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Portfolio Holder Decisions

Resources – Environmental Assessment of the Wyre Local Plan Partial Review - Resources

1. Environmental Assessment of the Wyre Local Plan Partial Review - Appointment of Consultants (Pages 3 - 6)

Report of the Corporate Director Communities.

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Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Marianne Hesketh, Corporate Director Communities	Councillor Alan Vincent, Resources Portfolio holder	16 July 2020

Environmental Assessment of the Wyre Local Plan Partial Review - Appointment of Consultants

1. Purpose of report

1.1 To seek approval for the appointment of consultants to undertake the environmental assessment of the Wyre Local Plan Partial Review (LPPR).

2. Outcomes

2.1 To undertake a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) of the Wyre LPPR to ensure that sustainable development is incorporated into the plan-making process.

2.2 To undertake a Habitat Regulation Assessment (HRA) of the Wyre LPPR to ensure that the plan-making process would not generate an adverse impact upon designated environmental sites (Natura 2000 sites).

3. Recommendation

3.1 That the Resources Portfolio Holder authorises the Corporate Director Communities to appoint a consultant complying with Financial Regulations and Financial Procedures rules to undertake an environmental assessment of the Wyre LPPR.

4. Background

4.1 The Wyre Local Plan 2011-2031 (WLP) was adopted in February 2019 and contained within it Policy LPR1. LPR1 requires an early partial review of the WLP to be undertaken and work on the Partial Review has now commenced.

4.2 It is a legal requirement that a Local Plan is subject to SA as set out in the Town and Country Planning Regulations 2012. Guidance also stipulates that the SA must also comply with the requirements of the SEA Regulations, which transpose the SEA directive into UK Law.

4.3 It is a legal requirement that the Local Plan is subject to HRA as set out in the Habitat Directive which is transposed into UK Law.

4.4 The environmental assessment completed for the WLP was prepared by Arcadis following a competitive procurement process undertaken at the time. The output from the assessment process included a SA/SEA and HRA reports that accompany the WLP as support evidence and remain relevant.

5. Key issues and proposals

5.1 The scope of the Partial Review seeks to only amend certain aspects of the WLP in accordance with Policy LPR1. It is intended that the environmental assessment reports to now be prepared would be read and understood in conjunction with the previous reports prepared for the WLP.

5.2 To undertake the environmental assessment required, the total estimated value of the contract is over £10,000 and up to £100,000. In accordance with Financial Regulations, three written quotations should normally be obtained.

5.3 In accordance with the exemptions to the contract procedures, the services required are of a specialised nature and can only be carried out by Arcadis. This is because the consultants will have to appraise previous work they have undertaken to ensure consistency in the planning process. This will also result in time and cost savings compared to restarting the whole assessment process with a new consultant.

5.4 A fee proposal from Arcadis has been obtained and the commission will cost £15,000. As the preparation of the LPPR progresses, additional fees for expanded environmental assessment work could be required if further necessary modifications to the WLP arise beyond the envisaged LPPR scope. For example, modifications to the LPPR may be required by the Planning Inspector during the examination process and a further iteration of the environmental assessments may be required to assess the modifications. This could incur additional fee.

6. Delegated functions

6.1 The matters referred to in this report are considered under the following executive function delegated to the Resources Portfolio Holder (as set out in Part 3 of the council's constitution): "to consider departures from rules relating to financial and contractual matters if appropriate".

Financial and legal implications	
Finance	The commission will be funded from the existing allocated Local Plan budget for consultants.
Legal	The council will enter into a contract with Arcadis to comply with the Council's Financial Procedure Rules and Contract Procedures

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
none		

List of appendices

None

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