

Report to Cabinet

7 October 2021

By the Cabinet Member for Finance & Assets

DECISION REQUIRED



Not Exempt

Budget for Consultancy Support for the Gatwick Development Consent Order

Executive Summary

The Consultation by Gatwick Airport Limited on the Gatwick Development Consent Order to bring the standby runway into routine use began on 9 September and finishes on 1 December. To obtain the optimal outcomes for the Council's residents and business our in-house Strategic Planning service will lack the relevant skills and knowledge in some specialist areas. The report recommends setting up a reserve to cover the cost of using consultants to give the Council the information it needs to respond fully to the Consultation and make sure the Secretary of State is aware of the impact on our residents and any necessary mitigations, should he be minded to approve the Development Consent Order. The report recommends a delegation to the Director of Place, in consultation with the Cabinet Member for Planning and Development to allocate the funds as the work needed becomes clearer.

Recommendations

Cabinet is recommended to ask Council to:

- i) set up an earmarked reserve of £100,000 for use on consultants for the Council's response to the Development Consent Order;
- ii) delegate to the Director of Place in consultation with the Cabinet Member for Planning and Development the uses of this budget/reserve.

Reasons for Recommendations

- i) A budget is needed to ensure the Council gains the advice it needs to ensure optimal outcomes for the Development Consent Order.
- ii) The delegation is needed because we do not yet know the full detail of the work involved and the Consultation process has a tight set legislative timeframe to work within

Background Papers

None

Wards affected: all

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Background Information

1. Introduction and Background

- 1.1. Gatwick Airport Limited has started the process of preparing an application for a Development Consent Order, a type of planning consent that is granted by the Secretary of State, to be able to use the existing emergency runway for routine use. As part of the process in September 2019 Gatwick Airport Limited submitted a Scoping Report to the Planning Inspectorate, asking for a Scoping Opinion on the environmental impacts it needed to consider as part of the process of gaining development consent.
- 1.2. In March 2020 Gatwick Airport Limited paused the process due to the COVID-19 lockdowns. In August 2021 the company restarted the process. A twelve week consultation process has begun and runs from 9 September to 1 December 2021.
- 1.3. It is important for our residents and businesses that Horsham District Council makes a full and effective reply to this consultation. The Strategic Planning team, supported by other officers across the Council, will be able to carry out much of this work. However some of the work will include technical specialisms not held in the team or elsewhere in the organisation. This report asks Cabinet to request that full Council set up a reserve of £100,000 to be spent on considering and replying to the consultation and ensure the Council gains an optimal position from the proposed changes at the airport.

2. Relevant Council policy

- 2.1. The first aim of the Council's Corporate Plan is to make our District a great place to live. An increase in flights, the growth of Gatwick airport and the impacts this will have on our environment and infrastructure are critical to the District, especially the northern part, remaining a great place to live.

3. Details

- 3.1. At present the full details of spend needed to support Horsham District's position with regards to the Development Consent Order are unclear. However, to ensure we can move at speed on these matters this report recommends Cabinet ask Council to set up a reserve of £100,000 to be drawn down to carry out the work. The report suggests the Director of Place, in consultation with the Cabinet Lead for Planning and Development, allocates this reserve to the relevant needs as they emerge. At the end of the process any residual money will return to the General Fund.

4. Next Steps

- 4.1. Cabinet Lead for Planning & Development, supported by the officers in Strategic Planning, will draw up the details of the work needed as matters become clearer. Where workloads need specialist knowledge, or cannot be resourced within Strategic Planning alongside the existing Local Plan work or other teams in the Council, then bids will be made to the Director to allocate money from the reserve.

5. Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1. The Policy Development Advisory Group has not been consulted on setting up this budget because the need to do so came close to the date of this meeting, hence

this report coming as an urgent item. The Cabinet Lead has, and will continue to, brief her Policy Development Advisory Group on the progress of the Development Consent Order consultation.

- 5.2. The Monitoring Officer is aware of this report and was consulted on moving it forward as an urgent item as well as checking the report. The Director of Corporate Resources advised on the simplest way to set up the budget needed.

6. Other Courses of Action Considered but Rejected

- 6.1. The Council could ignore the consultation and not take part. This was rejected because it would not secure the best outcomes for the residents and businesses of Horsham District.
- 6.2. Given the Council's existing projected underspend it would have been possible for the Director of Place to overspend on these projects or for the Director of Corporate Resources to vire budget from elsewhere to fund them. These approaches were rejected because they are not transparent.

7. Resource Consequences

- 7.1. This proposal moves £100,000 of General Fund reserve to a reserve specifically allocated to securing Horsham District's best outcomes from the Development Consent Order. This means this money will not be available for other projects in the future. Loss of interest on £100,000 these days is around £500 a year at a 0.5% cash investment rate. The sum is too small to need a withdrawal of funds from any of the Council's higher yielding longer term funds.

8. Legal Considerations and Implications

- 8.1. The establishment of new budgets is reserved to Council under the Council's Constitution. This report requests a referral of the matter to Council to set up such a budget. This urgent item has been dealt with in accordance with 4d.4 of the Council's Constitution.

9. Risk Assessment

- 9.1. Little is known about the work involved or the full cost of this work at present. If the budget is too small another report to Council will request more. If the budget of £100,000 is too large, the more likely scenario, the residual money at the end of all consultations will return to the Council's General Fund.

10. Procurement implications

- 10.1. Setting up the budget will have no procurement implications. Using the budget will need the procurement of specialist consultants. This activity will take place under the guidance of the Council's Procurement Service and in line with public procurement law. If there are too few specialists in these fields to meet the requirements of the Council's Procurement Code officers will seek a procurement exemption. Because the Director of Corporate Resources can approve exemptions below £100,000 it is unlikely any exemptions will need Cabinet Lead or Cabinet approval.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1. There are no equality implications associated with setting up this reserve. However, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality in relation to Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and Maternity, Religion or Belief. The Council also has a duty to foster good relations, and to consider the impact of its decisions on human rights. Changes to our area associated with an enlargement of Gatwick airport's operations could, depending on what they are, disproportionately affect one group or another. Officers will monitor the work undertaken and ensure equalities are taken into account on a case by case basis.

12. Environmental Implications

- 12.1. Setting up this reserve will allow the Council to give an informed view to Gatwick Airport of the environmental implications of their proposal and therefore help to secure the best possible mitigations for Horsham District should the scheme be granted permission.

13. Other Considerations

- 13.1. Changes to Gatwick Airport are highly emotive for our residents and could potentially cause some small scale social unrest. The Council setting up this budget should allow actions that will support our residents and mitigate the risk of social unrest.