



NOTICE OF MEETING

CABINET

FRIDAY, 6 JULY 2018 AT 4.00 PM

EXECUTIVE MEETING ROOM - THE GUILDHALL

Telephone enquiries to Joanne Wildsmith, Democratic Services Tel 9283 4057
Email: joanne.wildsmith@portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Membership

Councillor Gerald Vernon-Jackson CBE (Chair)	
Councillor Steve Pitt (Vice-Chair)	
Councillor Dave Ashmore	Councillor Jeanette Smith
Councillor Ben Dowling	Councillor Lynne Stagg
Councillor Suzy Horton	Councillor Matthew Winnington
Councillor Darren Sanders	Councillor Rob Wood

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

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AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Interests**
- 3 Record of Previous Decision Meeting - 19 June 2018 (Pages 5 - 12)**

A copy of the record of the previous decisions taken at Cabinet on 19 June 2018 are attached.

RECOMMENDED that the record of decisions of the Cabinet meeting held on 19 June 2018 are agreed as a correct record and signed by the Chair.

- 4 Annual Appointments to Outside Bodies - update**

Vacancies and changes to appointments to outside bodies have arisen since the last Cabinet meeting. Details of vacancies will follow for which nominations will be considered at the meeting.

RECOMMENDED that further appointments be made by Cabinet.

5 Armed Forces Champion and Liaison Members

The Cabinet has previously appointed Councillor Frank Jonas as Armed Forces Champion (11 June 2015). In line with the job profile which states that this role should be carried out by "A member of the Cabinet with an interest in the Armed Forces community" this item is brought to Cabinet to formally appoint Councillor Gerald Vernon-Jackson CBE as Portsmouth City Council's lead champion. Councillor Jonas is asked to continue as an Armed Forces Representative.

The Armed Forces Champion's role includes liaison with:

- the Solent Armed Forces Covenant Partnership and associated task groups
- the appointed Covenant lead officer and programme manager, with particular reference to the council's obligations undertaken through the Armed Forces Covenant.
- Lord Mayor on all ceremonial matters (e.g. Armed Forces Day, Armistice Day).
- local members of parliament
- local members of the Armed Forces
- businesses/local organisations within the local authority

all of this to promote the Armed Forces Covenant.

RECOMMENDED that Councillor Gerald Vernon-Jackson CBE be appointed as the Lead Armed Forces Champion and Councillor Frank Jonas be an Armed Forces Representative for the City Council.

6 Local Plan Progress (Pages 13 - 34)

The report by the Assistant Director City Development is to advise Cabinet of the progress to date, current issues and future work to be undertaken for the new Local Plan, and to seek endorsement of the new Local Plan timetable set out in the Local Development Scheme.

RECOMMENDED that Cabinet:

- (1) Note the issues raised in this report and endorse the proposed approach to dealing with them;**
- (2) Endorse the approach to engagement with neighbouring authorities under the Duty to Cooperate;**
- (3) Approve the proposed revised timetable for the Local Plan set out in the new Local Development Scheme.**

7 Standing Order 58 - Charlotte Street

The purpose of this item is to report back to Cabinet that on 15 June 2018 an urgent decision was taken by the Chief Executive under the above authority.

Prior to the decision being taken the Chief Executive delegated consultation to his Deputy who consulted with the following Members:

- Leader of the Council: Cllr Gerald Vernon Jackson CBE
- Leader of the Opposition: Cllr Donna Jones
- Cabinet Member for PRED: Cllr Ben Dowling
- Shadow Member PRED: Cllr George Fielding

The decision concerned a settlement figure with regard to a claim (details of which are commercially sensitive) made against the Council. The initial claim was made for circa £250,000 plus costs but the claim was agreed and settled for £70,000 including costs. Standing Order 58 was invoked as under the constitution the City Solicitor can only authorise claims up to £50,000 without further consultation.

RECOMMENDED that the urgent decision taken under SO58 be noted.

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29 June 2018

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Agenda Item 3

CABINET

RECORD OF DECISIONS of the meeting of the Cabinet held on Tuesday, 19 June 2018 at 12.00 pm at the Guildhall, Portsmouth

Present

Councillor Gerald Vernon-Jackson CBE (in the Chair)

Councillors Dave Ashmore
Ben Dowling
Suzy Horton
Darren Sanders
Lynne Stagg
Rob Wood

18. Apologies for Absence (AI 1)

Apologies for absence were submitted for Councillor Steve Pitt (who was away) and Councillors Matthew Winnington and Jeanette Smith (who hoped to join the meeting).

19. Declarations of Interests (AI 2)

There were no declarations of members' interests.

20. Record of Previous Decision Meeting - 16 March 2018 (AI 3)

Michael Lawther, as City Solicitor, advised that the current Cabinet could approve these as no objections had been raised to the record by previous members and Councillor Jones had indicated she was happy to sign these off.

