



Report to the Partnership for South Hampshire Joint Committee

Date: 30 September

Report of: Paddy May, PFSH Coordinator

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. The report is divided into Parts A and B accordingly.

RECOMMENDATIONS

It is RECOMMENDED that the Joint Committee: -

- a) NOTE and ENDORSE the Solent Recreation Mitigation Partnership's proposed financial protocol in part A for this report;
- b) NOTE and ENDORSE the Solent Recreation Mitigation Partnership's proposal to provide an indemnity to the Accountable Body in the unlikely event that the Partnership fails to 'make good' any loss of interest to the scheme's funds during the course of the agreement; and
- c) NOTE the matters for information outlined in part B of this report.

PART A: MATTERS FOR DECISION

Solent Recreation Mitigation Partnership's (Bird Aware) proposed financial protocol

1. This item has been listed on the [PfSH Forward Plan published 1 September](#) as a standalone report in its own right '*Bird Aware Solent - to receive a report seeking endorsement from the Joint Committee for a financial protocol to be in place*'. Since publication the decision has been made that the full contents of the report can be included here, as part of the Co-ordinator's report.
2. The Solent Recreation Mitigation Partnership's (SRMP) income is entirely derived from developer contributions and is therefore subject to fluctuations depending on the number of planning permissions granted in any one year.
3. The Partnership is able to foresee a possible temporary shortfall in income for a period of time. This is a result of the ongoing issues related to nitrate neutrality delaying the granting of some permissions and a credible risk of recession as a result of the COVID-19 pandemic - both impacting on the house building sector. The cumulative impact of these has the potential to be significant.
4. The Partnership's financial model is based upon the collection of an income until April 2034. It is believed that over this timeframe all planned housing will come forward and the overall income to the Partnership will meet necessary targets.
5. Once the income to the Partnership ceases in 2034, the Partnership will draw down on its in-perpetuity fund to cover operating costs until 2114. This in-perpetuity fund has already started building and as of the 31 March 2020 stands at £1,740,937.

Proposal

6. The Partnership is now minded that should a temporary shortfall in income occur, the in-perpetuity fund could be used to cover this and allow the Partnership to keep operating at the capacity necessary to continue delivering appropriate levels of mitigation.
7. It is intended that such use of the in-perpetuity fund would only occur in exceptional circumstances and there would be an undertaking to pay it back with interest at the first available opportunity. It is also proposed that should the Project Board recommend this course of action a proposal would come to Joint Committee for approval.
8. It is further intended that should exceptional circumstances impact upon the income stream once more, then a fresh review/decision will be taken by the Project Board and Joint Committee each time and past decisions won't set a precedent for future decisions.
9. In this instance it is proposed that should funds be drawn down from the in-perpetuity fund that they be repaid through developer contributions once house building recommences in earnest.
10. The Bird Aware Financial Reserves Policy is attached to this report at **Appendix 1**. The SRMP Terms of Reference are also attached at **Appendix 2** as these will be mentioned within the proposed financial protocol.

Legal Position and Risk Management

11. Advice from Legal Services is that adopting the proposed financial protocol would be legal.
12. As the Partnership is not a separate legal entity in its own right, then this proposal is one that can be approved as a variation in its funding arrangements provided that the overall spirit of the scheme and the context of what the developer contributions are being collected for remains.
13. It is also important for any loss of interest to the scheme's funds to be made up during the course of the agreement.
14. It would fall to the Accountable Body (Fareham Borough Council) to 'make good' any such shortfall if it fails to be delivered by the Partnership. As a form of risk management, Legal Services has proposed that the Accountable Body be provided with an indemnity from PfSH members as part of this proposal to cover them in this respect.
15. If Joint Committee accepts this approach, then an appropriate agreement can be drawn up to offer such protection to the Accountable Body prior to the financial protocol being activated.

PART B: MATTERS FOR INFORMATION

Planning & Infrastructure

Statement of Common Ground

1. An update on progress towards developing a PfSH-wide Statement of Common Ground and regional 'vision' is included on the main agenda for the Joint Committee Meeting 30 September.

