OPDC
OLD OAK AND PARK ROYAL DEVELOPMENT CORPORATION

DIRECTOR DECISION – DD 148

Title: Press notices for planning applications 2021/22

Executive summary

OPDC as a Local Planning Authority has a statutory duty to advertise certain types of planning applications in the local press. As such, relevant planning applications are publicised in the *Brent and Kilburn Times*, and/or the *West London Gazette*.

During 2021/22, OPDC has received a greater number of large, strategic planning applications (which have required publicity in the local press) than in previous years (upon which previous Decisions were based). Approval is therefore sought to increase the amount of expenditure previously approved under DAR274 (£10,000) for 2021/22 to £15,000.

Decision

The Director of Planning approves:

- Expenditure of up to £5,000 to publicise planning applications in the local press.
- This will bring the cumulative approved expenditure on this statutory activity to £15,000 in 2021/22

Authorising Director

I do not have any disclosable interest in the proposed Decision. It is consistent with OPDC's priorities and has my approval.

Signature: E J Williams **Date:** 25.03.2022

PART 1: NON-CONFIDENTIAL FACTS AND ADVICE

Background and context

1.1 OPDC as a Local Planning Authority (LPA) has a statutory duty to advertise certain planning applications in the local press. As such, relevant planning applications are publicised in the *Brent and Kilburn Times*, and/or the *West London Gazette*.

1.2 Approval was secured under DAR 274 for expenditure of up to £10,000 on press notices during 2021/22. A further £1,000 contingency has also been accessed.

1.3 It can be difficult to predict the exact cost of press notices throughout the year, due to the variable nature of planning application submissions together with differences in the cost of individual notices, which can vary in size. During 2021/22, OPDC has received more planning applications, which have required publicity than were anticipated at the beginning of the year.

1.4 Approval is now sought to spend up to £15,000 (inclusive of the £10,000 originally approved and the £1,000 contingency already accessed), to cover the costs of press notices up to the end of March 2022. This figure is based on costs already incurred (£12,339.84) plus an allowance for any further applications requiring press notices before the end of March.

The proposal and how it will be delivered

2.1 Wavemaker is the approved media supplier and acts as liaison between OPDC and the local newspapers. It is proposed to top up the existing purchase order to cover the additional costs of press notices up to the end of the 2021/22 financial year.

Objectives and expected outcomes

3.1 The spend will occur during 2021/22. The outcome will be to ensure OPDC can comply with its statutory duties as an LPA in relation to publicity on planning applications.

Strategic fit

4.1 OPDC has a statutory duty to consult neighbours and local stakeholders on large or strategic planning applications. Commitments to undertaking publicity and consultation on planning applications are also set out in the OPDC Statement of Community Involvement. Methods of publicity include mailed letters, emails to statutory consultees and local groups, site notices and press notices, when required.

Project governance and assurance

5.1 The Head of Planning – Development Management has overall responsibility for ensuring that statutory publicity requirements for planning applications are met, and that press notices are placed when required. When a press notice is required, the case officer for the planning application liaises with the Communications and Engagement Team to arrange for the notice to be placed in the relevant local newspaper. The cost for each notice is agreed before the notice is placed.

Risks and issues

5.2 If planning applications are not publicised in accordance with statutory requirements, including press notices where necessary, there would be a risk of judicial review for failing to follow due process and comply with statutory requirements. This could lead to reputational damage for OPDC and delays to the delivery of new homes and jobs.

Equality comments

6.1 Under Section 149 of the Equality Act 2010, as a public authority, OPDC must have ‘due regard’ to the need to eliminate unlawful discrimination, harassment and victimisation as well as the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

6.2 OPDC, as an LPA, has a statutory duty to publicise certain planning applications. It is considered that the publication of relevant planning applications will benefit all OPDC residents equally (whether or not they possess a protected characteristic), by ensuring residents are aware of locally significant planning applications and that they have the opportunity to make their views on them known.

Other considerations

7.1 There are no other considerations in respect of this decision.

Conflicts of interest

8.1 No one involved in the preparation or clearance of this Form, or its substantive proposal, has any conflict of interest.

Financial comments

9.1 Cumulative expenditure of up to £15,000 will be funded from the 2021/22 Planning budget, of which £12,339.84 has already been incurred based on DAR274. This Decision supersedes DAR274, so is therefore partially retrospective.

9.2 Further expenditure is subject to the Corporation’s decision-making process.

Summary timeline

Activity	Date
Delivery start date	April 2021
Delivery end date	March 2022

Appendices

- None

Other supporting papers

- None

PUBLIC ACCESS TO INFORMATION

Information in this Form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA). OPDC aims to publish the Form within three working day of approval.

If immediate publication risks compromising the implementation of the Decision (for example, impacting a procurement process), it can be deferred until a specific date (when it will be published). Deferral periods are kept to the shortest length strictly necessary.

Part 1 – Deferral

Publication of this Part 1 is to be deferred: **No**

The deferral is until: **N/A**

This is because: **N/A**

Part 2 – Confidential information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in or attached to any separate Part 2 Form, together with the rationale for withholding the information at this time.

There is a separate and confidential Part 2 Form: **No**

DECLARATIONS

Drafting officer: Claire O'Brien has drafted this Form in accordance with OPDC procedures, including for handling conflicts of interests, and confirms that: ☑

Advice: The Finance team have commented on the proposal. ☐

CONFIRMATIONS

Section 106 funding: N/A

SMT review: This Decision was circulated to the **Senior Management Team** for review on Friday 25 March 2022.

Chief Finance Officer

Financial and legal implications have been appropriately considered in the preparation of this Form.

Signature: **Date:** 25.03.2022