DECISION: the record of the previous decision meeting held on 16 March 2018 were agreed as a correct record to be signed by Councillor Jones as Chair of that meeting.

21. Notice of Motion - Policing Cuts (AI 4)

Councillor Vernon-Jackson, as Leader, regretted that this Notice of Motion had not been discussed on a cross-party basis at Council, but referred back to Cabinet, and therefore wished it to go back to Council for wider discussion. Michael Lawther, City Solicitor, advised that the Notice of Motion was still valid even though the original proposer was no longer a member of the Council.

DECISIONS -The Cabinet:

- 1) Accepted the Notice of Motion and the views contained in it;
- 2) Regretted that the previous Administration had not allowed cross-party debate at Council;
- 3) Referred this back to Council in July

It was therefore

RECOMMENDED to Council that the Notice of Motion and the views contained in it be accepted.

22. Treasury Management Outturn Report 2017/18 (AI 5)

Julian Pike, Deputy Section 151 Officer, presented the report for the Director of Finance, which set out the year end position for the investments, and there were no matters of concern to report.

Councillor Sanders asked for clarity on how the major housing works (refurbishment and relocation of residents) would be paid for. Julian Pike stressed that his report related to Treasury Management issues and reports relating to capital funding would come to Council at a later date. Whilst the refurbishment projects would usually be Housing Revenue Account (HRA) funded, if there is a shortfall the General Fund can be called upon.

RECOMMENDED to Council that the actual prudential and treasury management indicators based on the unaudited accounts, as shown in Appendix D, be noted.

23. Regional Adoption Agency (AI 6)

Alison Jeffery, Director of Children and Families and Education, presented her report, endorsing the benefits of the regional approach for helping to place Portsmouth children rather than competing with the neighbouring authorities. She recommended the model as outlined, with PCC's financial contribution being fixed for 2 years.

The Cabinet Members welcomed this approach which would increase efficiency and the speed of the process.

In response to questions Alison Jeffery clarified that very careful account is taken of the needs of the children when matching them with families and that the family is given support following the adoption. The new agency would be overseen by a governance board on which all of the local Directors of Children's Services will be represented. There will be clear set of performance indicators against which to judge the success of the new arrangements. If performance suggests that the arrangements are not serving Portsmouth children well it will be possible for the council to withdraw from them. She was optimistic, however, that the arrangements would be good for children in the city.

DECISION: The Cabinet:

- (1) Approved the proposed model for delivery of adoption services through a Regional Adoption Agency, including the structural model set out at Appendix 1.**

- (2) **Approved the financial contribution to the Regional Adoption Agency of £764,000, to be fixed for two years (2019/20 and 2020/21) and reviewed for 2021/22.**
- (3) **Delegated authority to enter into the final interagency agreement to the Director of Children, Families and Education in consultation with the Lead Member for Children and Families.**

24. Appointments to Outside Bodies (AI 7)

The agreed appointments are set out on a separate schedule, to be appended to the record of decisions. It was noted that an appointment to the Hampshire Pension Fund would be made by the next Employment Committee. For some of positions there were vacancies which would need to be readvertised.

25. Southsea sea defence project (AI 8)

Councillor Vernon-Jackson, as Leader, hoped that this cross-party group could work together to help advise Councillor Ashmore as Cabinet Member for Environment & Community Safety. There had been no formal nominations received from the Conservative Group and the date of the meeting would be circulated.

DECISION: The Cabinet:

- (1) **Agreed the establishment of a 5 member councillor working group, comprising 2 Conservatives (to be nominated), 2 Liberal Democrats (Cllrs Hugh Mason and Steve Pitt) and 1 Labour councillor (Judith Smyth), for the purpose of advising the Cabinet Member for Environment and Community Safety on the Southsea sea defence project.**
- (2) **Noted that it is also proposed to hold an all Councillor briefing/presentation on the project prior to consultation.**

26. Date of next Cabinet Meeting (information item) (AI 9)

The next Cabinet meeting was scheduled for Friday 6th July at 4pm.

The meeting concluded at 12.45 pm.

