Agenda
Partnership for South Hampshire Overview and Scrutiny Committee

Date: Tuesday 08 October 2019
Time: 10.30am
Venue: Collingwood Room, Civic Offices, Fareham Borough Council

Members:
Councillors
Cllr Tom Davies  Fareham BC
Cllr Alan Glass (Chairman)  New Forest DC
Cllr Judith Smyth  Portsmouth CC
Cllr Dan Fitzhenry  Southampton CC
Cllr Malcolm Johnson  East Hants DC
Cllr Bruce Tennent (Vice-Chairman)  Eastleigh BC
Cllr Zoe Huggins  Gosport BC
Cllr Ray Bolton  Hampshire CC
Cllr Dianne Lloyd  Havant BC
Cllr Phil Bundy  Test Valley BC
Cllr Dominic Hiscock  Winchester CC

Deputies:
Councillors
Cllr Gordon Bailey  Test Valley BC
Cllr Angela Clear  Winchester CC
Cllr Peter Davies  Fareham BC
Cllr Richard Gomer  Eastleigh BC
Cllr Peter Latham  Hampshire CC
Cllr Luke Stubbs  Portsmouth CC

Co-opted Members
Paddy May  Partnership for Urban South Hampshire (PfSH)
For further information please contact Democratic Services at Fareham Borough Council Tel: 01329 824594
democraticservices@fareham.gov.uk
1. **Apologies for Absence and Changes to the Overview and Scrutiny Committee Membership**

   To note any changes in membership for this meeting of the Overview and Scrutiny Committee made in accordance with the Council procedure Rule 4.3.

2. **Minutes**

   To confirm as a correct record the minutes of the meeting of the Partnership for Urban South Hampshire (PUSH) Overview and Scrutiny Meeting held on 13 August 2019.

3. **Chairman's Announcements**

   To note any changes in membership for this meeting of the Joint Committee made in accordance with Council procedure Rule 4.3.

4. **Declarations of Interest**

   To receive any declarations of interest from members, in accordance with the Joint Agreement.

5. **Deputations**

   To receive any deputations of which notice has been lodged.

6. **PfSH Managers Report**

   This represents an additional method for PfSH business to be reported to the Joint Committee. The report provides an opportunity for issues which are significant, but do not justify a full report in their own right, to be brought to the attention of the Joint Committee for a decision. It will also provide updates from the Delivery Panel Chair.

7. **PfSH Joint Committee Agreement**

   To receive a report outlining the revisions to the PfSH Joint Committee Agreement.

8. **PfSH Nitrate Neutrality Update**

   To receive a report outlining the work that PfSH is undertaking to address the impact of the nitrate neutrality on housing development across the region.

9. **Statement of Common Ground**

   To receive an update on the progress of work on drafting a joint Statement of Common Ground.
Minutes of the Special Partnership for South Hampshire (PfSH) Overview and Scrutiny Committee

Minutes of a meeting held on 13 August 2019
in the Council Chamber, Civic Offices, Fareham

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<td>Cllr Dominic Hiscock</td>
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<th>Also in Attendance:</th>
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<td>Paddy May</td>
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1. **APOLOGIES FOR ABSENCE AND CHANGES IN OVERVIEW & SCRUTINY COMMITTEE MEMBERSHIP**

An apology of absence was received from Councillor Tom Davies (Fareham BC), with Councillor Peter Davies deputising.

Appointments to Committee:
Councillor Dianne Lloyd (Havant BC) and Councillor Dominic Hiscock (Winchester CC) have both been formally appointed to the Overview and Scrutiny Committee.

2. **MINUTES**

RESOLVED that the Minutes of the meeting of the PfSH Overview and Scrutiny Committee held on 26 June 2019, be confirmed and signed as a correct record.

3. **CHAIRMAN’S ANNOUNCEMENTS**

There were no Chairman’s announcements made at this meeting.

4. **DECLARATIONS OF INTEREST**

There were no interests declared at the meeting.

5. **DEPUTATIONS**

There were no deputations made at this meeting.

6. **PfSH Overview and Scrutiny**

The Overview and Scrutiny Committee received a report from the PfSH coordinator, Paddy May concerning the operation of the PfSH Overview and Scrutiny Committee functions.

