

<b>REPORT TO:</b>	<b>Planning Policy Committee - 28 January 2025</b>
<b>SUBJECT:</b>	<b>Arun Local Plan Update (2023 – 2041) – Appointment of Lead Consultant following an Open Tender process</b>
<b>LEAD OFFICER:</b>	<b>Zac Ellwood (Interim Head of Planning Policy)</b>
<b>LEAD MEMBER:</b>	Councillor Gill Yeates (Chair of Planning Policy Committee)
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b>	
<p>The recommendations supports:-</p> <ul style="list-style-type: none"> <li>• Improve the Wellbeing of Arun;</li> <li>• Delivering the right homes in the right places;</li> <li>• Supporting our environment to support us;</li> <li>• Fulfilling Arun’s economic potential.</li> </ul>	
<b>DIRECTORATE POLICY CONTEXT:</b>	
<p>The proposals in an update Arun Local Plan will help to promote joined up working with agencies and partners championing active healthy lifestyles through leisure, arts and culture, while meeting housing and other needs and enhancing the quality of the heritage, natural and built environments, addressing climate change and promoting economic growth, in a sustainable manner.</p>	
<b>FINANCIAL SUMMARY:</b>	
<p>There are financial implications arising from the Local Plan Update program, which will be managed from within the existing departmental revenue budget, as addressed in the council’s Annual budget and Medium Term Financial Forecast.</p>	

## **1. PURPOSE OF REPORT**

- 1.1 This report updates the Committee on the outcome of the competitive tender process to appoint a consultancy to lead on the preparation of a new Local Plan covering the period 2023 to 2041, with support from ADC’s Planning Policy and Conservation Team. This approach is as outlined in a report endorsed at the Planning Policy Committee meeting held on 8 June 2023 and subsequently ratified by Full Council on 19 July 2023.
- 1.2 As the value of the contract is significant, approval from the Planning Policy Committee is required under the Council’s Constitution.
- 1.3 The report seeks formal approval to award the Statement of Works contract to the successful bidder following the tender process.
- 1.4 The contract will cover a period of 3 years (with scope for an extension of 6 months, should this prove necessary), and will take the Local Plan Update all the way through to Examination and subsequent formal adoption as part of the statutory development plan for the district.

## 2. RECOMMENDATIONS

- 2.1 That the Planning Policy Committee resolves to:-
- i. Formally agree the appointment of **[company name to be confirmed via an Update Sheet following the end of the statutory standstill period]** to lead on the preparation of the Local Plan Update (2023 to 2041) in accordance with the provisions of the draft Statement of Works Contract and in collaboration with the council's Planning Policy & Conservation Team.

## 3. EXECUTIVE SUMMARY

- 3.1 The current Arun Local Plan (2011 to 2031) was formally adopted in July 2018. At a meeting held in June 2023, the Planning Policy Committee agreed to re-start the Local Plan update process, which had initially commenced in January 2020 but was paused in Autumn 2021 and the pause confirmed again in Summer 2022. The decision of the PPC was ratified by Full Council in July 2023.
- 3.2 The 2023 report noted that due to capacity constraints within the Planning Policy Team, it was proposed to outsource the majority of the Local Plan work to ensure the new Local Plan timetable could be delivered. It was agreed the work would be packaged up under a purchaser provider model with external consultants working alongside council officers. The Policy & Conservation Team would continue to focus on existing working commitments (including supporting Neighbourhood Planning) as well as providing a management interface with a consultancy through what was referred to as a 'Statement of Work Contract' (SWC). It should be noted that the commissioning further external support, outside of the SWC will still be necessary in terms of creating the evidence base for the new Local Plan – for example in terms of an updated Strategic Flood Risk Assessment and the new Arun Transport Study/modelling – procurement of which are being progressed separately.
- 3.3 On 19 July 2023, the Council endorsed (amongst other related actions) the following (please note that the numbering below replicates the numbering in the PPC/Full Council reports):
- i. That the Council recommence the preparation of a Local Plan Update;
  - ii. Agrees the Vision and Objectives (Appendix 1 and 2) in principle, subject to stakeholder engagement and public consultation as part of a 'Direction of Travel' document...
  - iii. The Schedule of internal (Schedule A) and external (Schedule B) commissioned Projects (Appendix 3) be progressed to prepare the Local Plan update;
  - v. That the Statement of Works Contract be approved as a departure from Standing Orders;

- vi. Agree that the plan period for the update be 2023 to 2041 but subject to updated land supply data, the start date (and potentially end date) may be rolled forward as necessary.
- 3.4 The Direction of Travel document for the Local Plan Update was subsequently drafted and was the subject of public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 between 5 March and 13 May 2024. The outcomes of this consultation were reported to the Planning Policy Committee on 26 September and will be used to help inform the emerging Local Plan.
- 3.5 The Invitation to Tender was formally published in November 2024 and the tender process has now been completed. Subject to approval by the Planning Policy Committee, we will be able to move forward with appointing a lead consultancy, who we anticipate commencing work against the contract in February 2025.