Councillor Gerald Vernon-Jackson CBE
Leader of the Council

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Appointing body	Name of Body	Period of service	Number of Appointees required	Appointments
Children & Families	Children's Trust Board	For time being	4 - usually the Cabinet Members for Children & Families and Education and the spokespersons	Suzy Horton Rob Wood Ryan Brent Judith Smyth
	Motiv8 (Registered Charity)	Annual	1 observer	Steve Pitt
	Portsmouth Adoption Panel	3 years	1 nominee (for appointment by the Panel)	Jennie Brent
Education	Education Advisory Board	Annual	Cabinet Member for Education, spokespersons and Chair of Education, Children & Young People Scrutiny Panel	Suzy Horton Hannah Hockaday Tom Coles Neill Young
	Elementary Education Act Trust board	Annual	5 (These usually include the Cabinet Members for Education and Children & Families).	Suzy Horton Hugh Mason Hannah Hockaday Neill Young
	Standing Advisory Council for Religious Education	4 years	4	Suzy Horton Maria Cole Ryan Brent + Taki Jaffer (subject to his agreement)
Culture Leisure & Sport	Aspex Visual Arts Trust (Registered Charity and Company)	Annual	1 (observer)	Suzy Horton
	Baffins Community Association (Registered Charity)	Annual	1	Darren Sanders
	Buckland Community Association (Registered Charity)	Annual	2	Jason Fazackarley Leo Madden
	City of Portsmouth Sports Council	Annual	3	Steve Pitt Scott Payter-Harris + 1 Labour (to be notified)
	Cosham Community Association – Management Committee (Registered Charity)	Annual	1	Hannah Hockaday
	Duke of Edinburgh Award Scheme – Hampshire Forum (Registered Charity)	Annual	1	No nominations - re-advertise
	Eastney Area Community Association (Registered Charity)	Annual	1	Jennie Brent
	Farlington Marshes Management Committee	Annual	4	Hugh Mason Simon Boshier Steve Pitt 1 vacancy (for Labour or Drayton & Farlington councillor)
	Fratton Community Association	Annual	1	Dave Ashmore
	Hampshire Archives Trust - Annual Meeting	Annual	1	Appropriate PCC officer
	Hampshire Countryside Access Forum	3 years	1	Alicia Denny
	International Boatbuilding Training College Portsmouth	Annual	1	Alicia Denny
	Kings Theatre Trust Ltd (Charitable Company)	Annual	2	Hugh Mason Luke Stubbs
Landport Community Association (Registered Charity)	Annual	1	Yahiya Chowdhury	

Appointing body	Name of Body	Period of service	Number of Appointees required	Appointments
Culture Leisure & Sport	Maritime Archaeology Trust (formerly Hants & Isle of Wight Trust for Maritime Archaeology).	Annual	1	Matthew Winnington
	Mary Rose Trust (Registered Charity and Company)	Annual	2 nominations (for Trust approval) + Lord Mayor ex officio	Rob Wood Jason Fazackarley Lord Mayor
	Milton Village Community Association (Registered Charity)	Annual	1	Ben Dowling
	New Theatre Royal Trust (Registered Charity and Company)	Annual	1	Will Purvis
	Overlord Embroidery Trust Liaison Committee	Annual	Cabinet Member for Culture, Leisure & Sport + 2 others.	Steve Pitt Frank Jonas Judith Smyth
	Paulsgrove Community Association (Registered Charity)	Annual	1	Jo Hooper
	Peter Ashley Activity Centre Management Committee (Registered Charity)	Annual	1	Lee Mason
	Portsmouth Royal Dockyard Historical Trust	Annual	1 can be a non Councillor	Alicia Denny
	Royal Naval Museum and HMS Victory (Friends)	Indefinite whilst the rep is a Cllr	1	Rob Wood
	Stacey Community Centre Management Committee	Annual	1	Darren Sanders
	Stamshaw & Tipner Community Centre Association (GMC)	Annual	1	Leo Madden
	West Paulsgrove Scout & Community Association	3 years	1 Not necessarily an elected member.	Gemma New
Environment and Community Safety	Standing Conference on Problems Associated with the Coastline (SCOPAC)	Annual	1	Hugh Mason
	LGA Coastal Issues Special Interest Group	Annual	1	Hugh Mason
	Portchester Crematorium Joint Committee	Annual	2 Cabinet Members	Dave Ashmore + Jeanette Smith
	Portsmouth Plastic Free Coastlines Steering group	Annual	1 Councillor	Will Purvis
	Project Integra Strategic Board	Annual	1 + deputy	Dave Tompkins (vacancy for deputy)
	Safer Portsmouth Partnership	Ongoing	Since June 2016 only Cabinet Member for Environment & Community Safety	Dave Ashmore George Fielding + request 1 Conservative
	Solent Sea Rescue Organisation	Annual	1	suggested Lee Mason (if he is willing)
Environment and Community Safety	Southern Inshore Fisheries & Conservation Authority (formerly Southern Sea Fisheries Cttee)	Annual	1	Matthew Winnington
	Trading Standards South East Limited (known as TSSE)	Indefinite	1 member or officer	Officer representative
Health & Social Care	Portsmouth Disability Forum (Registered Charity and Company)	Annual	2	Jennie Brent + Gerald Vernon-Jackson
	PHT (Council of Governors)	Two years	1	Will Purvis