The Chairman invited Members to consider each recommendation in turn. In respect of the recommendation being presented to the Joint Committee as to whether the time of the PfSH Overview and Scrutiny meetings should change, Members discussed the merits of future meetings of the Overview and Scrutiny Committee taking place in the daytime, specifically mornings, which having been proposed by Councillor A Glass and seconded by Councillor M Johnson was CARRIED unanimously.

In respect of the recommendation 1(b) in the report, Members considered the move of Overview and Scrutiny Meetings to take place prior to the Joint Committee meetings. Members discussed the benefit of pre-scrutiny and how their recommendations would be considered by the Joint Committee. Options presented to Members by the PfSH Co-ordinator were that the authors of reports could prepare a briefing note on the matters which were going to be received by the Joint Committee and those report authors could attend the Overview and Scrutiny meetings to give a verbal overview of the item.
Members, overall, supported the move to pre-scrutiny but Councillor Johnson raised concerns that pre-scrutiny could be seen as doubling-up on work and that his view was he wouldn’t want the Committee to be seen as pre-empting decisions of the Joint Committee.

Members discussed when the Overview and Scrutiny Committee should meet to assist them in making timely and well-informed recommendations to the Joint Committee and the Chairman stated that he would be happy to attend the Joint Committee meetings to provide Members with any recommendations made by the Overview and Scrutiny Committee.

Having been proposed by Councillor B Tennent and seconded by Councillor D Hiscock it was CARRIED by 7 votes in favour and one abstention that the Overview and Scrutiny Committee moves its meetings to take place within 14 days, where possible, prior to the meetings of the Joint Committee to conduct pre-scrutiny.

Turning to recommendation 1(c) as to what else could be done to improve the effectiveness of scrutiny, Members were advised, on request, that the Overview and Scrutiny Committee could ask the Joint Committee to consider specific matters if they wished. The view of Members was that contribution to effective scrutiny could take place by pre-scrutiny meetings and attendance by the Chairman at the Joint Committee meetings.

Councillor B Tennent suggested the Overview and Scrutiny Committee reviews the changes and overall effectiveness of the PfSH scrutiny function in six months which was agreed by the Committee.

RESOLVED that having CONSIDERED the report, the Overview and Scrutiny Committee:

1. **MOVES** the times of the Overview and Scrutiny meetings to daytime meetings;
2. **RECOMMENDS** that the Joint Committee **NOTES** the Overview and Scrutiny Committee will meet prior to Joint Committee meetings;
3. **RECOMMENDS** to the Joint Committee that the Overview and Scrutiny Committee Chairman attends Joint Committee meetings to provide any recommendations as made by the Overview and Scrutiny Committee; and
4. **AGREES** the Overview and Scrutiny Committee will review the effectiveness of pre-scrutiny in six months’ time.

(The meeting started at 10:30am and ended at 11:15am)
Report to the Partnership for South Hampshire
Overview and Scrutiny Committee

Date: 8 October 2019

Report of: Paddy May, Partnership for South Hampshire (PfSH) Co-ordinator

Subject: PFSH CO-ORDINATOR’S REPORT

SUMMARY

The co-ordinator’s report provides an opportunity for issues which are significant, but do not justify a full report in their own right - to be brought to the attention of the Joint Committee for decision or for information at their meeting on the 14 October 2019.

RECOMMENDATIONS

It is RECOMMENDED that the Overview & Scrutiny Committee NOTES the contents of the report and consider any comments to be passed to the Joint Committee for consideration.
BACKGROUND

Item A - Matters for Decision

There are no items for decision

Items B - Matters for Information

Governance

1. The Joint Committee will be informed, through the Coordinator's Report, about the new arrangements for Overview & Scrutiny. This will include the new arrangement that the Chair of O&S will be present at the Joint Committee to feedback, on behalf of Overview & Scrutiny Committee, to the issues that Joint Committee will be discussing.

2. At the meeting of New Forest National Park Authority (NFNPA) Board on 29 August, the Board agreed to accept the invitation from PfSH to become members. The Chairman, and Deputy Chairman - Oliver Crosthwaite-Eyre and Patrick Heneghan respectively, were nominated to represent the Authority interchangeably at Joint Committee meetings. Discussions are taking place with the Alison Barnes (CEO) about the formal arrangements that need to be made to ensure representation at PfSH meetings.