#### 4. DETAIL

- 4.1 Following a significant period of engagement with the council's retained procurement specialists, Hampshire Strategic Procurement Service (affiliated with Hampshire County Council) - including the preparation of a detailed Procurement Strategy that considered various 'route to market' options (e.g. use of Frameworks, two-stage, selective tendering, etc.) - it was decided to proceed on an 'Open Tender' basis for the Local Plan Update procurement. This provides the most competition among suppliers and encourages new or emerging vendors to bid and obtain work.
- 4.2 The Invitation to Tender for this contract went 'live' on 12 November 2024.
- 4.3 The bidding process ended on 12 December 2024 and the various bids that met the stated qualifications were appraised against pre-determined scoring criteria during the following week. The tenders were assessed and evaluated on the basis of a 60:40 'Quality to Cost' ratio, to seek to ensure Value for Money to the council. This is a relatively standard scoring approach within the industry.
- 4.4 Following the intensive tender evaluation process, the highest scoring submission was received from **[company name to be confirmed via an Update Sheet following the end of the statutory standstill period]**, who have been identified as the preferred supplier. The chosen consultancy has demonstrated extensive experience and capacity in delivering similar work for other local authorities and their bid falls within the maximum budget identified for this contract, which will be implemented over a period of three years.

4.5 The intention to award the contract notice has been published and has been the subject of a suitable 'standstill period' of at least eight working days beginning with the day on which the contract award notice was published. The standstill period is the period between the contracting authority announcing its intention to enter into a contract (by publishing the contract award notice) and actually entering into that contract; the contracting authority cannot enter into the contract during the standstill period. The standstill period provides an opportunity for suppliers to raise any concerns about, or formally challenge, the award decision before the contract is entered into.

4.6 No challenges were received during the standstill period, which ran until 17 January 2025. The council can now, lawfully, enter into a contract with the preferred supplier.

## **5. NEXT STEPS**

5.1 Subject to approval by the Planning Policy Committee, the contract details will be finessed and signed with the preferred bidder, thereby enabling an inception meeting to take place in February and for work on the Local Plan Update to begin in earnest.

## **6. CONSULTATION**

6.1 None in relation to the proposed appointment.

## **7. OPTIONS/ALTERNATIVES CONSIDERED**

7.1 The requirement for external consultancy support to take the Local Plan Update through to adoption has already been agreed in principle at both the Planning Policy Committee and Full Council meetings.

7.2 Other options/alternatives considered include:

- Seeking to undertake Local Plan preparation in-house only within existing establishment resources – This has been discounted because of capacity issues and because it would lead to further delays in progressing the new Plan. It would also necessitate the buying-in of expert advice on a significant number of topic areas, due to the absence of certain specialisms within the Planning Policy & Conservation Team. The appointment of a lead consultant is likely to be more cost effective in this regard.

- Not to progress a new Local Plan at this time – This has been discounted on the basis that the 2018 Arun Local Plan is over five years old and, in the absence of being able to demonstrate a deliverable 5year supply of housing sites and recent poor performance against the Housing Delivery Test, the policies most important for determining planning applications are considered out-of-date and this leaves the council exposed to speculative developments on non-allocated land. Not producing a new Local Plan would also deny the Council the opportunity to seek to strengthen existing planning policies around key matters, such as climate change, sustainable design, biodiversity and affordable housing. Finally, national policy requires that Local Plans are kept up to date and should be reviewed and updated within 5 years. We are already beyond this period.

## **8. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER**

- 8.1 There are financial implications arising from the Local Plan Update programme, which will be managed from within the existing departmental revenue budget through the budget setting process.

## **9. RISK ASSESSMENT CONSIDERATIONS**

- 9.1 Implementing the recommendation will help to minimise the risk that the council will fail to meet national policies and regulations for plan-making.

## **10. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER**

- 10.1 There are no governance or legal implications arising for the recommendation in this report.

## **11. HUMAN RESOURCES IMPACT**

- 11.1 There are no human resource implications arising from this report.

## **12. HEALTH & SAFETY IMPACT**

- 12.1 There are no direct health and safety impacts arising from this report.

## **13. PROPERTY & ESTATES IMPACT**

- 13.1 There are no direct implications for council property.

## **14. EQUALITIES IMPACT ASSESSMENT (EIA)/SOCIAL VALUE**

- 14.1 The proposed appointment has no direct implications in this regard.

**15. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE**

15.1 The proposed appointment has no direct implications in climate change or environmental terms. However, climate change has been identified in the tender pack as a key issue that will need to run through the new Local Plan; so the appointed consultant will be aware of the importance of this topic when taking work forward.

**16. CRIME AND DISORDER REDUCTION IMPACT**

16.1 There are no direct adverse implications for crime and disorder.

**17. HUMAN RIGHTS IMPACT**

17.1 There are no direct adverse implications for human rights.

**18. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS**

18.1 There are no implications for FOI or Data Protection. The appointed consultancy will be bound by GPDR as a data processor.

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**CONTACT OFFICER:**

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**BACKGROUND DOCUMENTS:**

None.