

REPORT TITLE: FUTURE ARRANGEMENTS FOR DEVELOPMENT
MANAGEMENT IN THE SOUTH DOWNS NATIONAL PARK FOR THE PERIOD 1ST
OCTOBER 2026 TO 31ST MARCH 2032

12TH MARCH 2026

REPORT OF CABINET MEMBER: Cllr Jackie Porter, Cabinet Member for Place and
Local Plan

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WARD(S): ALL WARDS WITHIN THE SOUTH DOWNS NATIONAL PARK

PURPOSE

In April 2011, the South Downs National Park Authority (SDNPA) became the local planning authority for the part of the district which lies within the park boundary.

The Council has since that time delivered the development management service (includes enforcement) on behalf of the SDNPA. The agreement is secured through S101 of the Local Government Act 1972.

The current arrangements began on 1st October 2022 until 30th September 2024, with an option to extend for a further 2 years. That option was exercised and the current arrangement is due to terminate on the 30th September 2026.

Both parties agree to entering into a new agreement to continue to deliver the development management service, and on 23rd December 2025 the SDNPA wrote to the Council with an offer to continue with the arrangement, under a new agreement.

The offer is provided at officer level at this time to deliver the development management service from 1st October 2026 to the 31st March 2032. This offer is to be taken to the SDNPA Committee for their Member approval on 20th March 2026. Terms have been negotiated with an offer of 8% uplift over the current terms.

Subject to that offer being ratified by the SDNPA Committee it is recommended that we enter a new contract. A 5.5-year contract ensures decision making is retained at the most local level for the 40% of the district inside the park.

A new agreement running to March 2032 provides certainty for the development management service during the transition to a unitary authority with the subsequent

unitary authority continuing to deliver the development management service in accordance with the agreement.

RECOMMENDATIONS:

1. Cabinet authorises the Corporate Head of Planning and Regulatory Services and Director (legal) to enter into a new agreement for the delivery of development management services (including planning enforcement) on behalf of the South Downs National Park Authority for the period 1st October 2026 to 31st March 2032. Subject to the South Downs National Park Authority Member approval on 20th March 2026.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 Greener Faster
- 1.2 Development Management has an important role to play in ensuring that development permitted in the district of which 40% lies in the national park are as sustainable as possible and will be assessed in line with national planning guidelines/legislation and the SDNPA's adopted local plan.
- 1.3 Thriving Places
- 1.4 Development Management decisions help to support the creation of new employment opportunities as well as existing business based in this part of the district that are in accordance with national planning guidelines/legislation and the SDNPA's adopted local plan.
- 1.5 Healthy Communities
- 1.6 The park is a fantastic leisure and recreational resource which provides a range of opportunities for residents of the district and visitors to the area. Planning decisions support these activities by allowing new facilities which improve opportunities whilst protecting the landscape and other qualities of the park in accordance with national park purposes.
- 1.7 Good Homes for All
- 1.8 Planning decisions support the delivery of new homes, and improvements to existing accommodation, to help meet the needs of the population living within the park.
- 1.9 Efficient and Effective
- 1.10 Provides residents, Parish Councils and Ward Councillors access to SDNPA development management service at the most local level.
- 1.11 Listening and Learning
- 1.12 Planning decisions taken on SDNPA planning applications will be taken at the local level by officers based in Winchesters planning service.

2 FINANCIAL IMPLICATIONS

- 2.1 Under the current arrangement with the SDNPA the council has set a budget of £400,000 (income). The income is made up of a fixed payment for enforcement with development management cases and most appeals charged to the SDNPA agreed rates. This means there will be variations in the payment received from one year to the next with the amount determined by the volume and type of applications and appeal which are dealt with.

- 2.2 The SDNPA propose an 8% increase in the rates for the planning application case work and appeals managed by the council and an 8% increase in the fixed enforcement payment.
- 2.3 The Council considers that the partnership working with the South Downs National Park Authority provides wider organisational and place-based value beyond the purely financial position. The SDNPA offer includes a single uplift at the outset of the agreement; however, operating costs — particularly staffing — are expected to rise annually by approximately 2.5%–3%.
- 2.4 Current forecasts indicate total costs of approximately £2.65m over the contract period compared with anticipated income of £2.25m. While this sits below the Council's usual cost-recovery position, the income is expected to meet the direct delivery costs and provides a stronger financial outcome than the short- to medium-term cashable savings.
- 2.5 The current S101 agreement sets out performance standards relating to speed of validation and decision making on applications with financial penalties for performance falling below the standards. This provision exists at present and is considered reasonable, with the council to date performing at levels which would meet or exceed these revised standards.
- 2.6 The exact cost of delivering the service varies from one year to the next depending on the work undertaken. There are fixed staffing costs for development management and enforcement as well as other staff costs and internal consultees that provide advice on planning case work, as well as an allowance for overheads.
- 2.7 If the service were recovered by the SDNPA there would be savings from staff resources to reflect the reduction in work, but overhead costs would remain unchanged such as office accommodation. Income in the last two years has been just under £400,000 and an 8% increase could see an increase of just under £32,000 although it should be noted that this will vary depending on the volume of work received on planning applications and appeals.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The current arrangements began on 1st October 2022 until 30th September 2024, with an option to extend for a further 2 years. That option was exercised and the current arrangement is due to end on the 30th September 2026.
- 3.2 The officer offer to continue the service for a further 5.5 years from 1st October 2026 to 31st March 2032 requires SDNPA Committee approval at its Committee on 20th March 2026. Subject to that agreement it is recommended that we enter into a new agency agreement to deliver the development management service which is provided for in Section 101 of Local Government Act 1972.

