

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Town Centres, Economic Growth and Prosperity
2.	Date:	28 November 2011
3.	Title:	Sustainability Appraisal of Core Strategy Publication Version
4.	Directorate:	Environment and Development Services

5. Summary

This report seeks an exemption from Standing Order 47.6.2 to allow orders to be placed with Jacobs Engineering Consultants to prepare the Sustainability Appraisal of the Core Strategy Publication Version 2012.

6. Recommendations

That Cabinet Member approves the exempting of the proposed appointment of Jacobs Engineering Consultants to undertake the Sustainability Appraisal of the Core Strategy Publication Version from Standing Order 47.6.2 (requirement to invite at least two oral or written quotations for contracts with an estimated value of £5,000 but less than £20,000).

7. Proposals and Details

At each stage in the preparation of the Local Development Framework the Council is required by national and European Law (EU SEA Directive 2001/42/EC) to undertake Sustainability Appraisal of the proposals.

Jacobs Consultancy were appointed by the Council in January 2011 to undertake the Integrated Impact Assessment of the Draft Core Strategy, following a competitive tendering procedure using the Homes and Communities Agency Panel. Further Sustainability Appraisal is now required to accompany the Core Strategy Publication Version. Attached at Appendix 1 is the Brief that will guide the contract to deliver this work.

Until recently we have not been in a position to appoint consultants to undertake further Sustainability Appraisal of the Core Strategy. The Council undertook significant consultation on the Draft Core Strategy and Sites and Policies documents until September this year and until this was completed and work to analyse the responses begun we were not in a position to know the extent of any further sustainability work which would be required for our Core Strategy Publication Version. The scope of further work also required clarification from a legal standpoint; a legal conference which addressed this took place on 20th October.

The Sustainability Appraisal is required to be completed and consulted upon at the same time as the Core Strategy Publication Version; this will require the consultants to be appointed immediately to ensure completion of the appraisal to coincide with publication of the Core Strategy in February / March 2012. Attached at Appendix 2 is the Revised LDF Timetable presented to Members of the LDF Steering Group on 2nd November 2011.

Given the extensive Integrated Impact Assessment completed by Jacobs in May 2011, there will be significant economies of scale for the same consultancy to undertake this work particularly given the extremely tight timeframe for completion of the Sustainability Appraisal. They therefore have detailed knowledge of the earlier work undertaken (both our consultation documents and the Sustainability Appraisal work carried out by themselves) and direct access to relevant information within their own records.

Due to the technical nature of this work other consultancies undertaking the work would incur additional time and costs derived from reading and taking forward previous sustainability work undertaken by others and reading and understanding our Draft Core Strategy.

8. Finance

The total cost of services required from Jacobs Consultancy is currently being negotiated but is dependent on the amount of work required to be undertaken to Sustainably Appraise the Core Strategy Publication Version to comply with the Test of Soundness used to assess a Local Development Framework by the independent planning inspectorate. Initial discussions indicate that the cost of the study will be

between £5,000 and £10,000. These costs will be met from Forward Planning's budget.

9. Risks and Uncertainties

Completion of the Sustainability Appraisal is dependent upon the Forward Planning Team analysing all representations received during the consultation into the Core Strategy and Sites and Policies Development Plan Document from July – September 2011, the preparation of a schedule of changes and the subsequent re-drafting of the Core Strategy for publication purposes. The results from the Infrastructure Delivery Study will not be available until early 2012 and any changes to the Core Strategy arising from this study will need to feed into the publication version of the Core Strategy. The Forward Planning Team are required to complete a Green Belt Review and we are asking the consultants to advise on the methodology and review the outcomes of this work to ensure it is fit for purpose. This is a significant piece of work and could take some time to complete.

Seeking tenders for this work would significantly delay the commencement of this Sustainability Appraisal and potentially impact on the timing and subsequent publication and submission of the Core Strategy. The Localism Bill will bring in a "presumption in favour of sustainable development" if an adopted development plan is not in place by the end of 2012. This could lead to the Council having to grant planning permission for major (Greenfield) development contrary to our priorities, aspirations or locational preferences.

10. Policy and Performance Agenda Implications

The appointment of consultants with previous detailed knowledge of the project will enable the Council to adhere to its timetable for publication of the Core Strategy in February / March 2012.

11. Background Papers and Consultation

Consultation on this report has been undertaken with the Council's legal and financial programme areas. The Senior Manager, Legal and Electoral Services, supports the recommendation for the reasons outlined in the report and, as the contract with Jacobs was originally let in January 2011, Jacobs' prices are likely to be still competitive.

Appendix 1: Consultants brief

Appendix 2: Revised LDF Timetable

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Appendix 1; Consultants Brief

Rotherham Local Development Framework Sustainability Appraisal of the Core Strategy Publication Version

3 November 2011

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Introduction

Rotherham Metropolitan Borough Council is seeking assistance for the ongoing Sustainability Appraisal of its Local Development Framework based upon a previously developed local methodology.

Background

Rotherham Borough Council is preparing its Local Development Framework (LDF) which will eventually replace the Borough's Unitary Development Plan which was adopted in June 1999.

Sustainable Development is the core principle underpinning planning and the Planning and Compulsory Purchase Act 2004 requires LDF preparation to be informed by Sustainability Appraisal (incorporating the requirements of the EU SEA Directive 2001/42/EC). Government Guidance on Sustainability Appraisal of Local Development Frameworks is included in the CLG Plan Making Manual (September 2009).