Appointing body	Name of Body	Period of service	Number of Appointees required	Appointments
Housing	Lord Mayor of Portsmouth's Coronation Homes - Board	ex officio	1	Lord Mayor
	Portsmouth and Havant Joint Housing Group	Annual	5	No appointments until meeting needed
Leader	Fitzherbert & Moody	4 years	2 Not necessarily elected members.	David Fuller Luke Stubbs
	Fratton Big Local	Annual	1 Fratton Ward Councillor	Dave Ashmore (full member) Tom Coles (deputy, if allowed by the organisation)
	Hampshire & Isle of Wight Local Government Association	Annual	3	Lee Mason Judith Smyth + 1 vacancy (Lib Dem)
	Hampshire & Isle of Wight Community Foundation	5 years	1 Must be a Councillor.	Rob Wood
	Improvement & Efficiency South East (IESE) LGA representative	Annual	1	Darren Sanders
	Improvement & Efficiency South East (IESE) LGA representative - Non Exec Director	ongoing	1	Lee Mason
	Port Advisory Board	On-going	1 ex-officio (Cabinet Member for PRED) + 5 Plus deputies if required	Ben Dowling (ex-officio) Hugh Mason Gerald Vernon-Jackson Donna Jones Frank Jonas Judith Smyth
	Portsmouth Cultural Trust	Every 4 years	2	Steve Pitt Ben French
Leader	Portsmouth Naval Base Property Trust	3 years	2	Steve Pitt Terry Hall (if allowed non-cllr)
	Public Service Board	Ex officio for the Leader.	1	Gerald Vernon-Jackson (ex-officio as Leader)
	PUSH (Partnership for Urban South Hampshire) Joint Committee	Annual	1 + 1 deputy	Gerald Vernon-Jackson with Ben Dowling as deputy
	PUSH Overview & Scrutiny Committee	For time being	1 + deputy	Donna Jones (full) Judith Smyth (deputy)
	SIGOMA (Special Interest Group of Municipal Authorities admin by the LGA)	Annual	1 + deputy	Lee Mason (vacancy for deputy)
	St Thomas's Cathedral Council	Annual	1	Gerald Vernon-Jackson
PRED	Building Control Partnership	Annual	1	Ben Dowling (member rep) Claire Upton-Brown (officer rep)
	Hampshire Buildings Preservation Trust – Annual Meeting (Registered Charity)	Annual	1	No nominations received - need to re-advertise
	Minerals and Waste Development Framework Members' Steering Group	Annual	Ex officio for Cabinet Member PRED.	Ben Dowling (ex officio)
	PATCH Ltd (Registered Company)	Annual	Up to 3	Rob Wood + 2 + Ryan Brent (if he is willing to continue) + 1 vacancy
	Solent Forum	Annual	1	Gerald Vernon-Jackson
	Tourism South East (Registered Company)	Annual	2	Steve Pitt Scott Payter-Harris

Appointing body	Name of Body	Period of service	Number of Appointees required	Appointments
PRED	European City Twinning Committee (the Duisburg-Portsmouth and Caen-Portsmouth Friendship committees merged so this new committee name reflects this merger)	3 years	5 including the Leader and Lord Mayor + 2	Jeanette Smith (representing the Leader) Lynne Stagg, Yahiya Chowdhury 1 vacancy for Conservative group or Independent members Lord Mayor (ex-officio)
	Haifa/ Portsmouth Friendship Committee	2 years	5	Hugh Mason Frank Jonas Lee Mason + 2 vacancies to be re-advertised
	South East Employers	Annual	2 (+ 2 deputies may also be appointed to attend full meetings of SEE on behalf of the authority's representatives)	Jim Fleming Stephen Morgan (vacancies for deputies)
Traffic and Transportation	National Parking Adjudication Service Management Committee <u>now</u> known as Parking & Traffic Regulations Outside London (PATROL)	Ex officio Cabinet Member for T&T	1	Lynne Stagg (ex officio)
	Solent Transport Joint Committee (formerly known as Transport for S Hants - Joint Cttee)	Annual	1 Normally Cabinet Member for T&T.	Lynne Stagg
	Transport Liaison Group	Annual	4 ex officio (Cabinet Member + group spokespersons)	Lynne Stagg Simon Boshier Yahiya Chowdhury



Title of meeting Cabinet

Date of meeting 6 July 2018

Subject Local Plan Progress

Report by Assistant Director City Development

Wards affected All

Key decision No

Full Council meeting No

Summary

1. This report sets out the progress to date on producing the new Local Plan. It summarises the current national and local circumstances which need to be responded to in the new Local Plan and sets out proposals for how they will be addressed. It sets out a range of work to be undertaken in response to inform the new Local Plan and seeks Member endorsement of the approach.

Purpose of report

2. The purpose of this report is to advise Cabinet of the progress to date, current issues and future work to be undertaken for the new Local Plan, and to seek endorsement of the new Local Plan timetable set out in the Local Development Scheme.

