

CABINET -17 October 2007

PRINCIPAL SCRUTINY COMMITTEE – 22 October 2007

ESTABLISHMENT OF A JOINT COMMITTEE: PARTNERSHIP FOR URBAN SOUTH HAMPSHIRE AND JOINT OVERVIEW AND SCRUTINY COMMITTEE

REPORT OF CHIEF EXECUTIVE

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RECENT REFERENCES: None.

EXECUTIVE SUMMARY:

This report invites Members to approve the establishment of a joint committee with East Hampshire District Council, Eastleigh Borough Council, Fareham Borough Council, Gosport Borough Council, Hampshire County Council, Havant District Council, New Forest District Council, Portsmouth City Council, Southampton City Council and Test Valley Borough Council to promote a sub-regional strategy for sustainable economic growth in urban South Hampshire, covering in particular economic development, transport and other infrastructure. Creation of the Joint Committee will formalise the governance of the Partnership for Urban South Hampshire (PUSH). The strategy, which is incorporated into the draft South East Plan, centres on economic-led growth supported by the necessary transport and other infrastructure. In addition, the report proposes the establishment of a joint scrutiny committee to undertake scrutiny of the activities of the PUSH joint committee.

RECOMMENDATIONS (TO COUNCIL):

- 1 That Members agree the establishment of a formal joint committee (Partnership for Urban South Hampshire (PUSH)) to replace the existing voluntary informal arrangements based on the terms of reference and broad structure described in this report.
- 2 That Members agree the establishment of a joint overview and scrutiny committee to scrutinise the activities of the PUSH joint committee.
- 3 That delegated authority be given to the Chief Executive, in consultation with the Leader, to approve and enter into the finalised detailed Joint Arrangements Agreement and other documents.

TO CABINET:

- 4 That Cabinet appoints the Leader as the Council's representative on the PUSH Joint Committee, and nominates a deputy.

TO PRINCIPAL SCRUTINY COMMITTEE

- 5 That Principal Scrutiny Committee appoints a non-Executive Member as the Council's representative on the Overview and Scrutiny Committee and a second non-Executive Member to serve as deputy in their absence. It is recommended both represent Wards in that part of the District which lies within the PUSH area.

CABINET -17 OCTOBER 2007PRINCIPAL SCRUTINY COMMITTEE – 22 October 2007ESTABLISHMENT OF A JOINT COMMITTEE AND JOINT OVERVIEW AND SCRUTINY COMMITTEE FOR THE PARTNERSHIP FOR URBAN SOUTH HAMPSHIREREPORT OF CHIEF EXECUTIVEDETAIL:1 Introduction

- 1.1 This report invites Members to agree the establishment of a joint committee with East Hampshire District Council, Eastleigh Borough Council, Fareham Borough Council, Gosport Borough Council, Hampshire County Council, Havant District Council, New Forest District Council, Portsmouth City Council, Southampton City Council and Test Valley Borough Council to promote a sub-regional strategy for sustainable economic growth in the urban South Hampshire sub-region, covering in particular economic development, housing, transport and other infrastructure.

2 Background

- 2.1 As part of work led by SEERA to develop a Regional Spatial Strategy (RSS) the area encompassed by the Partnership for Urban South Hampshire (PUSH) (Appendix 1) was identified in 2003 as an area for economic growth and associated development. The local authorities within that area (which includes the southern part of the Winchester District) subsequently established PUSH to promote and facilitate a step change in the sub-region's economic performance over the next 20 years, setting an ambitious target of 3.5% economic growth. This would make a significant contribution to the future economic well-being of the south-east region of the UK, and more importantly, to the regeneration of local communities. To achieve this, investment will be aimed at facilitating the enhancement and diversification of skills, enterprise and innovation, attracting new investment and creating 59,000 new jobs (net) by 2026.
- 2.2 This economic growth will be supported by the development of 80,000 new homes as part of new sustainable communities, with improved accessibility and enhanced facilities. Sustainability will be a key principle underpinning the developments, along with the promotion of affordable housing and sustainable public and private transport, and community infrastructure. This economically-led growth will be dependent upon the timely provision of appropriate infrastructure, transport and water being paramount. PUSH is also committed to retaining and enhancing the outstanding environmental qualities of the sub-region and to promote the viability and attraction of the two city centres.
- 2.3 The joint work has also been driven by the preparation of the South East Plan (or Regional Spatial Strategy - RSS). PUSH submitted proposals for 80,000 new homes by 2026 which took account of local capacity, but also recognised the pressure Ministers are exerting for more new homes. The Examination in Public into the RSS has supported PUSH's proposals and not increased that target.
- 2.4 The 11 authorities in South Hampshire have committed to working together across administrative boundaries. Recognising that the Government will continue to pursue

a growth agenda, the authorities have decided PUSH offers the best opportunity to shape, influence and manage that agenda.

3 PUSH Governance

- 3.1 The current governance arrangements are informal, and based on joint meetings between Leaders and Chief Executives of member authorities. This group has led development of the PUSH strategy, a response to the RSS and development of key infrastructure projects. Formal decisions, where necessary, have been put to each authority for agreement. There is now general agreement that these loose and informal governance arrangements are no longer fit for purpose. PUSH acknowledges that it needs to have effective and proper governance arrangements, both to ensure that its decision-making is transparent and conducted in a more publicly accountable way, but also so that Government monies that it holds are managed and distributed effectively.
- 3.2 With that in mind, PUSH has identified a two-stage process. The first is to codify the current governance arrangements and formalise them around a well-understood joint committee type arrangement. Secondly, PUSH will immediately start a review process that looks at future governance options which could, for example, consider the implication of Multi Area Agreements (MAA), building on Local Area Agreements. They will also consider delivery models such as City Development companies or other models, drawing on experience from other Growth Areas.
- 3.3 At this stage, it is proposed to establish the following by way of governance arrangements for PUSH:
- a) A strengthened executive constituted as a formal joint committee of the PUSH authorities, under the Local Government Act 1972 (as amended), with non-voting representation from others where appropriate, made up of representatives (normally the Leaders) of each constituent authority;
 - b) An overview and scrutiny committee established with members from all of the representative PUSH authorities which will have the power to call in certain decisions of PUSH; and
 - c) The joint committee to be underpinned by a joint agreement to be signed between the representative PUSH authorities delineating how the financial, legal and other responsibilities associated with operating such a joint committee are to be managed.
- 3.4 The key objectives of PUSH and proposed terms of reference for the joint committees, endorsed by PUSH Leaders, are set out in the document attached as Appendix 2.
- 3.5 There will, in addition, be a number of officer-led working groups around certain topics and themes which will be the engine room of the new arrangements and will be administered by senior officers from the representative authorities. These will also have involvement by stakeholders. Work on particular themes will be informed by advisory panels which will include appropriate member representation from constituent authorities.

- 3.6 The business of the joint committee will be guided by an annual Business Plan, which each member authority will be invited to approve. The committee will not take on decision-making powers of authorities, for example on planning matters. Appendix 2 illustrates the matters which the committee will consider.

4 Joint Overview and Scrutiny Committee

- 4.1 Following discussions between the constituent partner authorities of PUSH, it is proposed that joint overview and scrutiny committee is established, which will scrutinise the activities of the Joint Committee of PUSH, and call-in their decisions where appropriate. In certain circumstances, where a proposed decision is contrary to the approved business plan of PUSH, that decision may be referred back to all of the constituent local authorities in PUSH. In other cases the decision will be referred back, if the Scrutiny Committee chooses to do this, to the Joint Committee for their reconsideration, along with scrutiny's reservations or concerns.
- 4.2 In relation to the appointment to be made to the overview and scrutiny committee, it is recommended that Principal Scrutiny Committee appoints a non-Executive Member to serve on the overview and scrutiny committee with a second non-Executive Member also appointed to serve as deputy in their absence. It is further recommended that those Members be drawn from the Wards lying within the PUSH area.
- 4.3 By virtue of the Local Government and Housing Act 1989, this is a joint committee established under the Local Government Act 1972 and as each authority is appointing fewer than three members to it, it is an exception to the general definition of bodies to which proportionality applies. Therefore, the Council, provided the appointed member and deputy are non-Executive Members, have complete discretion as to whom the Council appoints.
- 4.4 The terms of reference for the proposed joint Scrutiny Committee are set out in Appendix 2 to this report.

5 Joint Committee

- 5.1 Before a formal joint committee can be established, a resolution is required from each council approving the terms of reference for the Committee and agreeing to its establishment. The arrangements are as follows:
- a) Constitution of the joint committee – proposed to be one Executive Member from each of the authorities (normally the Leader);
 - b) Name of the joint committee – proposed to be Partnership for Urban South Hampshire (PUSH);
 - c) Functions (Terms of Reference) of the joint committee – set out in Appendix 2 to this report;
 - d) Meetings and proceedings – decision made on the basis of a majority vote provided Hampshire County Council, Portsmouth City Council and Southampton City Council concur; power to make standing orders for procedures at meetings (including access to meetings and information supplementary to the Local Government Acts 1972 and 2000), appointment of chair, quorum.

- 5.2 Members will wish to be aware that at the time of writing the majority of Councils have agreed to the establishment of these committees, including the County and unitary authorities.

6 Conclusions

- 6.1 The establishment of a new joint committee, Partnership for Urban South Hampshire, will enable the partner local authorities to address the considerable challenges in the areas of economic development and infrastructure facing the region and sub-region. More robust governance arrangements will build upon and complement the good reputation already enjoyed by PUSH, and enable it as a body to move forwards, not just as a consultation mechanism, but also as a delivery vehicle. Importantly, the committee will also offer better direct public accountability for PUSH.

OTHER CONSIDERATIONS:

7 CORPORATE STRATEGY (RELEVANCE TO):

- 7.1 This partnership will help to meet corporate objectives in relation to economic prosperity and high quality environment by ensuring that the infrastructure business needs are in place; by planning an adequate housing supply to support the local economy and resources are used efficiently, environmental impacts are managed, pollution levels are low and we are responding to the challenges of climate change.

8 RESOURCE IMPLICATIONS:

- 8.1 Under the terms of the draft agreement, any costs incurred by PUSH will be apportioned between the constituent councils, based on population. Under the model, the City Council would be liable for 1% of the total costs. In 2007/08 this cost has amounted to £3,000, which the Council has met from Planning Delivery Grant and the Strategic Housing budget. A significant proportion of PUSH's expenditure on preparatory work, and increasingly on capital projects, is funded by Central Government or its agencies. The budget will be reviewed annually and approval sought as part of the PUSH Business Plan. It is anticipated that no additional resources need be sought in the foreseeable future, and the relatively low level of costs can be met from existing budgets.
- 8.2 Relevant Winchester City Council officers will continue to support PUSH on policy matters. Administrative support to the committees will be provided by Hampshire County Council, and Southampton and Portsmouth City Councils.

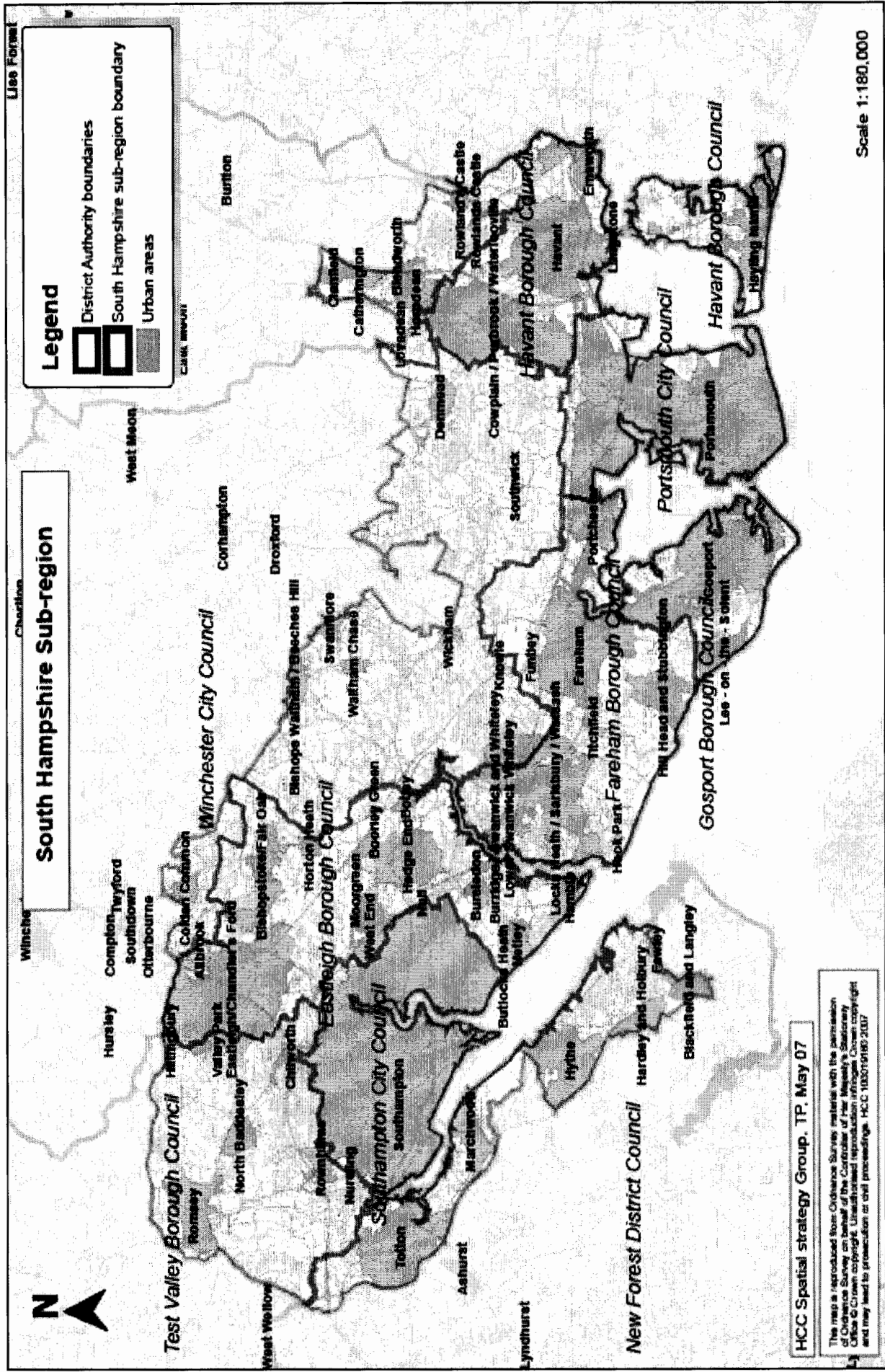
9 BACKGROUND DOCUMENTS:

Draft agreement for establishment of PUSH.

10 APPENDICES:

Appendix 1 – PUSH Map

Appendix 2 – PUSH Objectives and joint committee Terms of Reference



KEY OBJECTIVES OF PUSH

The Partnership for Urban South Hampshire was formed to deliver regeneration of the core urban areas in south Hampshire, focused on the cities of Portsmouth and Southampton. The adjoining older urban areas are also very much at the heart of this urban renaissance strategy and PUSH believes that the strong functional and physical links between the core urban areas and the semi rural hinterland must form the basis for the proper planning of the south Hampshire sub region; which must also be seen in the wider Hampshire context.

PUSH has pursued an economic regeneration/urban renaissance-driven strategy which SEERA has also adopted in crafting the SE Plan. PUSH believes that a balanced approach, with economic, social and environmental sustainability at its heart, is the responsible and appropriate way to plan for the future of south Hampshire, with an inclusive and integrated spatial strategy delivering sustainable communities into the future.

PUSH accepts and embraces managed and sustainable growth as a policy instrument to help lift deprived communities and households out of poverty and deprivation, whilst providing a foundation for the long term security of the quality of life of all the people of south Hampshire, which is dependent on economic prosperity, adequate provision of and access to housing, and maintenance of the sub regional environment.

The key objectives for PUSH are as follows, most of which are reflected in PUSH's sub-regional strategy submitted as advice to SEERA:

- Encouraging conditional, managed growth through the adoption of a *Plan, Monitor and Manage* approach to land release and plan review, with development conditional on timely and adequate infrastructure provision;
- Securing necessary enhancements to infrastructure (covering transport, water supply and waste water treatment, social and community facilities, education and healthcare provision and green infrastructure) to support new development and addressing existing infrastructure deficits;
- Securing a realistic and sustainable level of economic growth, with a target for GVA growth from 2.75% 2006–11 up to 3.5 % by 2021–26;
- Delivering “Smart Growth”, based on increased productivity and economic activity rates, principally delivered through enhanced workforce skills and training for the indigenous labour force and population;
- Providing for 80,000 additional dwellings over the period 2006 to 2026 to meet the needs of the existing population and to accommodate labour supply requirements to sustain sub regional economic performance and prosperity;
- Pursuing a *brownfield and city first* spatial strategy focusing on brownfield and existing sites up to 2011, adding sustainable urban extensions up to 2016 and bringing in larger greenfield Strategic Development Areas after 2016 to deliver sustainable communities with links to the two cities;
- Adopting strong policy protection for strategic gaps, designated nature conservation and protected landscapes, and areas of high quality built environment;
- Achieving the highest environmental standards for new development in the South East, particularly in terms of resource conservation and reduction of environmental impact, by

the application of consistent standards and policy approaches in partner authorities' local development documents covering the PUSH area;

- Delivering enhancements to the green infrastructure and high quality design in the built environment to consolidate and improve the environment and quality of life of the sub region and to promote urban renaissance;
- Promoting locally-led and democratically accountable and cross-party leadership, management and delivery of the vision and spatial strategy for south Hampshire and securing the participation and engagement of communities of place and interest, including the private sector.

GOVERNANCE, JOINT COMMITTEE AND WORKING GROUPS

PUSH - TERMS OF REFERENCE FOR JOINT COMMITTEE OF PUSH

GENERAL

- a. This is a joint committee of the Parties under the Local Government Acts 1972 and 2000.
- b. The Parties have arranged for the discharge by the Joint Committee of such of the council's functions as are within the terms of reference (set out below).
- c. Certain functions are delegated by this Joint Committee within their terms of reference to officers.
- d. Where a function or matter within the Joint Committee's competence has been delegated, the Joint Committee may exercise that function/matter concurrently with the officer to whom it has been delegated.
- e. Each of the Parties shall have one representative upon the Joint Committee (normally though not necessarily the Leader of the Council).
- f. Decisions shall be made by a simple majority vote but to be effective must be supported by the representatives of Hampshire County Council, Portsmouth City Council and Southampton City Council (if in attendance) to be effective.

TERMS OF REFERENCE

1. To develop a strategic policy framework within which the Parties can each discharge their transportation, planning and economic development functions and other incidental or linked functions so as to achieve the Key Objectives.
2. To recommend the Annual Business Plan and budget to each Party and to implement the Approved Annual Business Plan in accordance with the approved budget.
3. Subject to paragraph 2 above, to discharge, on behalf of the Parties their functions (as set out in paragraph 9) where such arrangements:
 - Affect two or more of the Parties; and
 - Have been authorised by the Parties affected by being specifically referred to in the Approved Annual Business Plan.
4. To influence, advise and lobby government and other agencies, both nationally and internationally, where to do so is consistent with the Key Objectives.
5. To commission research into matters relevant to the Key Objectives.

6. To develop proposals for the future development of PUSH for consideration in the Draft Annual Business Plan).
7. To develop proposals on how the Parties can discharge their functions to promote or improve the economic, social and environmental wellbeing in the PUSH area to achieve the Key Objectives
8. To carry out such other activities calculated to facilitate, or which are conducive or incidental to the discharge of the PUSH's functions in implementing the Annual Approved Business Plan
9. The relevant functions to be carried out by the joint committee shall be in accordance with the table set out below

FUNCTIONS DELEGATED BY THE PARTIES TO THE PUSH JOINT COMMITTEE

Table 1 sets out the functions delegated to the PUSH Joint Committee.

In exercising delegated functions, the Joint Committee operates according to certain key principles.

- *A commitment to partnership and joint working*

Successful delivery of the South Hampshire Sub-Regional Strategy depends upon effective and wholehearted collaboration between member authorities at both political and officer levels, and genuine partnership working with other sectors and agencies with an interest.

- *Subsidiarity*

Matters that are best done at individual local authority level should continue to be performed at that level. Conversely, matters that would more effectively be dealt with at a sub-regional level, or that may have impacts or require a response on a cross-boundary basis, should be led by PUSH.

- *Geographical limitations*

PUSH would have no jurisdiction or responsibilities outside of its boundaries, unless expressly agreed between PUSH and the relevant local authority or statutory agency.

- *Functional limitations*

PUSH will only do the things that authorities collectively agree that it should do. This needs to be applied flexibly to allow for innovation responsiveness and maximising opportunities.

- *Collective Responsibility*

The member authorities will be collectively responsible and mutually accountable for delivering PUSH's objectives, strategy and activities.

The business plan sets out the range of matters on which the Joint Committee has delegated authority to act and make decisions. These matters are ones that have cross-boundary implications, rather than affecting one authority alone. The Joint Committee has all necessary delegated functions to implement the approved business plan. Individual authorities retain the power to determine local issues affecting their area alone, as these would not be included in the approved business plan.

TABLE 1

FUNCTION	SCOPE OF DELEGATION
<i>Generic Functions</i>	
Business Planning and Partnership Development	<ul style="list-style-type: none"> • Development, performance management, monitoring and evaluation of the PUSH business plan and its implementation • Ongoing monitoring of key indicators • Development, design and negotiation of longer-term delivery arrangements for the South Hampshire sub-regional strategy. • Engagement of other sectors and partners at the strategic level

TABLE 1	
FUNCTION	SCOPE OF DELEGATION
	to support delivery of the business plan and PUSH strategy
Information, studies and analysis	<ul style="list-style-type: none"> • Commissioning (through individual lead authorities) studies, consultancy work, research and analysis to support strategy development and implementation • Providing public access to information about the sub-region
External Relations & Communications	<ul style="list-style-type: none"> • Being the voice and champion for South Hampshire in dealings with Government, other National or Regional bodies and Agencies and networks (e.g. South-East Diamonds for Investment and Growth) • Preparing responses to national and regional policy initiatives on behalf of the sub-region • Promoting public understanding and involvement in sub-regional issues, and of the work of PUSH and its partners through broadcast, internet and print media
Knowledge Transfer	<ul style="list-style-type: none"> • Promoting and facilitating training and best practice / knowledge transfer for officers, members and other sectors on matters relating to PUSH's work programme
Promoting delivery of infrastructure	<ul style="list-style-type: none"> • Analysis of infrastructure needs and support in negotiating delivery and financing options • Monitoring delivery of infrastructure • Development of policy approaches and priorities for implementation of sub-regionally important infrastructure
External Funding	<ul style="list-style-type: none"> • Commissioning, coordinating and administration of external funding bids and negotiations relating to sub-regional projects or programmes (e.g. New Growth Point project funding, EU funding on cross-boundary schemes, funding delegated or allocated from National or Regional Agencies) • Coordinating inward investment into the sub-region and promoting inward investment opportunities
<i>Thematic Functions</i>	
Economic Development	<p>Economic stewardship and development activity benefiting the PUSH sub-region, in particular:</p> <ul style="list-style-type: none"> • Strategy development relating to strategically important employment sites having a cross-boundary impact • Promoting key sub-regional sites to avoid negative competition between authorities • Ensuring effective programme management of strategically important economic development and regeneration schemes • Facilitating support and capacity-building to individual authorities on smaller economic development schemes • Working with other agencies operating at sub-regional level on a range of topics • Preparation of reports to inform monitoring, policy development

