £3,660 per month thereafter. The total cost of 1 year cover would therefore be £43,930. Existing salary available is £37,000, leaving a requirement for an additional £6,930.

22. The Economic Development Officer (PPC07) has commenced maternity leave. Arranging cover on the basis of the approach suggested above for the Principal Planning Officer, would result in costs of £19,140 for the initial 6 full time month fixed term contract, with an additional monthly amount of £3,190 being required. The total cost of 1 year cover for this post is £38,280. The current salary available for this post is £23,000 (reflecting the part time working arrangements of the existing post holder), resulting in an additional £15,280 being required to fill the post on a full time basis.

23. Some savings from the overall salary budget have been identified, and the table below summarises the position and the additional short term growth to the Continuing Services Budget (CSB) salary budget.

Item	Amount
<b>Budget cost</b>	
Assistant Director (Policy & Conservation) (PPC01) – maternity cover for up to 1 year from July 2013	£97,200
Principal Planning Officer (PPC03) – maternity cover for up to 1 year from November 2013	£43,930
Economic Development Officer (PPC07) – maternity cover for up to 1 year from June 2013	£38,280
Honorarium payment – Assistant Director (Development Control) (PDC01) for up to 1 year	£5,000
<b>Total costs</b>	<b>£184,410</b>
<b>Identified budget savings</b>	
Assistant Director (Policy & Conservation) (PPC01) – existing salary available	£51,473
Principal Planning Officer (PPC03) – existing salary available	£37,000
Economic Development Officer (PPC07) – existing salary available	£23,000
Identified savings from retirement of holder of post PBC/01	£21,000
<b>Total savings</b>	<b>£132,473</b>
<b>TOTAL DDF required for maternity cover (salary budget) required</b>	<b>£51,937</b>

#### **Resource Implications:**

Local Plan committed and expected expenditure is as per the currently profiled budget, agreed by Members in June 2012.

Further supplementary amounts are requested of £341,933 for the Local Plan budget, and £51,937 for the Planning salary budget, as per the details set out above.

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

The appointment of consultants is governed by Contract Standing Order 14 which requires that the appointment of consultants must be procured by means of competitive quotations/tenders dependent on the value of the contract. In the case of the interim Director, it was adjudged important to have the individual concerned on site in order secure an orderly handover with the Assistant director. With this in mind, the consultant was engaged for an initial period of 1 month, pending the submission of this report to the meeting. The temporary appointment was made under delegated powers under contract standing orders.

The temporary contract is proposed to be extended without competitive procurement and this entails the waiving of certain contract standing orders as indicated in the recommendations. This is in view of the value of the contract.

For Fortismere Associates, the value of the extended contract is over the limit of officer delegation and although this is the first renewal of the contract and might otherwise be allowable under delegated authority, the value of the contract is such that approval is required from the Cabinet to waive Contract Standing Order C14.

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

Continued preparation of the Local Plan to a challenging timetable is key to meeting these objectives.

**Consultation Undertaken:**

Management Board.

**Background Papers:**

Local Plan Budget requirements 2012/13, 2013/14 and 2014/15 – C-006-2012/13.

**Impact Assessments:**

Risk Management

Preparation of the Local Plan is the key priority for the Council, and it is therefore important that any known absences from the team delivering this work are properly and appropriately managed to ensure continued achievement of milestones.

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.