

GIFT FUNDING: ADDITIONAL PLANNING RESOURCE FOR THE PROCESSING PLANNING APPLICATIONS

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 acceptance of gift funding to be used to hire additional temporary staff to assist with providing a discretionary service, specifically the use of dedicated planning staff to process the full planning application associated with the expansion of the Sainsbury's Supermarket in South Ruislip (J Sainsbury's PLC).</p> <p>The processing of this planning application will incur costs to the Council. The gift funding offer from the developers will greatly assist the Council in meeting those costs.</p> <p>The funding will ensure additional resources are dedicated consistent with the importance of the project to the local community and the wider area. It is recommended that the gift funding be accepted.</p>
Contribution to our plans and strategies	<p>The recommendations will assist the planning process to realise the objectives of the Sustainable Community Strategy.</p>
Financial Cost	<p>The offer of £18,000 gift funding from J Sainsbury's PLC will cover the costs assessing and determining the planning application associated with the redevelopment of the building at the site. This will provide additional resources to the Council to enable it to carry out its statutory planning functions.</p>
Relevant Policy Overview Committee	Residents' and Environmental Services
Ward(s) affected	South Ruislip and the surrounding wards.

2. RECOMMENDATION

That the Cabinet authorises officers to accept the offer of a gift from J Sainsbury's PLC to be used to engage additional temporary staff to provide the discretionary services to J Sainsbury's PLC in accordance with the provisions of Section 93 of the Local Government Act 2003.

Reasons for recommendation

Representatives from Sainsbury's Supermarket (J Sainsbury's PLC) advise that their supermarket store in South Ruislip is in need of refurbishment and that they also wish to expand the store to better cater for shopper needs. Planning permission is required for the work and the developer has requested that the Council provide a dedicated staff member to deal with the application, 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 J Sainsbury's PLC 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 Sainsbury's Supermarket and not provide the discretionary services. This would not be in the best interests of the local community or the Council.
- II. Request changes to the proposed gift funding from J Sainsbury's PLC. It is worth noting that J Sainsbury's PLC are unlikely to increase their offer.

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 developers to undertake expansion of the building at 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 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 the project.

In this regard, temporary dedicated Planning staff 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 £18,000 gift funding from J Sainsbury's PLC will cover the costs of assessing and determining the applications for expansion and refurbishment of buildings on the site. This will provide additional resources to the Council to enable it to carry out its statutory planning functions.

Financial Implications

The offer of £18,000 of gift funding from Sainsbury's will cover the costs of additional support needed to determine the respective planning 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 will be engaged on agency or consultancy assignments, over and above the approved establishment of the planning service, subject to the separate approval of the Leader of the Council.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

A dedicated project officer 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 officer would facilitate the sharing of information, coordinating responses from Council, the developer 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 Council's 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 to deliver these services 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. It is noted that a Planning Performance Agreement will be in place prior to accepting the monies.

The Council's constitution states that Cabinet shall be responsible for agreeing any gift funding or 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