

FINANCE, POLICY & GENERAL PURPOSES COMMITTEE	23 JULY 2020	AGENDA ITEM: 12
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Report prepared by Angela Price – Town Clerk

COSTS ASSOCIATED WITH THE VIADUCT INQUIRY

Purpose of Report

The purpose of this report is to provide members of the Finance, Policy & General Purposes Committee with an update on anticipated costs associated with the Viaduct Inquiry, following the adjournment of the Inquiry.

Detailed Information

At a meeting of the Finance, Policy & General Purposes Committee held on 18 June 2020 the committee resolved to recommend to Council that the threshold for costs in respect of the Inquiry be increased from the previously agreed £40,000 to £90,000.

The Inquiry commenced, via an online platform, on Monday, 13 July 2020 and it had been hoped that it would be possible to complete the inquiry within the five days. However, on commencement it soon became apparent to the Planning Inspector that the inquiry was likely to take longer than the five days allocated and it was agreed that the Inquiry would need to be adjourned and reconvened in September/October 2020.

The adjournment is likely to incur additional costs from at least one of the expert witness and the Barrister and therefore Members need to consider the implications of these potential increased costs.

The Clerk has contacted the witnesses and Barrister asking them to provide invoices for work carried out thus far, and also for estimated costs for the reconvened inquiry and it is hoped that these will be available by the time of the meeting.

Financial Implications

The following table provides details of anticipated costs regarding work already carried out in respect of the Statement of Case, Statement of Common Grounds and the Proofs of Evidence and attendance at the Inquiry the anticipated costs of the Inquiry as of 17 July 2020 (subject to further invoices as requested).

NAME	RATE	Hours	Total to date
Malcolm Rees (DF Legal)	£250 per hour	Anticipated 8 hrs	£2,000
A. Parkinson (Barrister)			
Brief to Counsel (31.03.2020)			£1,500
Settling of SOCG			£500
Finalising of SOCG			£750
Brief to Counsel (02.06.2020)			£1,500
Reviewing PoE's			£2,000
Brief to Counsel (13.07.2020)			£15,000
Refresher	£2,500.00 per day	14 – 17 July (4 Days)	£10,000
M. Llywelyn-Jones	£450 per day - £56.25 p/h	as at 24.04.2020 - 55 hours	£3,094
	£56.25 p/h	24 hours - as at 11.05.2020	£1,350
	£56.20 p/h	19 hours as at 31.05.2020	£1,069
G. Lee	stage one		£1,750
	Stage two – includes attendance at Inquiry		£8,500
N Bradshaw	Total cost includes preparation of documents, plus attendance at Inquiry		£12,000
C. Tinkler	Costs as at 05.06.2020		£8,775
C Tinkler – preparation for and attendance at Inquiry			£6,950
TOTAL			£76,738

Cost to hire Royal Hall for viewing Inquiry - £250 per day x 5 £ 1,250

TOTAL £77,988

Funds Remaining as of 17 July 2020 - £12,012

Further anticipated costs

Landmark Chambers have advised that there will be an additional daily charge of £2,5000 plus VAT for Andrew Parkinson, with any additional costs still awaited from the remaining witnesses.

Recommendation

Members of the Finance, Policy & General Purposes Committee are requested to give consideration as to whether the threshold of £90,000 should be raised to take into consideration the cost of the Inquiry as of 17 July 2020 is £77,988 (subject to further invoices being received), leaving a sum of £12,012 for any additional costs as part of the reconvened meeting.