Planning & Infrastructure

3. **Statement of Common Ground**
   An update on progress towards developing a PfSH-wide Statement of Common Ground and regional 'vision' is included on the main agenda for Joint Committee 14 October.

4. **Strategic Recreation and Mitigation Partnership (Bird Aware) Key Performance Indicators (KPIs)**
   The focus of the Rangers activities is different during the summer months to the winter season owing to the birds not being present on the coastline during the summer. During the period of 1 July - 31 August their outreach activities can be shown as:
   - Events attended - 12
   - Events Engagement Hours - 87
   - People Engaged with - 1385

5. During the same period, the brand and communications lead has also created several media opportunities and continued to grow our social media presence as follows:
   - % growth of social media followers on each platform since last update
     - Twitter – 32 – 3%
     - Facebook – 47 – 6%
     - Instagram – 29 – 7%
• Impressions (number of times seen) for each social media platform
  o Twitter – 115.9k
  o Facebook – 34,735
  o Instagram – 10,417

• Number of posts on social media
  o Twitter - 148
  o Facebook - 73
  o Instagram posts and stories – 31

• Press releases
  o 1 each month

• The number of web stories uploaded
  o 4 added to the section ‘Blog’

6. Water Management
An update on progress towards developing a strategy for achieving nutrient neutrality for new housing development across the PfSH region is included on the main agenda for Joint Committee 14 October.

7. Green Infrastructure
A meeting was held with the Chairman of the Bishop's Waltham to Botley Bridleway Project Working Group in December to discuss how the scheme can be taken forward. The project is one of the schemes outlined in the Green Infrastructure Implementation Plan that was agreed at the Joint Committee 4 June. The issue that remains is how this scheme can be funded although it is clearly an important access route to green infrastructure for local communities

**Update from Culture, Creative Industries and the Built Environment**

8. The following update has been provided by the PfSH panel lead on this workstream.

9. Solent Design awards
The public vote went live and will be completed 4 October. Final judging will take place in parallel - and so results are expected to be announced later in the month. A copy of the Solent Design Awards press release announcing the voting opportunity has been posted on the PfSH website in support.

10. Hampshire Chamber of Commerce
David Joel president Hampshire Chamber of Commerce has taken over from Marian Frost as Chair of Creative Network South.

11. Local Industrial Strategy
Work to integrate the contribution of the creative economy into the Solent LEP local industrial strategy (economic strategy) is ongoing. PWC is drafting a sector report which is expected to be released shortly.

12. Digital Apprenticeships
Creative Network South and local providers have met with the Solent Apprenticeship Hub, which has agreed to promote take up of digital apprentices. Initial focus will be on digital marketing, digital content production and event management. A further
meeting on 20 September looked into how an initiative might be launched and promoted.

13. **Business Support**
   Creative Network South is working to develop a triangulated approach to providing creative industries sector specific business support. [Creative Growth Southampton](#) is offering support to businesses and freelancers drawn across the PfSH area.

14. **Energy and the Green Economy**
   A number of PfSH Local Authorities have declared Climate Emergencies. In line with the PfSH business plan this is an area of work that PfSH wishes to be more engaged with. An officer meeting on how this might best be taken forward is scheduled for October and a report is planned to be taken to the December Joint Committee.

15. **Solent Local Enterprise Partnership (SLEP)**
   Stuart Baker, Assistant Director of Strategy and Programme Development at the Solent Local Enterprise Partnership (LEP), will be providing a verbal presentation to Joint Committee at its meeting on the 14 October which will outline the work the LEP is undertaking to develop a Local Industrial Strategy.

   Developing a Local Industrial Strategy (or economic strategy) for the Solent presents a real opportunity to set the area on a pathway to a more prosperous future for all.

   The Solent is a major economic contributor, providing £31bn gross value added to the UK economy. Several key UK assets are located in the region such as the Port of Southampton, Portsmouth Naval Base and the ExxonMobil refinery. The Solent has an economy with specific sectoral strengths linked to its coastal location, outstanding natural environment and knowledge assets and it is an area of distinction and competitive advantage that should be the focus of any future economic strategy.

   The Overview and Scrutiny Committee will receive a copy of the presentation as an item at its next meeting on the 27 November 2019.