Strategic Recreation and Mitigation Partnership (Bird Aware) Key Performance Indicators (KPIs)

2. 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. This summer, COVID related restrictions have resulted in many planned activities being postponed. During the period of 1 June until 31 July their outreach activities can be shown as:
 - Two virtual presentations
 - One virtual event
 - Managing the Instagram account
 - Managing the Twitter account from July onwards
 - Writing blog posts and articles for internal and external publications
 - Initiating a YouTube channel and creating 12 targeted engagement videos
 - Developing signage and interpretation opportunities and materials
3. Additionally, the ranger team have planned for the delivery of the 2020/21 winter season activities in a COVID secure way. This has necessitated:

- Updating site plans for all 96 sites
 - Planning site priorities and site visit targets
 - Contingency planning and risk assessments
 - Committing to undertake all fieldwork activities for the coming season's monitoring work and developing a secure methodology
 - Recruitment of seasonal rangers
4. During the same period, the Brand and Communications Lead has worked with the wider Ranger team to achieve the following:
- Number and % growth of social media followers on each platform since last update
 - Twitter – 65 (4%)
 - Facebook – 65 (5%)
 - Instagram – 153 (17%)
 - Impressions (number of times seen) for each social media platform
 - Twitter – 219k
 - Facebook – 62k
 - Instagram – 31k
 - Number of posts on social media
 - Twitter - 311
 - Facebook - 105
 - Instagram posts and stories – 64
 - Press releases
 - 2 in total - 1 each month.
 - 4 articles added to the section 'Blog'

Water Management

5. 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 30 September.

Energy and the Green Economy

6. No further update since the Coordinator's Report and on the Business Plan 2019/20 submitted to Joint Committee 7 July. However, a report has been submitted separately to Joint Committee 30 September requesting consideration of the Future South report, '*A Greenprint for South Hampshire: the opportunities ahead*' that outlines post-Covid approaches to delivering green initiatives across the South Hampshire sub-region.

Culture, Creative Industries and the Built Environment

7. In the light of Covid-19 both Portsmouth Creates and Southampton City Council conducted research into the needs of creative businesses within the LEP area. One of the identified sector priorities was sector specific business support.

8. In response the existing Creative Growth Southampton project (funded by PfSH and delivered in partnership with Southampton City Council and Solent University) the project has been able to extend its remit and is open to creative businesses located anywhere in South Hampshire. 1-to-1 mentoring is being delivered by Nicky Curtis, who in the past was a business link advisor and currently also works for Solent University.
9. The target audience for Creative Growth South is early stage creative businesses and freelancers with experience of trading and a turnover below £30k working towards sustainability. Since its launch over 40 businesses have received up to six 1-1 sessions. 16 businesses are currently working with Nicky. Prior to lockdown the project also delivered a programme of monthly networking and training activity - this is currently on hold.
10. Funding is in place to continue Creative Growth South until the end of the calendar year, while opportunities to mainstream the approach by embedding this type of support within the emergent structures promoting the cultural and creative sector in the Portsmouth and Southampton travel to work areas are being explored.
11. Portsmouth Creates was launched in November 2019 in order to drive the delivery of the city cultural strategy and bring together the arts and culture industry and community. In August it was agreed that £10 000 of PfSH funding should be used to support a joint post within Portsmouth Creates CIC. The post holder will have a remit to assist cultural organisations in the Portsmouth Travel to Work area to attract funding and provide business support to creative businesses and freelancers operating in the travel to work area. It is expected the post holder will take up the appointment this autumn.
12. Discussions are at an early stage to embed creative industry business support within the partnership structure surrounding the development of the Southampton City of Culture application - so as enhance the Southampton area's capacity to retain creative talent.

Website to Signpost Creative Studios, Flexible Workspaces, Maker Spaces and Digital Incubators

13. Creative digital and tech businesses frequently do best when they are embedded within a community of similar businesses. In its early years, the then Partnership for Urban South Hampshire invested in a number of creative workspaces and continues to support a studio providers network. The lockdown period has presented studios and flexible workspaces with significant challenges. However, this infrastructure - which has been significantly strengthened in South Hampshire in recent years - will play a critical role in the recovery of the tech, digital and creative sector within the Solent LEP area.
14. Creative Network South is therefore working with the Solent Growth Hub to map all studios, flexible workspaces and incubators so that these can be signposted and promoted on the growth hub website.

RECOMMENDATIONS

It is RECOMMENDED that the Joint Committee: -

- a) NOTE and ENDORSE the Solent Recreation Mitigation Partnership's proposed financial protocol in part A for this report;
- b) NOTE and ENDORSE the Solent Recreation Mitigation Partnership's proposal to provide an indemnity to the Accountable Body in the unlikely event that the Partnership fails to 'make good' any loss of interest to the scheme's funds during the course of the agreement; and
- c) NOTE the matters for information outlined in part B of this report.