The Local Development Framework's existing Sustainability Appraisal methodology was developed by ARUP and subsequently by WSP Environmental Ltd, further refinements and an update of the Scoping Report were prepared by Jacobs in their preparation of the Integrated Impact Assessment of the Draft Core Strategy July 2011. These earlier Sustainability Appraisals and reports can be viewed at www.rotherham.gov.uk/forwardplanning. The methodology has been used to inform preparation of the Core Strategy from inception.

The Draft Core Strategy was published for consultation in July until September 2011. For more detail please see www.rotherham.gov.uk/forwardplanning.

The Draft Core Strategy proposed a Borough growth strategy and settlement hierarchy. Broad locations for growth were identified and the Council made clear its intention to undertake a Green Belt Review to meet its own locally determined targets for housing and employment purposes. The Draft Core Strategy also consulted on a full suite of strategic policies to guide future spatial decision-making throughout the Borough and to guide discussions in the wider Sheffield City Region.

The Sustainability Appraisal of the Draft Core Strategy included an assessment of the alternative broad locations for growth and major settlement expansion sites.

It is intended that the Core Strategy Publication Version will be consulted upon early in 2012 date to be determined following further project management of the LDF preparation process. It is anticipated that the Core Strategy will be submitted to the Government in mid 2012.

Preparation of the Preferred Options Sites and Policies Development Plan Document (DPD) is underway. It is intended to undertake consultation on this DPD mid 2012, although consideration will need to be given to the harmonisation in the preparation of the Core Strategy with the Sites and Policies DPD and the availability of resources. A Borough-wide sites survey in 2008, the nearly completed Strategic Housing Land Availability Assessment (SHLAA) and the Employment Land Review (ELR) identified a number of potential allocations. These potential allocations support the Core Strategy and will be subject to a Green Belt Review to ensure a methodical approach to the selection and allocation for future development of those sites that will have the least impact on the Green Belt, is prepared.

Purpose of Commission

The Borough Council wishes to appoint Jacobs consultants to undertake sustainability appraisal of the Publication Version of the Core Strategy.

At the same time we require the Habitats Regulation Assessment, Equalities Impact Assessment and Health Impact Assessment to be reviewed and updated if necessary.

The use of Jacobs consultants, with your expertise and experience achieved in undertaking the Integrated Impact Assessment of the Draft Core Strategy is considered a valuable opportunity to add benefit to the development and implementation of the process. The role of consultants operating at arm's length on an objective and independent basis is considered particularly valuable.

The commission will ensure the continued development of a Rotherham-specific Sustainability Appraisal to demonstrate that the LDF contributes to sustainability as reflected in compliance with "soundness" testing. The commission needs to:

- Carry forward the Sustainability Appraisal outcomes established in earlier work
- Provide advice on any changes to the Sustainability Appraisal objectives and or methodology necessitated / required by any changes in guidance, legislation or application if applicable.
- Adequately document the appraisal process to give a clear account of its operation, key findings and any changes recommended and/ or made to policy or strategy as a consequence;
- Ensure effective proposals for monitoring and evaluation are in place.
- Consider (SMART) objectives, indicators and targets;
- Be simple to understand and easy to use but sufficiently detailed and robust to withstand scrutiny at any LDF public examination;
- Clearly present findings in a Sustainability Appraisal Report;

Key Deliverables

The commission will require the following outcomes:

1. Sustainability Appraisal of the Draft Core Strategy Schedule of Changes that will feed into the Core Strategy Publication Version.
2. Advise on the Green Belt Review methodology and review the outcomes of this work to ensure it is fit for purpose.
3. Review the comments received from Natural England on the Habitat Regulation Screening undertaken as part of the Core Strategy Final Draft Integrated Impact Assessment and advise on any changes necessary to the emerging Core Strategy.
4. Review and confirm that the Equalities Impact Assessment as appropriate (as required by CLG Duty to Promote Democracy Equality Impact Assessment August 2009) undertaken as part of the Core Strategy Final Draft Integrated Impact Assessment is fit for purpose.
5. Review and confirm that the Health Impact Assessment as appropriate undertaken as part of the Core Strategy Final Draft Integrated Impact Assessment is fit for purpose.

The actual detail of appraisal required will be agreed with the consultants prior to commencement of the commission.

It is expected that the following outputs from the study will be achieved:

- The production of a draft report for comments prior to its finalisation
- One electronic copy of the final report (including a non-technical summary) should be supplied.
- Copies of all relevant background and supporting data should also be supplied. Where GIS data is provided this should be compatible with the Council's MapInfo GIS software
- Copyright of the report will reside with Rotherham Metropolitan Borough Council.

Expertise and Skills

The Council is seeking to work with consultants who can demonstrate a high level of knowledge and practical experience of sustainability appraisal in light of the Strategic Environmental Assessment Directive to meet the scope and requirements of the commission. The Council requires the consultancy, through its wider experience and expertise, to add value, objectivity, confidence and independent external endorsement to the LDF sustainability appraisal process. This will also embrace skills in utilising appropriate IT applications.

Project Management and Structure of Commission

The client is RMBC who are funding this work.

The Consultant will work with Helen Sleight of the Forward Planning Team, contact details given above, who will be managing this commission.

The consultant will be expected to meet as necessary with members of the Forward Planning Team and undertake liaison with other specialist interest bodies and persons as required. Contact details will be provided at appropriate times and on request.

Programme

The consultant will be expected to begin work as soon as practicably possible following the granting of the contract and a timetable for completion agreed at any inception meeting.

Indicative Budget

We require a complete cost for completion of the project.

Contacts

If you have any queries please contact: Helen Sleight or Ryan Shepherd of the Forward Planning Team: 01709 823831 / 823888

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