

## Agenda Item 21

Cabinet

5 September 2012

Part B



### Relocation Project - Planning Advice – Exemption from Standing Orders

#### Exempt Information

Para 3 Schedule 12A information relating to the finance or business affairs of any particular person

#### Summary

It is necessary to quickly engage an expert planning advisor on a call off basis to provide a range of advice supporting Outline Planning Application process for submission to the Planning Authority. This will include reviewing documentation, managing questions from the Council's Planning Team, advising on enquiries and objections from other sources and, advising the Council as applicant on matters up to and including the consideration of the Knowle planning application at development Management Committee,

The cost will be met from within the Transformation Fund allocated to the relocation project budget

#### Recommendation

**That Cabinet approve the appointment of Bell Cornwell, Chartered Town Planners, up to a total spend of £10,000, to provide advice to the Council in its role as applicant for outline planning permission for development on the Knowle and for the reasons set out in the report exercise the power to waive the requirement in Contract Standing Orders to obtain three written quotations**

#### a) Reasons for Recommendation

The Council must have a clear separation between its role as planning authority and as applicant and landowner. To this end the Council needs to bring in its own planning adviser to assist through the process and provide reassurance that applicant planning issues, Planning Authority engagement, external challenges etc can be addressed.

In response to a range of detailed enquiries and objections to the application process and in the absence of internal planning it has been necessary to urgently call on external planning advice. Bell Cornwell were recommended and have been used on a short term basis. We would like to consolidate this advisory role around a limited call off contract basis to assist the Council through the outline planning process.

**b) Alternative Options**

Try to manage the outline planning application process without professional planning advice on the applicant side.

**c) Risk Considerations**

The key risk consideration is one of trying to manage the application without planning advice. The separation between Council as applicant and as Planning Authority means that the applicant cannot call on Council planners to provide advice. The Planning Authority will be seeking clarifications and asking questions. It will also be publishing objections to the application which the applicant will need to address in preparation for Development Management Committee (20 Nov 2012) as well as any challenges that may come forward.

**d) Policy and Budgetary Considerations**

This project and planning application underpins the Council's ambition to secure value from the Knowle that will enable it to relocate from Sidmouth to Honiton.

The cost of this planning advice will be met from within the relocation project budget (see Cabinet report 20 also on this agenda for 5 Sep 2012). Fees will be calculated on an hourly and daily basis as appropriate.

**e) Date for Review of Decision**

Not applicable

**1 Background**

- 1 In the process toward outline planning submission for development of the Knowle it is essential that the Council as applicant is clearly separated from its role as Planning Authority. To that extent there is no in-house planning expertise for the project team to draw on. It has become quickly and increasingly urgent that external planning advice is needed to support the application process and advise on dealing with a high level of objections and questions.
- 2 To test the application process and respond promptly it has been necessary to initially purchase a small number of days of recommended planning expertise to give advice on application paperwork, stress test processes and provide due diligence. This was advisable bearing in mind the concentrated attention that this application has and will increasingly continue to receive. The level of enquiry and objection many of which are of a detailed planning policy, procedure and legislation nature require a professional and expert response. This is a cost effective and quick way to secure essential expertise and ensure that the Council is well placed to address its planning application responsibilities.
- 3 The planning advisor we have used is familiar with the issue of local authorities as both applicant and planning authority and, having used her for initial advice, we would like to commission a call off contract up to the value of £10,000 to work alongside the Deputy Chief Executive and applicant team to advise through to relevant Development Management Committee meeting and follow up as required. We are satisfied that the rates negotiated are good value in market terms.

**Legal Implications**

Included in the report

**Financial Implications**

The contract will be funded from the relocation project budget. There is a separate report to 5 Sep 2012 Cabinet on the project budget.