**Appendices: - Appendix 1 - Bird Aware Solent Financial Reserves Policy
July 2020**

**Appendix 2 - Solent Recreation Mitigation Partnerships (Bird
Aware) Terms of reference**

Background Papers: None

Reference Papers: None

Enquiries: For further information on this report please contact:

Paddy May (PfSH Co-ordinator)

Tel. No. 023 9283 4020

E-mail: paddy.may@portsmouthcc.gov.uk



Bird Aware Solent Financial Reserves Policy

July 2020

Introduction

1. This financial reserves policy is to be read in conjunction with the Terms of Reference for the Bird Aware Partnership.
2. The purpose of this policy is to define the exceptional circumstances under which money held within the Partnerships in-perpetuity fund may be used to support the day-to-day running costs of the Partnership prior to the period in which it is intended to be drawn from.
3. The policy also recognises the need to replace these funds (and any associated interest lost) at the earliest possible opportunity.

Purpose of the in-perpetuity fund

4. It is recognised that the purpose of the in-perpetuity fund is to enable the Partnership to keep delivering the Bird Aware Strategy for a period of 80 years after the income stream ceases.

Exceptional uses of the in-perpetuity fund

5. The Bird Aware Partnership was created to provide recreational mitigation measures needed as a result of increased housing adding pressure to the Solent SPA bird species.
6. The Partnership is entirely funded by developer contributions, but it is recognised that the delivery of housing in the local area may not be consistent, thus if there were to be a severe recession or other limiting factor on local housing development, then the income stream may be temporarily unable to meet the spending needs of the Partnership.
7. As delivery of the Partnerships work is crucial to ensure new housing that opted into the Strategy does not cause an in-combination effect on recreational disturbance, the work of the Partnership cannot necessarily be scaled back to reflect future lower incomes.
8. Therefore in exceptional circumstances, where a short to mid-term reduction in income can realistically be foreseen, then once any reserves balance has been utilised, the in-perpetuity fund can be considered for use to fund the day-to-day activities (as set out in the Strategy) of the Partnership.
9. Where this situation looks likely to arise, then the Partnership Manager will consult with a financial representative of the Accountable Body. Jointly they will then inform the Project Board of the coming need to consider use of the in-perpetuity fund and a decision will be taken to by the Project Board confirm support or otherwise to do so.
10. Where there is support from the Project Board, this will be taken forward in the form of a recommendation to the Chair of PfSH for final authorisation.

11. This situation will be reviewed at each future Project Board meeting until the Partnership is again in a position to operate by using its normal income stream.
12. All money removed from the in-perpetuity fund will be replaced (with interest) at the earliest possible opportunity.
13. Should these exceptional circumstances arise more than once, then a fresh review/decision will be taken by the Project Board and PfSH each time and past decisions won't set a precedent for future ones.

SOLENT RECREATION MITIGATION PARTNERSHIP (Bird Aware Solent)

TERMS OF REFERENCE

1. Purpose of the Partnership

- 1.1. The purpose of the Solent Recreation Mitigation Partnership (also known by its public facing brand name 'Bird Aware Solent') is to facilitate joint working by local authorities and other bodies on the implementation of measures which will mitigate the impact of additional recreational activity which will result from planned housing development so that it does not have a significant effect on the three Special Protection Areas in the Solent. It succeeds the Solent Disturbance and Mitigation Project which commissioned research into the impact.
- 1.2. The Partnership will undertake joint technical work to identify, implement and monitor the necessary mitigation measures, and facilitate liaison and information sharing between the partners.
- 1.3. The Partnership will maintain liaison with other organisations which are undertaking related activities in order to exchange information and avoid duplication of work.
- 1.4. For the avoidance of doubt, the Partnership cannot exercise any of the functions of a planning authority nor can it fetter any decisions made by such bodies, nor the rights and responsibilities of the landowners within the SPAs. The Partnership will recognise and take account of the interests, rights and responsibilities of landowners, users and other stakeholders.

2. Partnership membership, structure and relationships

- 2.1. The Partnership comprises of the following local authorities and other organisations:-
 - Chichester District Council
 - East Hampshire District Council
 - Eastleigh Borough Council
 - Fareham Borough Council
 - Gosport Borough Council
 - Hampshire County Council
 - Havant Borough Council
 - Isle of Wight Council

- New Forest District Council
- New Forest National Park Authority
- Portsmouth City Council
- Southampton City Council
- South Downs National Park Authority
- Test Valley Borough Council
- Winchester City Council
- Natural England
- Royal Society for the Protection of Birds
- Hampshire and Isle of Wight Wildlife Trust
- Chichester Harbour Conservancy.
- Arun District Council (in a non-voting capacity)

2.2. The Partnership will consist of two bodies:

- A Project Board which will determine the Partnership's overall direction;
- A Steering Group which will manage the Partnership's work and activities within the overall direction set by the Project Board.