Recommendations

Cabinet is recommended to:

- 1. Note the issues raised in this report and endorse the proposed approach to dealing with them; and**
- 2. Endorse the approach to engagement with neighbouring authorities under the Duty to Cooperate; and**
- 3. Approve the proposed revised timetable for the Local Plan set out in the new Local Development Scheme.**

Background

3. The Council is preparing a new Local Plan for Portsmouth. The Plan will set out a planning strategy to meet future development needs in the city for the next 15-20 years. The Plan will set out details on the level of development which will take place in the city and where it will be located and identify the infrastructure needed to support this growth. It will contain planning policies that will inform and influence the quality of development delivered in the city. These will be used to guide decision making on planning applications.

4. The process for producing the new local plan is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. Its content and scope will be tested on its consistency with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) and the justification provided by the Plan's evidence base. A public examination will

consider the soundness of the Local Plan and it must be found sound in order to be adopted by the Council.

5. The new Local Plan will replace the policies from existing planning policy documents and bring them together into a comprehensive document covering the whole of the Portsmouth administrative area. Neighbourhood Forums may develop Neighbourhood Plans for their areas. Where such plans are adopted, the policies within them will supersede any non-strategic policies in the Local Plan. Only one neighbourhood plan is currently being produced and this is for the Milton area. Existing Supplementary Planning documents and Area Action Plans will be reviewed in light of the Local Plan. Some will be replaced, while others may not be needed as detailed matters will have been covered in the Local Plan.

6. Last year an *Issues and Options* consultation was undertaken to inform the production of the new Local Plan. In December 2017 Cabinet considered a report which summarised the responses received from the consultation and set out a "Way Forward" for the new Local Plan. The Way Forward report identified a range of technical work required to provide the necessary evidence base to support and inform the production of the new Local Plan.

Progress in the Local Plan

7. Since December, significant progress has been made in terms of the evidence base. Officers are currently working on evidence gathering on a series of topics some of which require specialist studies all of which are being progressed. Some evidence is more appropriate to be considered across a wider area. For instance, evidence has been commissioned by the PUSH authorities on air quality which is due to be complete before the end of the summer and PUSH Joint Committee agreed the Integrated Water Management Study in June 2018. However, a number of issues have arisen which need to be addressed.

National Planning Policy Framework

8. In March 2018 the Government published proposed changes to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The changes proposed in the consultation are wide ranging and significant, but the main points are as follows -

- Confirming a standard methodology for housing need, resulting in **a higher housing need** for Portsmouth which the Government expects Local Plans to aim to meet;
- A **stronger emphasis on housing delivery**, with **sanctions for the Council if targets are not met**, including the new Housing Delivery Test and the need for the local planning authority to prepare an Action Plan ;
- **Clarifying the Duty to Cooperate** with neighbouring Authorities on strategic planning matters including requirements for a **Statement of Common Ground**;
- **Significant rewrites of key chapters**, such as the Economy, Climate Change, Flooding and Coastal Change and Transport chapters, and what needs to be addressed in Local Plans; and
- **New requirements for Local Plans**, such as the need to link to the objectives of the Industrial Strategy and to set out a clear economic vision and strategy that positively and proactively encourages sustainable economic growth. Also introduces the need for the Local Plan to provide a positive strategy for energy.

9. Overall the changes increase expectations of what Local Plans should address, placing additional responsibilities on the Council in terms of what actions it is expected to take and adds to what needs to be addressed in the evidence base for the Plan. It is anticipated that the final

wording will be confirmed by Government before the summer break. Although some of the changes have been controversial, there have been no indications that the Government is likely to significantly amend these proposals.

10. Many of the new requirements relating to the Local Plan can be addressed through additional technical work, for instance the inclusion of heat requirements for the city, others are more significant. They are taken in turn below:

Housing Need and Supply

11. National planning policy expects all councils to try to meet the housing need for their area. The Council had previously prepared an assessment of housing need with its neighbours in PUSH set out in the PUSH Position Statement. Following the Housing White Paper last year, and subsequent consultation, the Government has published a *Standard Methodology* for assessing housing need, which starts with the household projections published by the Office of National Statistics (ONS) and makes an addition based on market signals.

12. This represents a new approach by the Government - replacing the previous locally produced assessment of housing needs with a "top-down" figure produced from nationally produced official projections (and one which was objected to by this Council and others). Using the latest nationally prescribed figures, the standard methodology results in a housing need for Portsmouth of 868 dwellings per annum (dpa). This compares with the previous PUSH assessment of housing need of 740 dpa and the 584 dpa target in the adopted Portsmouth Core Strategy. To enable comparison, the following table sets out the various figures and the equivalent total for the period 2011-2034.

	Dwellings per annum	Equivalent total 2011-2034
Existing adopted Local Plan	584	13,432
Previous PUSH statement of need	740	17,020
Latest government figure	868	19,964

13. However, the Government has published new population projections which assume a much lower population growth than previously predicted, and these will be reflected in new household projections expected to be published in September 2018. While we cannot be certain of the outcome, it is anticipated that the new figure will be significantly lower than the current figure of 868 dpa, but still higher than the previously adopted Plan figure of 584 dpa. The new methodology, with its reliance on nationally produced figures, means that the new Local Plan will be prepared against a background of changing figures of housing need.

