

GIFT FUNDING FOR PLANNING: ADDITIONAL PLANNING RESOURCE FOR THE RAF UXBRIDGE REDEVELOPMENT

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Planning, Transportation and Recycling
Officer Contact(s)	Matt Duigan – Residents Services
Papers with report	None.

1. HEADLINE INFORMATION

Purpose of report	<p>This report considers hiring of additional staff to assist with providing a discretionary service, specifically the use of dedicated planning staff to process the reserved matters and condition discharge applications associated with the first phase of the redevelopment of the former RAF Uxbridge site.</p> <p>VSM Estates (who own the site) have made significant progress towards obtaining approvals for the delivery of necessary infrastructure (such as new roads within the site and necessary improvements to various highway junctions) to enable the first phases of housing development to come forward.</p> <p>The applicant has now sold the right to develop the first phase of the development to Persimmon Homes. The first phase involves approximately 150 new dwellings. The developer (Persimmon Homes with VSM Estates) now need reserved matters and pre-commencement condition applications determined to implement the construction of the first phase. The processing of these applications will incur costs to the Council. The gift funding offer from Persimmon Homes will greatly assist the Council in meeting those costs.</p> <p>The funding will ensure additional resources are dedicated consistent with the importance of this project to the local community and the wider area. It is recommended that the gift be accepted.</p>
Contribution to our plans and strategies	The recommendations will assist the planning process to realise the objectives of the Sustainable Community Strategy.
Financial Cost	The offer of £20,000 gift funding from Persimmon Homes will cover the costs assessing and determining the reserved matters and associated pre-commencement conditions applications associated with the first phase of housing development at the sit. This will provide additional resources to the Council to enable it to carry out its statutory planning functions.

Relevant Policy Overview Committee	Residents and Environmental Services
Ward(s) affected	Uxbridge North and the surrounding wards.

2. RECOMMENDATION

That the Cabinet:

- A) Authorises officers to accept the offer of a gift from Persimmon Homes to be used to engage additional staff to provide the discretionary services to Persimmon Homes in accordance with the provisions of Section 93 of the Local Government Act 2003.**
- B) Approves the extension of the agency assignment for the masterplanner / designer delivering Planning Performance Agreement funded work for a further 14 weeks up to a cumulative value of £65k.**
- C) Endorses the retention of agency assignments for Planning Performance Agreement funded work not requiring full Cabinet approval that have been given approval by the Cabinet Member for Planning, Transportation and Recycling.**

Reasons for recommendation

The former RAF Uxbridge site is a large site that is available for re-development. VSM Estates have obtained planning permission for a residential led redevelopment, and have made significant progress towards obtaining approvals for the delivery of the necessary infrastructure (such as new roads within the site and necessary improvements to various highway junctions) to enable the first phases of housing development to come forward.

The applicant has now sold the right to develop the first phase of the development to Persimmon Homes. The first phase involves approximately 150 new dwellings. The developer (Persimmon Homes with VSM Estates) now need reserved matters and pre-commencement condition applications determined to implement the construction of the first phase.

Persimmon Homes has requested that the Council provide a dedicated staff member to deal with the reserved matters and pre-commencement condition applications, and has agreed to provide gift funding to cover the cost of the dedicated planning staff.

It is considered essential to have dedicated staff for this work, and additional resources are needed to support that discretionary service. It is therefore considered appropriate that the Council provide discretionary services to Persimmon Homes in exchange for gift funding which has been offered to cover the Council's reasonable and justifiable costs of carrying out such services.

Alternative options considered

- I. Refuse the gift from Persimmon Homes and not provide the discretionary services. This would not be in the best interests of the local communities or the council.

- II. Request changes to the proposed gift from Persimmon Homes. It is worth noting that Persimmon Homes are unlikely to increase their offer.
- III. Cabinet could decide not to extend the recommended agency assignments to deliver the Planning Performance Agreement – this is not recommended as there are not sufficient in-house resources to deliver the services funded through the proposed agreement.

Comments of Policy Overview Committee(s)

None at this stage.