**Background Papers:**

None

**Reference Papers:**

None

**Enquiries:**

For further information on this report please contact:

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Summary

It has been necessary to review and amend the PfSH Joint Committee Agreement in light of various governance issues affecting its relevance and validity. The Joint Committee will receive a report from David Williams, the PfSH Lead Chief Executive, that will set out the reasons for the recommended amendments, together with a draft revised 2019 version of the Agreement for their endorsement.

Recommendations

It is RECOMMENDED that the Overview & Scrutiny Committee NOTES the contents of the report and consider any comments to be passed to the Joint Committee for consideration.
BACKGROUND

1. It has been necessary to review and amend the PfSH Joint Committee Agreement in light of various governance issues affecting its relevance and validity. Those issues include:
   a. The decision of Isle of Wight Council to withdraw its membership of PfSH
   b. New Forest National Park Authority's decision to join PfSH (decision taken at the meeting of its board 29 August)
   c. The de-coupling of the PfSH Joint Committee and the Solent LEP Solent Growth Forum. This is partly due to the decision of the Isle of Wight Council to withdraw its membership of the PfSH
   d. The decision taken by Joint Committee at its meeting 4 June 2019 to continue to review its governance and in particular the previous decision to change the mechanisms for membership subscription
   e. Changes to the way that the Overview and Scrutiny Committee has decided to perform its function
   f. Clarity on how the veto of Joint Committee decisions by members must be exercised (Hampshire CC, Portsmouth CC and Southampton CC)
   g. The previous iteration of the Agreement dated 2015, which updated the 2014 version, was has never formally endorsed by the individual local authorities.

2. Joint Committee will be asked to agree the necessary changes to the Joint Committee Agreement - to ensure proper governance arrangements are maintained as membership, and conditions of membership, of PfSH evolve.

Background Papers:
None

Reference Papers:
Review of PUSH and Business Plan 2019/20
Joint Committee Meeting Item 10 4 June 2019
PfSH Joint Agreement 2015

Enquiries:

For further information on this report please contact:

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E-mail: Paddy.may@portsmouthcc.gov.uk
Report to the Partnership for South Hampshire Overview and Scrutiny Committee

Date: 8 October 2019

Report of: David Bibby, Principal Planning Officer (Strategy), Test Valley Borough Council – on behalf of PfSH Water Quality Working Group (WQWG)

Subject: PFSH NUTRIENT NEUTRALITY UPDATE

SUMMARY

The report will provide a further update on progress made to date on work that PfSH is undertaking with partners to address the issues of achieving nutrient neutrality from development across the region, following the previous report to the Joint Committee on 31 July 2019.

RECOMMENDATIONS

It is RECOMMENDED that the Overview & Scrutiny Committee NOTES the contents of the report and consider any comments to be passed to the Joint Committee for consideration.
BACKGROUND

1. This report updates the work that has been done following advice received from Natural England that highlighted the likely significant effect on the Solent's international sites due, in part, to the increase in wastewater from new housing and overnight accommodation. The aim continues to be to achieve a PfSH wide strategic approach to mitigation - in order to achieve nutrient neutral development and deliver the planned housing compliant with the Habitats Regulations.

2. There is existing evidence of high levels of nitrogen and phosphorus in the Solent water environment with evidence of eutrophication at some designated sites. This must be addressed as required by the Habitats Regulations. The achievement of nutrient neutrality, if scientifically and practically effective, is a means of ensuring the development does not add to existing nutrient burdens.

3. Officers from PfSH local authorities, through the Water Quality Working Group (WQWG) (and in liaison with the Planning Officers’ Group), have continued to work with colleagues from Natural England (NE), the Environment Agency (EA), Southern Water and other partners to investigate the potential mitigation options. A meeting has been held with officials from the Ministry of Housing, Communities and Local Government (MHCLG). A note of the meeting held with MHCLG on 20 August is attached at Appendix 1.

4. MHCLG have subsequently advised that they are working closely with NE, EA and DEFRA to understand potential resolutions to the issue. Progress has been made towards engaging senior level discussion between the two Government departments and technical discussions are taking place regarding the matter of nitrate permitting. It is also continuing to look at the implications of recent CJEU judgements and working with NE towards some revisions to the method for calculating nitrate neutrality. Further details are expected in due course, once these are agreed and Government is satisfied that are European Regulations compliant.