2.3. The Project Board will comprise of:

- the Partnership for South Hampshire (PfSH) Co-Ordinator;
- the Chair of the Partnership for South Hampshire Planning Officers Group;
- four chief/senior officers from the local authorities listed in 2.1 (with the exception of any attending in a non-voting capacity) of which one will be from an authority which is not a member of PfSH;
- a representative of Natural England;
- a representatives of each of the three wildlife/conservation organisations listed in 2.1;
- an officer representative of any organisation which is employing staff on behalf of the Partnership¹.

2.4. The Steering Group will comprise of an officer representative from each of the organisations listed in 2.1.

2.5. At the discretion of the meeting chairperson, staff which are employed to undertake the work of the Partnership will also be able to attend meetings of the Project Board and the Steering Group in a non-voting capacity.

3. Governance

3.1. The work of the Partnership will be overseen by PfSH, with the PfSH Joint Committee approving the annual work programme and priorities. PfSH will

¹The Partnership is not legally able to employ staff itself, so any staff will be employed on its behalf by one of the partner organisations.

invite one representative of each of the local authorities listed in 2.1 which are not members of PfSH (Chichester District Council, New Forest National Park Authority and South Downs National Park Authority) to meetings of its Planning & Infrastructure Panel and Joint Committee where the work of this Partnership is to be discussed.

4. Project Board functions and procedures

4.1. The Project Board shall have the following functions:

- 4.1.1. To act on behalf of the member organisations in identifying and implementing the measures which are necessary to mitigate the impact of additional recreational activity on the Solent Special Protection Areas;
- 4.1.2. To commission studies and surveys, and fund works relating to the Partnership's objectives;
- 4.1.3. To fund and manage the employment of staff¹ to undertake the Partnership's activities;
- 4.1.4. To administer funds received from member organisations or other sources to carry out these functions, and maintain accounts relating to the allocation and expenditure of these funds;
- 4.1.5. To instruct the Steering Group to undertake work and to fund such work as appropriate;
- 4.1.6. To approve and publish documents relating to the Partnership's objectives;
- 4.1.7. To publish guidance and provide advice to member and stakeholder organisations, including making non-binding recommendations for a course of action or policy for adoption;
- 4.1.8. To report on the Partnership's activities and seek approval of the future work programme, as necessary and at least annually, to the Partnership for South Hampshire (PfSH);
- 4.1.9. To keep these terms of reference under review and make appropriate amendments as necessary.

4.2. The Chair will be elected annually from amongst the nominated representatives of the partner organisations.

5. Steering Group functions and procedures

5.1. The Steering Group will provide technical support to the Project Board, prepare reports for the Board's consideration and carry out such actions as may be instructed by the Board including the following:

- 5.1.1. To prepare, for approval by the Project Board, a long-term strategy which sets out the necessary mitigation measures and how they will be funded;

Approved at the Partnership for South Hampshire Joint Committee meeting on 10th February 2020

- 5.1.2. To manage and implement the studies, surveys, and mitigation works commissioned by the Project Board;
 - 5.1.3. To prepare monitoring reports which set out the progress made in implementing the mitigation measures and their effectiveness;
 - 5.1.4. To prepare regular updates on progress and make recommendations to the Project Board annually on the work programme for the coming year
 - 5.1.5. To keep partner organisations briefed on the Partnership's work and activities.
- 5.2. The Steering Group will meet at least three times each year. A chairperson will be elected annually from amongst the nominated representatives of the partner organisations.
- 5.3. The Steering Group may establish small project or working groups, resourced as necessary, to progress particular aspects of its work. Representatives of organisations who have a recognised interest in the planning or management of the Solent SPAs but are not Partnership members may be invited to join such groups.

6. Financial administration

- 6.1. The Partnership Project Board shall appoint one of the local authorities listed in 2.1 to hold and administer the Partnership's funds, and to provide advice and guidance on all financial matters.
- 6.2. The Project Board will prepare a financial protocol which will set out the procedures for approving expenditure and for accounting for money handled by the Partnership.

7. Other key support services

- 7.1. The Partnership Project Board shall also appoint local authority partners to undertake other key services for the Partnership. These shall include procurement advice and legal support.