14. In addition to a new methodology for housing need, the Government has published draft planning guidance on how the delivery of student bespoke accommodation could count towards overall housing requirements, based on ratios to be published later this year. Currently, the council has to produce evidence itself to justify how any contribution can be counted. As with the Standard Methodology for assessing housing need, this will ultimately simplify the position but until the Government confirms its position, the exact contribution which can be calculated from student accommodation cannot be finalised. For now therefore the rate justified through the council's own evidence of 4 bedrooms of accommodation freeing up one dwelling in the city's existing housing stock will continue to be used.

15. Taking all of this together it is apparent that the evidence of overall housing need, and the government's expectations of this and other councils, will continue to develop over the coming months. In the meantime it is necessary for work on the Plan to proceed. Any significant developments in these matters will be reported to Members as and when they arise.

16. The Way Forward report in December noted that the Council already has evidence that the actual deliverable level of housing in Portsmouth is likely to be constrained by a number of factors, including the availability of land, impacts upon the environment, the capacity of infrastructure, deliverability of development and other site specific issues. That is still the case. However, Members should be aware that there is an ongoing expectation that Local Plans will consider such constraints and see if they can be overcome.

17. Since the Way Forward report further work has been undertaken on the theoretical capacity of the city to accommodate development. This needs to be tested against the constraints set out above, but to place the above figures into perspective, the identified theoretical capacity of the city to accommodate housing development is currently assessed to be equivalent to approximately 630 dpa, including an estimate of student accommodation outlined in paragraph 14 of this report. This will continue to be tested over the coming months to see if constraints can be overcome and additional capacity identified in line with national planning policy, but the indications at this stage are that there is a shortfall of capacity to meet likely housing needs.

18. For now, work on the new Local Plan needs to proceed with a working assumption that high levels of housing need must be addressed. Other sections of this report set out progress and proposals for this.

Housing Delivery Test

19. As part of its wider planning function the Council is expected to maintain a five year supply of deliverable sites for housing. The Council's progress in this regard has been published annually in its Authority Monitoring Report. The proposed revisions to the NPPF retain this requirement but also include a new housing delivery test, with penalties for authorities which do not meet it. At present the Government has proposed that where delivery is significantly under the requirement, then the presumption in favour of sustainable development applies, i.e. the adopted Portsmouth Plan treated as being out of date and planning applications are determined primarily on the basis of national policy. Further measures may also be introduced.

20. Although a proposed methodology for the test has been published, due to a lack of clarity on a number of aspects including how the delivery of student housing will be treated it is not clear what delivery will be included for Portsmouth. Once the government has confirmed its position members will be updated. The first results for all Local Authorities are expected to be published in November 2018. For now, the key message is that housing delivery will continue to be a key government aim and that the Council in its role as planning authority will increasingly be held responsible for securing delivery. The judgement to be made is in ensuring the Plan does all it can to meet housing needs, while ensuring the development strategy is reasonable and deliverable.

Duty to cooperate

21. For some time local authorities have been subject to the Duty to Cooperate on strategic planning matters. The Council has worked with neighbouring authorities in the Partnership for Urban South Hampshire (PUSH) to address strategic planning issues, including the production of a Planning Position Statement in 2016 which set out a development strategy for South Hampshire including targets for housing and employment land. The proposed changes to the NPPF and further evidence on housing and employment needs mean that this is increasingly out of date.

22. The proposed revisions to the NPPF and guidance now set out requirements for a new *Statement of Common Ground* between authorities and other key organisations to address such matters. PUSH is still the preferred mechanism at this time to address strategic planning issues. Officers will continue to engage with other PUSH colleagues regarding a formal process to

address strategic planning issues, including the production of a Statement of Common Ground, to address key issues including meeting the areas overall housing need.

23. Ultimately, the extent to which agreement can be reached with neighbouring authorities is a key factor for the Plan. However, experience with the production of the PUSH Position Statement in 2015-16 shows that neighbouring authorities will need to be convinced that the Council is undertaking all reasonable measures to meet development needs in the city before any meaningful discussion about meeting needs elsewhere can take place. PUSH has yet to agree a timetable for this work and there is the potential for it to impact upon how quickly the Plan can proceed. Previous strategic planning agreements have taken significant time and resource. For now it is considered that the best way forward is to progress to a draft Plan as quickly as possible to establish a position on understood needs and capacity of the city to accommodate development, to better inform discussions with neighbouring authorities. Members will be kept informed through future updates to PRED and cabinet.