5. PfSH will be putting a programme bid into the Solent LEP Prosperity Fund to help provide mitigation at scale. Appropriate governance will need to be developed to support this bid but PfSH has a strong track record in such schemes through Bird Aware Solent. The PfSH is able to use the existing South Hampshire Green Infrastructure Implementation Plan (June 2019) as a basis to make a business case. A bid submitted in November should allow time for the preparation to include the results and feedback from ongoing consideration of the issue by MHCLG. Grants valued between £550k and £5m are available from the fund. The deadlines for submitting an application is 29 November.

6. Whilst positive progress is being made and some of the identified potential mitigation options look favourable as possible ways forward, no firm mitigation solutions have yet been found that would enable a PfSH wide strategic approach to be put in place. Best endeavours to achieve this continues.

Appendices:
- Appendix 1 - Note of Meeting with MHCLG, 20 August 2019

Background Papers:
- Item 7: PfSH Nitrate Neutrality Update, 31 July 2019 Joint Committee
Item 10: South Hampshire Integrated Water Management Study, 5 June 2018 Joint Committee

Item 10: South Hampshire Integrated Water Management Study, 28 March 2018 Joint Committee

Reference Papers:

Enquiries:

For further information on this report please contact:-

David Bibby, Principal Planning Officer (Strategy), Test Valley Borough Council
T: 01264 368105
E: dbibby@testvalley.gov.uk
Note of Meeting

Welcome and introductions

- The PfSH provided a short appraisal, for the benefit of MHCLG colleagues, of the impact the issue is having on housing development in the south Hampshire region. Havant, Portsmouth, Test Valley, Gosport, East Hampshire, Eastleigh, Southampton, Fareham, New Forest, Natural England and Environment Agency contributed their individual positions. It is clear that the ability of local authorities to issue consents to developers for new housing is stalling significantly, the impact of the problem varies across the region, and there is a real risk to small and medium sized housing developers.

- The PfSH advised that unless measures are taken to address the situation quickly, the problems will escalate even further. A key frustration for members is the lack of parity between the approaches and guidance offered by Natural England and the Environment Agency to address the situation.

- Local authorities are looking at short-term solutions to mitigate nitrate pollution and that will result in resuming business as usual. A medium/long term strategy is required with central government buy-in and leadership.

- The PfSH considers that housing development and local planning authorities are being expected to provide a disproportionate level of responsibility for providing solutions to pollution caused largely by other industries.

MHCLG position

- MHCLG is aware that the issue is causing real problems and confirmed that it is on Secretary of States ‘radar’

- Penny Mordaunt MP (Portsmouth North) met with Robert Jenrick MP (SoS MHCLG) 19 August at which the issue was discussed. The outcomes of that discussion not offered by MHCLG

- The issue is not one of the Government's making and confirmed that, post brexit, ECJ judgements and EU Directives will continue to be enforced in the UK

- In the short-term MHCLG felt that local authorities need to consider their appetite for risk to legal challenge when considering whether to issue any planning consent

- Collectively and individually, local authorities need to make a decision on how the outcome of the ‘dutch case’ is interpreted

- MHCLG understands that the housing development sector is taking an unfair ‘hit’ in terms of having to address the issue and that the balance needs to be redressed. MHCLG is keen to explore what other action can be taken so that new development can continue
• The MHCLG preference is for a strategic medium/long term approach and believed that offsetting (purchase of agricultural land/taking it out of use) is not necessarily the answer and does not work in cities
• MHCLG is also keen to explore options around the benefits of biodiversity net gain as a solution to the problem
• MHCLG appreciated that cross-departmental (MHCLG and DEFRA) discussions are required to form a medium to long term solution - but could only confirm that those discussions would happen ‘in coming weeks’
• MHCLG cannot commit at this time to any funding for projects to look into mitigation measures

It was agreed that:
• Michael Bingham (MHCLG, Director of Policy) should be PfSH's main point of contact for ongoing discussions

• MHCLG will initiate cross-departmental discussions to look at ways of finding a medium to long-term solution to the problem. Since the meeting (email from Michael Bingham 21 August) the MHCLG has confirmed that it will be looking at possible short-term solutions