**Background Papers**

- None

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Richard Cohen – Deputy Chief Executive

Cabinet  
5 September 2012

Steve Pratten – Relocation Project Manager



**APPENDIX 1**

East Devon District Council

Relocation Budget to Financial Viability Gateway Only

Assessment Review - 17 August 2012

Anticipated Costs	Anticipated Cost	Comparable sums in EDDC Original	Balance
<b>Consultants</b>			
<b>Davis Langdon</b>			
Project Management Services - Apr - Oct 12	£ 51,441	£42,000	
Allow for November 12 - January 13	£ 25,719	£33,000	
	£ 77,160		
Disbursements 5%	£ 3,858		
	£ 81,018	£ 75,000	-6,018.00
<b>Kensington Taylor</b>			
Architectural Services Original Fee	£ 20,000		
Subsequent services	£ 20,000		
Sept 11 / 4 mths	£ 24,000		
Jan - April 12 / 4 mths	£ 3,770		
Other / Outline Planning App			
Balance as Cabinet App 2 5 12			
	£ 67,770		
Disbursements 5%	£ 3,389		
	£ 71,159	£ 58,000	-13,158.50
<b>Initial Survey Costs</b>			
Topographical Survey - AP Land Surveys	£ 3,700		
Tree Survey and Constraints Plan - Advanced Arboriculture	£ 2,885		
Ecological Impact Assessment - Devon Wildlife	£ 1,508		
Additional Bat Surveys	£ 3,081		
Assistance with Derogation Report	£ 300		
Flood Risk Assessment - Sands Consulting	£ 2,210		
Drainage strategy - Not now required	£ -		
Ground Conditions / Geo Environmental Desk Study - AECOM	£ 2,700		
Transport Statement, including affect on Car Parks	£ 4,985		
Provision of collision data	£ 125		
Travel Plan - Not now required	£ -		
Economical Impact Assessment - Peter Brett Ass	£ 11,218		
Commercial Land Agent - Thomas Lister	£ 7,026		
Additional services in respect of Manstone and Honiton sites	£ 2,297		
	£ 42,015	£ 24,000	-18,015.00
<b>Other, Provisional allowance</b>			
Planning Consultant Estimated	£ 8,000		
Cost Consultant Estimated	£ 6,000		
Structural Engineer Estimated	£ 5,000		
M&E Consultant Estimated	£ 5,000		
	£ 24,000	£ -	-24,000.00
	£218,192		
Contingency @ 10%	£ 21,819	£ -	-21,819.15
	£ 240,011		
<b>Client Costs</b>			
EDDC Internal disbursements costs Estimated	£ 12,000		
EDDC - Provision of internal resource Estimated	£ 30,000		
Outline Planning Application Fee	£ 8,585		
Legal Costs (Prev Budget £ 36,000.00) Considered minimal during Verification Period. Revised to	£ 10,000	£36,000	
Public Consultation / Engagement Costs	£ 7,000	£ 7,000	
	£ 67,585		
	£ 67,585		
Contingency @ 10%	£ 6,759		
	£ 74,344	£ 43,000	-£31,344
<b>Total estimated costs to Financial Viability Gateway</b>	<b>£ 314,384</b>	<b>£200,000</b>	<b>-£114,384</b>
Costs posted to date	£ 93,754		
Balance anticipated to be expended	£ 220,600		
<b>Note</b>	All costs identified above exclude VAT		
	Amount of Contingency as this Rep: £28,578		



# APPENDIX 2

## East Devon District Council

### Relocation Budget to Financial Viability Gateway Only

#### Assessment Review - 17 August 2012

#### COSTS POSTED TO 2 AUGUST 2012

Account Description		Costs to date
500	Employment Costs	£ 2,116
3015	Premises Costs	£ 57
2600	Transport Costs	£ 125
3010	Equipment & Plant Purchases	£ 319
3081	Catering Supplies Food	£ 143
3100	Furniture Purchase	£ 210
3250	Stationery	£ 145
3300	Non Property Contractors	£ 28,420
3460	Consultancy - Advice	£ 10,123
3464	Technical Support	£ 52,000
3991	IT Hardware Purchase	£ 96
	Total Supplies and Services	£ 91,456
	<b>TOTAL</b>	<b>£ 93,754 (EX VAT)</b>