4 WORKFORCE IMPLICATIONS

- 4.1 The agreement has operated since 2011, the staff responsible for delivering the service are employed by the Council. Entering into a new agreement gives certainty for the service both with the public, Parish Councils and Ward Councillors as well as our existing staff. If a decision was taken not to continue with the agreement, then Transfer of Undertakings Protection of Employment (TUPE) or redundancy situation may arise and there would be a statutory process to follow.

5 PROPERTY AND ASSET

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 Cabinet Member for Place and Local Plan has been consulted and is supportive of the council continuing to deliver the agency agreement which puts the planning service and decision making at the most local level.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 Ensure that activities that contribute to the conservation and enhancement of the SDNPA within Winchesters district is conserved and enhanced which follows the statutory duty imposed on national parks to seek to foster the social and economic wellbeing of local communities.
- 7.2 A new contract will support the national park purposes which are to conserve and enhance the natural beauty, wildlife and cultural heritage and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

8 PUBLIC SECTOR EQUALITY DUTY

- 8.1 None.

9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 None required.

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<u>Financial Exposure</u> If we did not enter into a new agreement to deliver the development management service, it would result in a loss of income which it would not	Enter into a new agreement which secures the service and income with an 8% uplift in the current payments which is achieved by entering into a	

be feasible to achieve equivalent savings.	5.5-year agreement until 31 st March 2032.	
<u>Exposure to challenge</u> No risk identified.		
<u>Innovation</u> - The standard of delivering the service is determined by the SDNPA and set out in the agreement		
<u>Reputation</u> Poor performance or service delivery could affect reputation	Ensure that the planning team is resourced to deliver the SDNPA service and continue to provide a good quality development management service	
<u>Achievement of outcome</u> Success will be measured by the terms set out in the agreement.	We have a strong track record of service delivery which is reflected in the offer of a 5.5-year contract with an 8% uplift. We have an excellent relationship with the SDNPA.	
<u>Property</u>	N/A	
<u>Community Support</u>	N/A	
<u>Timescales</u> The current agreement ends on 30 th September 2026.	It is proposed to enter into a new agreement for 5.5 years until March 2032	
<u>Project capacity</u> None		
<u>Local Government Reorganisation</u>	A new agreement running to March 2032 provides certainty for the development management service during the transition to a unitary authority with the subsequent unitary authority continuing to deliver the development management service in accordance with the agreement.	
<u>Other</u> None		

11 SUPPORTING INFORMATION:

11.1 Background

11.2 The council has been delivering a development management service successfully for the SDNPA since they became the Local Planning Authority on 1st April 2011. There have been a series of agreements put in place during this time setting out the financial and operational arrangements for service delivery.

11.3 The current arrangement was agreed by Cabinet on 15th September 2021 (CAB 3314). This was for a 2-year period, with an option to extend for a further two years. The option was exercised and the current agreement if not renewed will end on 30th September 2026.

11.4 SDNPA offer

11.5 The SDNPA wrote in December 2025 offering the council an opportunity to enter into a new agreement for a 5.5-year period, to run from 1st October 2026 to 31st March 2032.

11.6 The offer thanks us for the work we have done on behalf of the SDNPA and the proactive and strong relationships we have. The offer based on a 5.5-year contract leads to an 8% uplift on the current terms, which means the income per case of planning applications and appeals has increased by 8%, and the fixed rate for enforcement will also increase by 8%.

11.7 The contract will remain on similar terms to those currently in place with performance standards relating to speed of validation and decision making with financial penalties for performance failing below these standards. This is reasonable and we already meet and, in some cases, exceed the standards.

11.8 Conclusion

11.9 Continuing the arrangements with a new contract has the benefit of retaining decision making at the most local level, reinforcing local democracy. The extended time gives certainty to the council, our customers, and staff as well as a future unitary authority during a period of transition through local government review.

11.10 In financial and democratic terms, it is considered that the best option is to enter into a new agreement with the SDNPA to continue to provide the development management service on their behalf until March 2032.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 The council is under no obligation to provide a development management for the SDNPA. If we decided not to continue to deliver the service, we would have to give notice and staff that deliver the development management service would be subject to TUPE.

12.2 The partnership has worked well for both authorities and as explained above, it is considered financially favourable to the council to continue with the arrangement as well as ensuring decision making remains at the most local level providing those who use the SDNPA development management service.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

CAB 3314 – Future arrangements for development management in the South Downs National Park - 15th September 2021

CAB 2948 – Continued arrangements for the delivery of development functions in the South Downs National Park – 5th July 2017

CAB 2504 – Future arrangements for the delivery of the development management functions in the South downs National Park – 11th September 2013

CAB 2024 – South Downs National Park Delegation of planning decisions to local authorities 9th July 2010

APPENDICES:

None