• Following enquiries from Fareham Borough Council, MHCLG agreed to provide advice on the process for invoking Imperative Reasons of Overriding Public Interest (IROPI)

• PfSH should provide MHCLG with an 'appraisal' of the current and future (6 to 12 months) impact of the problem and activity being undertaken to mitigate nitrate pollution. This should include:
  o clarity around expected housing need in line with expected population growth in the region
  o detail of what approaches local authorities were currently taking to address the situation
  o what are the barriers are to producing a medium to long-term mitigation strategy
  o Whether/which local authorities are currently issuing consents
  o Likely housing trajectory (what's in the pipeline) for the next 6-12 months - by local authority
  o Whether/which local authorities are developing a strategy of mitigations and if so, what those headline mitigations are.
  o Clarity around whether mitigation measures have been approved by Natural England, Cabinet or are simply being investigated
  o If strategies have been approved, when it is expected that individual local authorities will begin issuing consents again.
  o Clarity around the whether individual local authorities have assessed the amount of land required for mitigation (offsetting)
  o Confirmation of the quantity of land required to relieve a) the immediate backlog; and b) for the life of your local plan?
PfSH undertook to present the above to MHCLG on or just after 2 September (the occasion of the next PfSH Water Quality Working Group). Once MHCLG has sufficient background on the current ‘state of play’ it will be in a better position to inform further discussions internally and across government with a view to developing medium to long-terms solutions.

ENDS
Report to the Partnership for South Hampshire Overview and Scrutiny Committee

Date: 8 October 2019

Report of: Claire Upton-Brown, Chairman PfSH Planning Officers Group

Subject: DRAFT FRAMEWORK FOR PFSH STATEMENT OF COMMON GROUND

SUMMARY

At the July Joint Committee meeting it was resolved that PfSH produces its first Statement of Common Ground (SoCG) in October of this year for Joint Committee approval. The production of the SoCG will facilitate the review of the Spatial Position Statement (2016) and the production of the Joint Strategy. The Joint Committee will consider the draft framework for the production of a PfSH SoCG on 14 October. This will help local authorities be able to demonstrate compliance with the ‘Duty to Cooperate’.

RECOMMENDATIONS

It is RECOMMENDED that the Overview & Scrutiny Committee NOTES the contents of the report and consider any comments to be passed to the Joint Committee for consideration.
The Joint Committee agreed five workstreams to be included in the SoCG at its meeting in July. An additional workstream is included in the draft framework for the SoCG, ‘Green Infrastructure Needs and Consideration of Mechanisms on How to Achieve Greenbelt Designation’.

The draft framework for the SoCG sets out the process for evidence gathering and decision making for cross-boundary strategic planning work. The SoCG is in line with the messages within the NPPF around the importance of dealing with the strategic issues across authorities. It will enable individual local authorities in South Hampshire to collectively respond to pressing planning issues affecting the sub-region, in a more efficient and effective way than individual or bi-lateral responses, although these can still be relevant for local issues. The work set out in the draft framework for the SoCG will enable authorities to address issues that they would not be able to solve themselves and are best resolved at the sub-regional scale.

The draft framework for the SoCG quantifies current estimates of housing need and supply for the period 2016 – 36, thereby identifying current unmet housing need for some 18,000 dwellings in the period up to 2036. It also sets out some of the pressing environmental issues that will need to be resolved at the sub-regional scale. The draft framework has been prepared using the headings advising what a SoCG should contain in the government’s planning practice guidance.

Previous reports to the Joint Committee that set the context for this work are included in the reference papers below. It will be recommended to the Joint Committee that it approves the draft Framework for the SoCG and agree the additional workstream: Green Infrastructure Needs and Consideration of Green Belt.

Further detail on the review of the evidence base and a timetable for the work will be added to the information in the draft framework before it is considered by the Joint Committee as an initial SoCG.

Background Papers:
None

Reference Papers:


Implications of the revised NPPF for PUSH Position Statement & Consideration of Green Belt Designation – Reports to the PfSH Joint Committee 4 December 2018
Revised NPPF - Duty to Co-operate and Infrastructure Investment – Report to the PfSH Joint Committee 15 October 2018

Enquiries:

For further information on this report please contact:-

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