3. INFORMATION

Supporting Information

The applicant has requested that the Council enter into a Planning Performance Agreement for the provision of planning staff to undertake the determination of the various applications and submissions which will enable the developer to build the first phase of housing on the site. To ensure sufficient staff are dedicated to the project the developer has offered to cover the cost of temporary Planning staff.

Whilst the acceptance of the funding cannot in any way influence the outcome of the reserved matters and pre-commencement conditions applications, it can provide an adequate staffing resource to enable the development proposals to be afforded a higher level of priority than may otherwise be possible, particularly given the complexity and importance of this project.

In this regard, a temporary dedicated Planning officer would enable the resolution of issues and help realise the expectations of the Council through the planning process, to inform any application at the earliest possible stage, and also to provide a central contact for the community and key stakeholders.

The offer of £20,000 gift funding from Persimmon Homes will cover the costs of assessing and determining reserved matters and pre-commencement conditions discharge applications for part of the first phase of the redevelopment of the former RAF Uxbridge site. This will provide additional resources to the Council to enable it to carry out its statutory planning functions.

Financial Implications

The offer of £20k of gift funding from Persimmon Homes will cover the costs of additional support needed to determine reserved matters and pre-commencement condition applications. This will provide resources to the Council to enable it to carry out the discretionary planning services outlined in the report and thus achieve a better quality of planning outcomes for residents and the local community.

The additional temporary planning staffing required to deliver the services under the proposed Planning Performance Agreement are being engaged on agency or consultancy assignments. This includes the services of a masterplanner / designer originally engaged with informal approval from the Cabinet Member for Planning, Transportation and Recycling in March 2012 up to a value of £47k, to support gift funded services for the former EMI vinyl factory development in Hayes, but is now available to provide planning support for other major

developments. The approval of the contract of employment for the Master Planner position is due to expire at the end of November 2012. It is therefore proposed to extend this assignment for a further 14 weeks, up to a cumulative value of £65, for which Cabinet approval is required under the Council's constitution.

In addition, the Cabinet Member for Planning, Transportation and Recycling has also previously given approval to agency assignments for a Highways Engineer (up to a value of £13k) and Junior Planner (up to a value of £10k), specifically to provide discretionary planning support to the major developments on the RAF Uxbridge site.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

Dedicated project officers would be proactive in engaging with various stakeholders, act as a central point of contact for enquiries and add value to the overall process. The project officers would facilitate the sharing of information, coordinating responses from Council to Persimmon Homes and other stakeholders and ensure a consistent approach to deliver the best outcomes for redevelopment of the site. Such an approach is consistent with the latest guidance from government, and is in the best interests of achieving the Councils objectives, as set out in the Sustainable Community Strategy.

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance concurs with the financial implications set out above, noting that the use of gift funding will enable the Council to expedite planning work on this major development and provide a central point of contact for stakeholders. The use of agency staff as recommended in this report will allow this additional investment to be made without impacting on-going revenue budgets.

Legal

Section 139 of the Local Government Act 1972 empowers the Council to accept gifts for the purpose of discharging any of their functions. This would include accepting a gift to enable the Council to discharge its planning functions. However, the nature of the transaction in this case is more akin to a payment for the provision of services and therefore Section 139 of the 1972 Act should not be relied upon.

The Council also has powers under Section 93 of the Local Government Act 2003 to charge a person for providing a service provided that the Council is not obliged to provide that service in any event. This report indicates that the service to be provided to the developer will be one that goes over and above what the Council would be statutorily required to provide in handling planning applications and giving application advice. The amount charged should not exceed the

cost of providing the service. Officers may wish to consider whether it would be prudent to enter into a Planning Performance Agreement prior to accepting the monies.

The Council's constitution states that Cabinet shall be responsible for fixing of fees and charges for Council services which would include the one-off bespoke services that are described in this report.

Corporate Property and Construction

There are no property implications resulting from the recommendations set out in this report.

Relevant Service Groups

No other service groups are directly impacted by the recommendation.

6. BACKGROUND PAPERS

NIL