

WAVERLEY BOROUGH COUNCIL

EXECUTIVE

30 MARCH 2021

Title:

Request for supplementary estimate for Rule 6 representation at planning appeal lodged by UKOG (234) Ltd in respect of drilling for hydrocarbon minerals and associated infrastructure

Portfolio Holder: Cllr Nick Palmer, Portfolio Holder for Operational and Enforcement Services

Head of Service: Zac Ellwood, Head of Planning and Economic Development

Key decision: Yes – significant in terms of its effect on two or more Wards

Access: Public

1. Purpose and summary

- 1.1 The purpose of this report is to seek approval for a supplementary estimate to cover the fees of an external consultant to represent the Council and local residents as a Rule 6 party in an appeal by UKOG against Surrey County Council's decision to refuse planning permission for the drilling for hydrocarbon minerals and associated infrastructure in Dunsfold. This report sets out that the Council does not have sufficient budget to meet these fees.

2. Recommendation

- 2.1 It is recommended that the Executive approve a supplementary estimate for £30,000 to meet the fees of the external consultants, to be met from the revenue reserve fund.

3. Reason for the recommendation

- 3.1 Whilst the Planning Service budget includes sums for contractors, it does not have sufficient funds to meet the abovementioned fees as well as support Development Management in respect of its business as usual duties. It is therefore necessary to seek a supplementary estimate to pay the above amount.

4. Relationship to the Corporate Strategy and Service Plan

- 4.1 The Corporate Strategy sets out the Council's strategic priorities. These priorities include taking action on climate emergency and protecting the environment and, by involving itself in this appeal, the Council is seeking to uphold this as a priority. The Service Plan refers to the preparation and adoption of a Climate Change/Carbon Reduction Supplementary Planning Document and the Council's involvement in this appeal accords with the anticipated content of this SPD and the Council's direction of travel in this respect.

5. Implications of decision

5.1 Resource (Finance, procurement, staffing, IT)

The financial implications are set out in the report.

5.2 Risk management

No issues identified

5.3 Legal

The legal implications are set out in the report.

5.4 Equality, diversity and inclusion

There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

5.5 Climate emergency declaration

This is directly relevant to the Council's climate emergency declaration in that the Council is categorically opposed to exploration works for carbon fuels at a time when it, along with the Government, is actively seeking to reduce carbon emissions with the ultimate aim of achieving carbon neutrality.

6. Consultation and engagement

6.1 There are no comments from committees or other consultees.

7. Other options considered

7.1 The officers have not identified any other options for dealing with this matter.

8. Governance journey

8.1 This decision will be made by the Executive.

Background Papers

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

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Agreed and signed off by:

Legal Services: date

Head of Finance: date

Strategic Director: date

Portfolio Holder: date

Your name / team Beth Howland-Smith/Planning	Date of request 10 March 2021
Why has the need for additional funds which cannot be met from existing budgets arisen? <p>Officers, in consultation with the Executive, consider that Waverley should be represented at the appeal hearing. There is insufficient uncommitted funds left in the planning appeals budget to meet these costs.</p>	
How much money is being requested and what will it be spent on? <p>Up to £30,000. Will be spent on specialist consultants including landscape services</p>	
When will the money be spent by? <p>April 2021 in the preparation for the planning appeal</p>	
Value for Money Assessment	
What other options have been considered (including doing nothing)? <p>Doing nothing has been considered but the Executive considers that this is not an appropriate position for Waverley to take given the environmental impact of the proposed application and the climate change declaration. Officers have assessed that the £30,000 will enable sufficient strength of representation, balancing this against the needs to ensure value for money for Waverley's residents.</p>	
What are the expected benefits will the planned expenditure bring? <p>The external consultants will strengthen Waverley's representation at the appeal with the objective being to uphold the refusal of the application which will support the Council's Climate Change emergency declaration.</p>	
What are the risks, if any, of agreeing or refusing the supplementary estimate? <p>The main risk is that costs are incurred but the Council does not achieve a successful outcome.</p>	