Taking the Plan forward

24. When work commenced on the new Local Plan, it was envisaged that the plan period would cover 2011-2034, which is in line with the adopted PUSH Position Statement. However, circumstances have moved on. The Position Statement is increasingly out of date, with new evidence of need for housing and employment land. We anticipate this Plan will be finalised and examined using housing figures informed by the 2016-based household projections. We will also be required to discuss Duty to Cooperate issues with neighbouring authorities who are already bringing forward plans with a 2036 end date. Taking all this together, it is recommended that the Plan period is extended to 2036, and the official plan period is 2016-2036. If applied to the housing rates set out in the table following paragraph 12 of this report this would provide slightly different total figures, but the impact is not thought to be significantly different against the broader picture at this stage of preparing a new Local Plan.

25. The changes to the planning system, the new evidence of development needs, together with the requirement carefully consider all options in the new Plan mean that it is considered appropriate for a further consultation on the new Local Plan to be undertaken prior to it progressing to a final, formal draft submission document for Examination.

26. It is worth confirming that this next consultation is not envisaged to be another "Issues and Options" consultation, but a more focused draft plan approach for consultation with residents, businesses and other relevant organisations. It should be noted that the Way Forward report considered by Cabinet in December 2017 highlighted that additional consultations may be appropriate as the Plan progresses. It is envisaged that further details on the proposed consultations will be brought back to Members in October for consideration, including consultation arrangements and enhancements arising from the review of the effectiveness of consultation to date which was appended to the December Way Forward report.

Timetable for the Plan

27. The matters outlined in this report require an amendment to the Local Plan timetable. The current timetable is set out in the Council's Local Development Scheme (LDS) which was approved by the Leader and Cabinet Member for PRED in June 2017 and subsequently amended by Cabinet in July 2017.

28. The full text of the proposed revised LDS is set out as an appendix to this report. However, the main points are as follows -

November - December 2018 Further consultation on draft Plan

July - August 2019 Formal consultation on Proposed Submission Plan
March 2020 Local Plan Examination hearings
September 2020 - adoption of Plan

29. It is worth confirming that these dates are in themselves considered extremely challenging and are reliant on sufficient progress being made on key issues such as duty to cooperate discussions with neighbouring authorities and additional factors not significantly delaying the Plan. It is the case that the timetable for Local Plans, which cover a range of city-wide issues is subject to review. However, the implications of the issues considered in the Plan, the various legislative requirements and new factors arising in this report warrant full consideration.

30. This is an extension of the overall plan timetable but provides two significant benefits for the Council. First, it enables the Duty to Cooperate discussions with neighbouring authorities to be informed by a draft Plan; and second, it enables the council to consult on a draft plan approach before confirming a final decision in the formal pre-submission consultation in 2019. It is also the case that the draft plan will itself gain more weight as it moves towards submission and can start to be given some weight in determining planning applications before adoption.

31. This report provides an update to the Local Plan process, advising of changes to the planning system and the implications for the Council and the city. Cabinet are asked to note the issues summarised in this report and the proposals for responding to them, and to approve the proposed revised timetable for the Local Plan set out in the new Local Development Scheme.

Equality Impact Assessment

32. A full EqIA was prepared following the previous Issues and Options consultation and another will be undertaken as the Plan progresses. However, one is not considered appropriate for this report or the Local Development Scheme as members are only being asked to endorse a series of approaches to inform a future development strategy which will be consulted upon in due course.

Legal Implications

33. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), together with Part 2 of the Planning and Compulsory Purchase Act 2004 set out the principle, procedure and substantive obligations in relation to the preparation and adoption of the Local Plan. These steps are reflected in the narrative of this report.

34. The new Local Plan document may not be submitted to the Secretary of State for independent examination unless it, and the procedural steps taken, complies with any relevant legal obligations, and the submitting authority thinks that the document is ready. On examination, the independent Inspector appointed by the Secretary of State, hearing representations and inquiring into the document, will consider the soundness of the document. As set out in the proposed revisions to the NPPF, this will involve considering whether the Local Plan is :

- i. Positively prepared: whether it provides a strategy which will, as a minimum, meet as much as possible of the area's objectively assessed development needs and infrastructure requirements (including unmet requirements from neighbouring authorities where it is practical to do so, and consistent with achieving sustainable development).
- ii. Justified: whether it is an appropriate strategy when considered against the reasonable alternatives based on proportionate evidence.
- iii. Effective: deliverable over its period and based on effective joint working and cross-boundary strategic priorities that have been dealt with rather than deferred.

- iv. Consistent with national policy: whether it enables the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

35. Should the anticipated changes to the NPPF take a different approach to the proposed revisions, or be scrapped altogether, then that will be reflected in subsequent reports to Cabinet.

36. In preparing this report and the Local Plan, regard must be had to the public sector equality duty. This requires the Council in carrying out its functions, to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

- i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Director of Finance Comments

37. The recommendations within this report to endorse the approach to completing the Local Plan do not directly have an adverse impact on Council resources. It is anticipated that the cost including the external technical work required to inform the final production of the Local Plan, as presented within this report will be met from the existing cash limited budget.

