

ASHFIELD DISTRICT COUNCIL: OFFICER DECISION RECORD

1. Title / Subject Matter: Procurement for the undertaking of a Whole Plan Viability Assessment, as part of the emerging Ashfield Local Plan.

2. Decision Reference No: FP/12/2022

3. Decision Taken: To go out to procurement for an external consultant to undertake a Whole Plan Viability Assessment, as part of the evidence base for the emerging Ashfield Local Plan.

4. Reasons for the Decision:

Ashfield District Council is preparing a new Local Plan, to shape development across the District between 2020 and 2038.

The National Planning Policy Framework (NPPF) requires local plans to set out the contributions expected from development and that policies that set out the levels and types of contributions sought should not undermine the delivery of the plan. In this context, it is considered necessary for the Council to appointed specialist consultants to prepare a 'whole plan' viability assessment of the Local Plan.

The whole plan viability assessment will provide evidence and recommendations in relation to a development viability assessment of the Ashfield Local Plan. This includes:

- An assessment of the viability implications of the emerging plan policies to ensure that the sites in the Plan are not subject to a scale of obligations and policy requirements that results in them being undeliverable.
- The deliverability of the proposed Local Plan site allocations.
- Reviewing the level of section 106 costs and the level of affordable housing that would allow the funding of infrastructure without putting at risk the economic viability of development in the District.

The assessment will be undertaken in line with the requirements and provisions of the National Planning Policy Framework, 2021, Planning Practice Guidance

Viability and good practice guidance such as the Royal Institution of Chartered Surveyors.

5. Alternative Options Considered / Rejected:

Whole plan viability assessment is a requirement of national planning policy and guidance and will form part of the Planning Inspector's assessment of the soundness of the Plan submitted for Examination. Consequently, it is considered there is no option but to undertake this assessment.

5. Implications

Legal - The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) Act 1997, s1).

The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK legislation, every contract entered into on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations. [HC 08/09/2022].

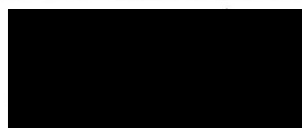
Finance - Costs to be funded from the additional one-off revenue budget allocated for the Local Plan in 2022/23. [PH 02/09/2022].

Human Resources - Any appointment for a consultant there will be a requirement to ensure that the Authority is IR35 compliant, this will be determined by utilising the HMRC tool.

Environment / Sustainability – The Assessment is part of the evidence base to establish strategic policies in the Local Plan in relation to the pattern, scale and type of development. Consequently, it contributes towards achieving the requirement for sustainable development set out in Section 39 of the Planning and Compulsory Purchase Act 2004 and the National Planning Policy Framework 2021.

Name / Title of the officer taking the Decision:

Christine Sarris, Assistant Director of Planning and Regulatory Services



Date: 16th September 2022

Name / Title of the relevant Lead Cabinet Member consulted (if appropriate)

N/A

(This decision is not subject to call-in and is circulated for information only). **If a Cabinet Member has a conflict of interest relating to this decision, then this should be declared and a request for dispensation will be considered.**

Date:

Name / Title of the relevant Committee Chairman consulted (if appropriate)

N/A

(for non Executive/Council side function decisions)

Date: