

DECISION TAKER: CLLR JACKIE PORTER – CABINET MEMBER FOR BUILT ENVIRONMENT AND WELLBEING

REPORT TITLE: AUTHORITY TO SIGN PARTNERSHIP FOR SOUTH HAMPSHIRE INITIAL 'STATEMENT OF COMMON GROUND'

11 JANUARY 2021

Contact Officer: Adrian Fox Tel No: 01962 848278 Email: afox@winchester.gov.uk

WARD(S): SOUTHERN PARISHES OUTSIDE THE SOUTH DOWNS NATIONAL PARK

#### PURPOSE

The Partnership for South Hampshire (PfSH) agreed a draft framework for a Statement of Common Ground in October 2019 which committed the PfSH authorities to commission a series of joint evidence studies with a view to the future production of a new PfSH Joint Strategy. This would update the existing PfSH Spatial Position Statement agreed in 2016. The PfSH Joint Committee agreed an initial Statement of Common Ground at its meeting on 30 September 2020, including updates to the programme of evidence studies and housing needs for the area. This report seeks authority for the Deputy Leader and Cabinet Member for Finance and Risk to sign the initial Statement of Common Ground on behalf of the City Council and to be able to agree future updates to the SOCG.

#### RECOMMENDATIONS:

1. That the Deputy Leader and Cabinet Member for Finance and Risk be given delegated authority to sign the Partnership for South Hampshire's initial Statement of Common Ground (as approved by the PfSH Joint Committee on 30 September 2020) and future updates, on behalf of the City Council.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME

1.1 The initial Statement of Common Ground (SOCG) sets out a number of topics where it is hoped to achieve agreement as well as a number of evidence studies that will be undertaken. The evidence studies will consider the key strategic issues across the area and these are relevant to most of the main headings of the Council Plan, as follows:

- a) **Tackling the Climate Emergency and Creating a Greener District.** The SOCG and evidence studies will consider biodiversity, environmental enhancement and mitigation, including climate change and green infrastructure issues;
- b) **Homes for all.** The SOCG and evidence studies will consider the need for and supply of housing, including the scope for strategic-scale development to meet future housing needs. It will aim to agree a distribution of housing between authorities in the South Hampshire area;
- c) **Vibrant Local Economy.** The SOCG and evidence studies will consider the need and demand for employment land of various types;
- d) **Living Well.** The SOCG and evidence studies will consider the need for strategic infrastructure, including green infrastructure and environmental mitigation.

2 FINANCIAL IMPLICATIONS

3 The City Council has separately agreed to contribute funding for the appointment of a Project Manager for PfSH and the commissioning of a series of evidence studies. The cost of these is apportioned according to a formula based primarily on the population of each authority falling within PfSH. For Winchester this means that its financial contribution is only a small proportion of the cost of the work: for the costs of the Project Manager this amounted to £2000 and for the combined evidence studies it is likely to be about £3200 (depending on the final costs when all consultants are commissioned).

4 The City Council has also contributed £5,000 towards the cost of appointing a temporary Strategic Environmental Planning Officer. This new role will focus on resolutions to the nutrient neutrality issues for PfSH authorities and to establish a pilot sub-regional mitigation scheme administered through PfSH. Provision for these costs has already been made within existing Local Plan budget as the evidence base from this work will be used to support the development of the City Council's Local Plan.

5 LEGAL AND PROCUREMENT IMPLICATIONS

- 5.1 The Project Manager is a consultant appointed by PfSH and procurement of the various evidence studies is undertaken by the Project Manager on behalf of PfSH. The Statement of Common Ground is a non-statutory agreement to work jointly on evidence gathering with a view to the development of a new Joint Strategy, which will require approval by the PfSH constituent authorities.

## 6 CONSULTATION AND COMMUNICATION

- 6.1 The Statement of Common Ground is essentially an agreement between the PfSH authorities to work together, which does not require public consultation. The SOCG refers to working also with bodies such as the Local Economic Partnerships, Solent Transport, statutory authorities (Environment Agency, Natural England, Highways England), and the Hampshire Local Nature Partnership.
- 6.2 When a Joint Strategy is produced in due course consideration will be given to consultation arrangements. It is likely that these will take place primarily when proposals need to be considered for inclusion in the local plans of PfSH members. Relevant Cabinet Members have been briefed on the content of this Decision Day report and their comments taken into account.

## 7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The SOCG and associated evidence studies will consider a range of environmental issues, including biodiversity, environmental enhancement and mitigation, climate change and green infrastructure. The work on evidence studies includes sustainability appraisal, as relevant to the topics under consideration and the strategic level of the work.
- 7.2 Any future Joint Strategy that is produced in due course will be subject to an appropriate level of sustainability appraisal and where proposals are incorporated into local plans these will also need to follow the relevant environmental assessment requirements applying at the time.

## 8 EQUALITY IMPACT ASSESSEMENT

- 9 Undertaking an Equality Impact Assessment (EqIA) is a key part of preparing a 'sound' Local Plan. The Council's Local Plan process needs to ensure that there is not unlawful discrimination (direct and indirect), and that it should advance equality of opportunity and foster good relations between those with a 'protected characteristic' (race, age, sex, disability, sexual orientation, gender reassignment, religion or belief and pregnancy or maternity) and all others. An EqIA would be carried out as part of the evidence studies where necessary.

## 10 RISK MANAGEMENT

- 10.1 The Council is under a 'duty to cooperate' in relation to strategic planning matters that may cross local authority boundaries and the joint working involved in producing the SOCG helps to minimise the risk of failing to meet

this requirement (which will be tested at a future local plan examination). The SOCG and subsequent Joint Strategy may involve difficult issues in terms of the scale and location of development proposed, but these are likely to arise in any event given the development needs of the Solent area and Winchester's position in relation to neighbouring authorities. Ultimately any proposals which would need to be considered as a result of this work will be assessed as part of the City Council's Local Plan making process.

- 10.2 By working within PfSH on the SOCG and future Joint Strategy the City Council is able to be involved in, and have some influence over, the outcome of the work. Ultimately it will be for the Council to determine the development proposals that it takes forward in its local plan, subject to the need to meet development requirements and satisfy the duty to cooperate.
- 10.3 The financial risks are low given that costs are spread between the PfSH authorities and that the City Council's proportional contribution is very modest.

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<i>Property</i> None	-	-
<i>Community Support</i> Opposition to future development	Development requirements are set by Government and the Council must follow these and the duty to cooperate. The SOCG provides a means of ensuring a consistent evidence base and assessment of development potential.	Joint working will help to demonstrate compliance with the duty to cooperate and give an opportunity to play a part in developing the future planning strategy for South Hampshire. Whilst proposed national planning reforms may dispense with the duty to cooperate, there is no indication of when this will happen or what will replace it.
<i>Timescales</i> Risk of not aligning with Winchester Local Plan timescale	By being part of PfSH the Council has some influence over the timescales for the work, although inevitably these may not be ideal for all authorities.	To use the PfSH evidence base and technical studies to inform and support the development of the Winchester Local Plan.
<i>Project capacity</i> Capacity to support the SOCG work	WCC input to the production of the SOCG, evidence studies and future Joint Strategy is needed, but this helps the Council to influence the work and make use of it in	To benefit from strategic-level evidence studies and strategy development.

	its own Local Plan thereby potentially reducing work the Council would otherwise have to resource itself.	
<i>Financial / VfM</i> Limited risk	The City Council's contribution to the work is modest and it is not the lead procurement authority.	To benefit from evidence studies at modest cost.
<i>Legal</i> None	-	-
<i>Innovation</i> None	-	-
<i>Reputation</i> Unpopular development choices	The SOCG will have to deal with substantial levels of development and a future Joint Strategy is likely to involve unpopular development proposals. Being part of the process enables the Council to influence these.	To influence difficult development decisions and understand the evidence behind them.
<i>Other</i> NA	-	-

## 11 OTHER KEY ISSUES

11.1 None.

## 12 SUPPORTING INFORMATION:

### Introduction

12.1 The Partnership for South Hampshire (PfSH) consists of 12 local authorities covering South Hampshire, including the City Council. The southern part of Winchester District falls within the PfSH area (generally the area south of the South Downs National Park). PfSH produced a Spatial Position Statement in 2016 which set out a proposed development strategy, including the distribution of housing between the authorities. With changes to the planning system and the need to roll forward local plans, PfSH has agreed that an updated strategy should be developed.

12.2 This process started with the production of a Statement of Common Ground, setting out the principles and process to be followed. PfSH agreed a draft framework for a Statement of Common Ground in October 2019 which committed the authorities to commission a series of joint evidence studies

with a view to the future production of a new PfSH Joint Strategy. The PfSH Joint Committee agreed an initial Statement of Common Ground (SOCG) at its meeting on 30 September 2020, including updates to the programme of evidence studies and housing needs for the area. The SOCG is likely to need further updates as evidence studies are completed and development progresses.

- 12.3 The initial SOCG, and any future updates, need to be 'signed off' by the constituent authorities. The purpose of this report is to seek authority for the Deputy Leader and Cabinet Member for Finance and Risk (the City Council's representative on PfSH) to sign the initial Statement of Common Ground and subsequent updates on behalf of the City Council.

#### The Initial Statement of Common Ground

- 12.4 The initial SOCG was approved by the PfSH Joint Committee on 30 September 2020 and can be viewed within the papers for that meeting (Item 8, Appendix 1): <https://www.push.gov.uk/work/our-meetings/joint-committee/> In summary, this SOCG includes:

- Introduction and Background sections covering the context of PfSH and the purpose of the SOCG. The SOCG aims to set out the evidence work and process needed to develop an updated Joint Strategy for the area, which is needed to be able to inform local plan making beyond the existing Spatial Strategy, which currently has an end date of 2034. The SOCG as currently drafted covers the period 2020-2036 although there may be the option to consider a 20-year period (2020-2040). It also needs to reflect changes in Government policy (NPPF) and housing requirements, the importance of climate change, issues such as nitrate neutrality and a potential new Green Belt, and to consider potential areas for growth on a consistent basis.
- The area covered by the SOCG, along with the key strategic matters to be addressed (housing, employment, infrastructure, biodiversity, environmental enhancement and climate change). The constituent local authorities are listed along with other bodies that PfSH will work with (statutory undertakers, LEPs, etc).
- The governance arrangements, with the PfSH Joint Committee making decisions on the SOCG and the PfSH Planning Officers Group overseeing the technical work and evidence studies, led on a day to day basis by the Project Manager and appointed consultants.
- The timetable for the key elements of work and evidence studies, some of which are now underway. These include an assessment of potential Strategic Development Opportunity Areas (including transport impact assessment, final report Q4 2021), an economic employment and commercial study (final report Q1 2021), and a green infrastructure and an assessment of a potential Green Belt designation assessment in the

PfSH area (Q3 2022). It is necessary to assess the development requirement and alternative strategies for delivering it before putting in place 'protective' measures such as a possible Green Belt, hence this element of the evidence studies is in the latter part of the process.

- Housing requirements and supply to 2036. The position on this has been updated to take account of the current 'standard methodology' housing requirements applying and the supply of housing land. The 'shortfall' between requirements and supply is one of the key issues for the SOCG and Joint Strategy to resolve. This currently stands at about 11,000 dwellings (out of a requirement of about 83,000 dwellings), split between the Southampton and Portsmouth housing market sub-areas. This is a reduction on previous shortfalls but the situation is likely to change when Government proposals for changes to the standard methodology are clarified.
- The distribution of development across the area, including the approach to meeting the needs of authorities that cannot meet their housing requirements in full. The work includes the study of potential Strategic Development Opportunity Areas (sites of over 20 hectares or capable of accommodating 500+ dwellings) and possible development strategies for distributing development. This process includes sustainability appraisal and transport impact assessment at the appropriate strategic level. Employment and commercial needs are also being assessed and will feed into the process, along with environmental protection and mitigation measures and development of an infrastructure delivery plan.

### Future Stages

- 12.5 The SOCG is currently an 'initial' Statement because it is expected to need updating as circumstances change. In particular, the various evidence studies will progress and the shortfall between housing requirements and supply is likely to change over time. Delegated authority is therefore sought for the Council's representative on PfSH (the Deputy Leader) to sign future updates of the SOCG.
- 12.6 The SOCG will not determine the future development strategy, which will be done through a new Joint Strategy developed using the evidence and governance arrangements set out in the SOCG. The Joint Strategy will require more formal consideration and approval by the City Council when it is produced, and is not covered by the delegated authority sought in this report. It would then be for the City Council to take account of the Joint Strategy in its own local plan.
- 13 OTHER OPTIONS CONSIDERED AND REJECTED
- 13.1 While the City Council is part of the Partnership for South Hampshire and the process of developing the SOCG, it has the option not to sign the initial SOCG. However, this would throw into question the rationale for the City

Council remaining in PfSH. The SOCG and a subsequent Joint Statement is an effective way of showing that the Council has cooperated on cross-boundary strategic planning matters, as it is required to do under the 'duty to cooperate'.

- 13.2 Even if the Council decided not to sign the SOCG, or to withdraw from PfSH, it would still have a statutory duty to work with its neighbouring authorities on cross-boundary issues. Therefore, remaining part of PfSH and agreeing the initial Statement of Common Ground is considered the best option in terms of being able to demonstrate at a local plan examination that the City Council has meet all of its requirements under the duty to cooperate, developing a coherent sub-regional planning strategy for South Hampshire and undertaking work that will be used in the development of the local plan in a cost effective way. Participation also provides the opportunity to engage in, and influence, the process.

#### BACKGROUND DOCUMENTS:-

##### Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

CAB3233 'Annual Appointments to External Bodies 2020/21'. Cabinet 21 May 2020

##### Other Background Documents:-

PfSH Joint Committee report 30 September 2020 containing initial Statement of Common Ground (Item 8, Appendix 1): <https://www.push.gov.uk/work/our-meetings/joint-committee/>

#### APPENDICES:

None.