

Briefing Note on the Appointment of a Planning Consultant to Represent the Parish Council at the Forthcoming Taylor Wimpey Appeal (APP/Y3615/W/23/3320175)

Recommendations

- To approve the appointment of Colin Smith Planning Ltd to advise and represent the Council at the inquiry for the Taylor Wimpey appeal.
- To approve a ‘worst-case’ spend of up to £10,000 to ensure the best possible outcome at the inquiry, understanding that the likely spend is more likely to be in the region of £5,000-£6,000.
- To note there is currently £9,000 in an ear marked reserve for the Wisley planning application.
- To agree whether a 50:50 split of costs with East Horsley Parish Council is acceptable.¹

Introduction

West and East Horsley Parish Councils (EHPC) have been granted Rule 6² for the inquiry into Taylor Wimpey’s proposed development at the Former Wisley Airfield. It is most important for the two councils to be in a robust position to defend their joint objections to the application, and to be able to respond effectively to cross examination during the inquiry.

Members are therefore asked to approve the immediate appointment of Colin Smith Planning Ltd to jointly represent East and West Horsley Parish Councils at the inquiry³. Colin Smith is the Planning Committee’s preferred choice for this work. He has the specific expertise required for this appeal, and already has a good working relationship with both councils. Over the last couple of years, Colin has advised the Council on several planning applications, including in representations at appeals. He worked closely with the East and West Horsley Parish Councils at the time of responding to the Local Plan, knows the geographical area well, and has a good understanding of the issues the two councils are trying to address on behalf of their residents.

It is unclear at this point how much work will be required or how long the inquiry will last – there are currently 24 sitting days scheduled, starting on 26th September. This briefing note sets out the ‘worst-case’ in terms of workload as follows:

Research and preparation both in advance and during the inquiry	£6,480
Attendance at the inquiry	£11,700
Worst-case total cost to WHPC & EHPC	£18,180
Cost to WHPC with a 50:50 split	<u>£9,090</u>

¹ EHPC is proposing a WH:EH split of 50:50. However, historically the councils have worked together on a 40:60 split with EHPC paying the greater amount. This is because of the ratio of population and precept which is roughly 2:3. At the point of writing the respective chairman are discussing this and a decision will be made before the meeting.

² With Rule 6 status you will be considered a main party. You will be sent copies of the documents submitted by the other main parties - the appellant, the LPA and any other Rule 6 parties. You will be entitled to appear at the inquiry and to ‘cross-examine’ other parties about their evidence.

³ Significant Financial Interest (disclosure requirement): To Note that Clause 11.1 (ii) of WHPC’s Financial Regulations permits this appointment without the need for three quotes as it is ‘for specialist services such as are provided by legal professionals acting in disputes’.