

## APPENDIX M

### WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 4 OCTOBER 2011

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**Title:**

**DUNSFOLD PARK APPEAL: REQUEST FOR SUPPLEMENTARY ESTIMATE**

**[Portfolio Holder: Cllr Adam Taylor Smith]**

**[Wards Affected: Chiddingfold & Dunsfold; All Cranleigh Wards;  
Bramley Busbridge & Hascombe;  
Witley & Hambledon]**

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**Summary and purpose:**

To request a supplementary estimate to ensure that the Council can effectively defend the decision of the Council at a Public Inquiry relating to land at Dunsfold Park.

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**How this report relates to the Council's Corporate Priorities:**

The Council's priority is to protect and enhance Waverley's unique mix of rural and urban communities.

**Equality and Diversity Implications:**

There are no equality and diversity implications.

**Climate Change Implications**

There are no climate change implications arising from this report.

**Resource/Value for Money implications:**

The costs of the appeal are outlined in the report and are estimated at approximately £65,000. There is no budget provision for the expenditure. The Council would have to approve a supplementary estimate and finance these costs from the General Fund balance.

**Legal Implications:**

There are no legal implications arising from this report.

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**Introduction/Background**

1. In April 2011, the Council received an application for a certificate of lawful use or development relating to Dunsfold Park (WA/2011/0520).

2. On 6 July 2011 the application was refused. A copy of the decision is set out at Annexe 1.
3. An appeal has been lodged against the Council's refusal. The appeal will be determined by way of Public Inquiry on a date to be agreed.

### **Considerations**

4. Whilst the Planning Service budget includes sums for both consultants and legal expenses, it would not cover the cost of an Inquiry of this size. It is therefore necessary to seek additional funding to support the inquiry.
5. Members would wish to be assured that the Council's position is robustly defended with appropriate advocacy and planning expertise.
6. The potential costs of leading counsel for a ten day inquiry have been estimated at £50,000. The likely costs of external planning witness with appropriate expertise in the specialised area of lawful development certificates and airport planning is likely to be around £15,000.

### **Recommendation**

It is recommended to the Council that a supplementary estimate of £65,000 be approved to meet the costs of the professional and other costs with a further £10,000 being approved but only spent subject to the agreement of the Chief Executive and Portfolio Holders for Finance and Planning.

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### **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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