TABLE 1	
FUNCTION	SCOPE OF DELEGATION
	and business planning
Housing	<ul style="list-style-type: none"> • Development of consistent policy approaches, e.g. on Affordable Housing • Collaboration on relevant studies e.g. Housing Market Assessments • Collaboration on nomination rights to social housing on strategically important development sites • Development of a sub-regional housing strategy • Leading engagement with Housing Corporation/English Partnerships/Communities England on sub-regional strategic and resource allocation issues
Planning	<ul style="list-style-type: none"> • Advising the Regional Planning Body and Government on the Regional Spatial Strategy and national planning policies impacting upon the sub-region • Advising on local delivery frameworks (LDFs) and encouraging shared working where appropriate • Preparation of consistent policy approaches (e.g. affordable housing [as above], consultation, sustainability) and consistent approaches to supplementary planning guidance (e.g. urban design) • Assisting and encouraging shared working on the Appropriate Assessment of LDFs • Advising and supporting master-planning, development briefs and local development documents relating to strategically important sites promoting consistency of approach in the PUSH context • Automatic consultee on planning policies, proposals and applications relating to strategically important sites • Supporting development of consistent approaches to s.106 negotiations and the utilisation of developer contributions, particularly in relation to strategically important sites
Sustainability	<ul style="list-style-type: none"> • Development of sub-regional strategies, consistent policy approaches, guidance and standards • Collaboration on sub-regional projects, eg ESCo • Capacity-building on sustainability issues • Promoting sustainable waste management solutions across the sub-region
Culture	<ul style="list-style-type: none"> • Developing policy approaches and parameters for enhancing the cultural assets of the sub-region • Working with National and Regional Agencies to promote cultural opportunity across South Hampshire

**PUSH –
TERMS OF REFERENCE FOR JOINT OVERVIEW AND SCRUTINY COMMITTEE
OF PUSH JOINT COMMITTEE**

GENERAL

- a. This is a joint committee of the Parties under the Local Government Acts 1972 and 2000.
- b. The Parties have arranged for the discharge by the Overview and Scrutiny Committee of the PUSH Joint Committee such functions as are within the Panel's terms of reference (set out below).
- c. Certain functions are delegated by this Joint Committee within their terms of reference to officers.
- d. Where a function or matter within the Joint Committee's competence has been delegated, the Joint Committee may exercise that function / matter concurrently with the officer to whom it has been delegated.
- e. Call-in may be triggered by two or more Committee members giving due notice to the proper officer.

TERMS OF REFERENCE

1. To scrutinise and call-in Joint Committee decisions.
2. To scrutinise in particular the PUSH Business Plan and its delivery. .
3. In respect of any call-in:
 - To review decisions made in accordance with the approved business plan and where they consider it appropriate, refer such decisions back to Joint Committee with comments for reconsideration;
 - To review decisions not made in accordance with the approved business plan where they may either refer such decisions back to Joint Committee with comments for reconsideration or refer the decision back to individual authorities.

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TERMS OF REFERENCE FOR THE WORKING GROUP

GENERAL

- a. This Working Group is an informal body and without statutory powers or authority save as directly delegated to individual officers by their authority / the Joint Committee.
- b. The Working Group may create sub-groups, reporting to the Working Group, to be responsible for specific themes and/or activities.

TERMS OF REFERENCE

1. Providing advice and guidance to the Joint Committee.
2. Monitoring and reviewing the budget, governance, financial compliance matters and issues.
3. Monitoring the action plan and delivery.
4. As delegated by the Joint Committee, to be responsible for operational decision making and the day-to-day management of projects and activities carried out in the name of or on behalf of PUSH.
5. Performance management of dedicated officer support.
6. Developing proposals for the long-term governance and delivery of PUSH's key objectives for consideration by the Joint Committee.

MEMBERSHIP

Joint Committee

The Executive Leaders of each of the partner local authorities (the position in relation to Gosport is as advised by Gosport).

Joint Overview and Scrutiny Committee

Each Party will nominate a member of their choice to sit upon the joint Overview and Scrutiny Committee.

The Committee shall not be politically proportioned (provided all constituent authorities pass the necessary resolution at their Full Council meetings).

Working Groups

The Chief Executives of each of the partner local authorities shall determine the membership of the Working Groups.