.....'
Signed by (Assistant Director)

Appendices:

Appendix 1 Local Development Scheme

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Town and Country Planning (Local Planning) (England) Regulations 2012	http://www.legislation.gov.uk/ukxi/2012/767/contents/made

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Portsmouth Local Development Scheme

A timetable for the production of Portsmouth's Local Planning Policies

www.portsmouth.gov.uk



Portsmouth Local Development Scheme
A timetable for the production of Portsmouth's Local Planning
Policies

Effective from July 2018

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1. Introduction

What is the Local Development Scheme?

1.1 Under the Planning & Compulsory Purchase Act 2004 the council have to produce a Local Development Scheme (LDS). This LDS has been produced to give local residents and other stakeholders information about:

- The plans that the city council will be preparing over the next three years
- The subject matter of those plans and the geographical areas they cover
- The timetable for the production and adoption of the plans

1.2 This LDS will be effective from July 2018.

The Local Plan Making System

1.3 The Localism Act 2011 seeks:

- the production of a Local Plan.
- a duty to cooperate with neighbouring authorities
- the introduction of neighbourhood planning

1.4 The city council cooperates extensively with neighbouring authorities across South Hampshire through the Partnership for Urban South Hampshire (PUSH). PUSH is a group of local authorities working together to address cross-boundary issues. The city council helps to meet its obligations under the duty to cooperate as part of PUSH

1.5 There are a number of adopted planning policy documents, including the Portsmouth Plan, a Community Infrastructure Levy Charging Schedule, the Southsea Town Centre Area Action Plan (AAP) and the Somerstown and North Southsea AAP. The Portsmouth Local Plan currently being prepared will replace the Portsmouth Plan, the Southsea Town Centre, the Somerstown Area Action Plan, the North Southsea Area Action Plan and also the saved policies in the City Local Plan, 2006.

2. Portsmouth's planning policy framework

- 2.1 Legislation requires planning applications to be determined in accordance with the 'development plan' unless material considerations indicate otherwise. Its different elements are set out below.

The current development plan

Title:	Portsmouth Plan (Portsmouth's Core Strategy)
Adoption date:	January 2012
Website:	http://www.portsmouth.gov.uk/living/planning
Description:	<p>The other planning policy documents are in compliance with the Portsmouth Plan. The Portsmouth Plan sets out the overall vision and objectives for the city.</p> <p>The plan contains policies for the development of strategic sites in the city including Tipner, Port Solent, Horsea Island, the city centre, Lakeside Business Park, Somerstown and North Southsea and Fratton Park as well as the city's district centres and seafront. There are also core policies seeking sustainable, high quality development together with a suite of development management policies. Each policy section sets out the mechanisms through which the proposals will be implemented as well as a monitoring framework.</p>

Title:	Portsmouth City Local Plan saved policies
Adoption date:	July 2006
Website:	https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-portsmouth-plan-adopted-2012.aspx
Description:	<p>The Local Plan covers the whole city and contains strategic policies, policies for determining planning applications and specific allocations for individual sites. Most of the plan has been replaced by the Portsmouth Plan but some development management and site allocation policies still apply.</p>

Title:	Southsea Town Centre Area Action Plan
Adoption date:	July 2007
Website:	https://www.portsmouth.gov.uk/ext/documents-external/pln-area-

[action-plan-southsea-town-centre-jul07.pdf](#)

Description: This AAP covers Southsea town centre and redefines the centre in anticipation of development in the town centre. It contains policies on retail and town centre uses, traffic and access, design and heritage, the public realm and opportunity sites. It was adopted in 2007 as a ten year plan for the centre but is to be reviewed as part of a new Portsmouth Local Plan.

Title: Somerstown and North Southsea Area Action Plan

Adoption date: July 2012

Website: <https://www.portsmouth.gov.uk/ext/documents-external/pln-area-action-plan-somerstown-nsouthsea-jul12.pdf>

Description: This AAP covers the Somerstown and North Southsea part of the city and contains a vision and planning policies to support the regeneration of this area. It is to be reviewed as part of a new Portsmouth Local Plan.

Title: Minerals and Waste Plan

Adoption date: October 2013

Website: <http://www3.hants.gov.uk/planning/mineralsandwaste/core-strategy-review.htm>

Description: The Minerals and Waste Plan sets out a spatial vision for future minerals and waste planning in Hampshire This has been supplemented by two SPDs on Oil and Gas development and Minerals and Waste Safeguarding which provide additional guidance on the implementation of the of the HMWP relating to these issues.

Title: Community Infrastructure Levy Charging Schedule

Adoption date: January 2012

Website: <https://www.portsmouth.gov.uk/ext/documents-external/pln-cil-charging-schedule.pdf>

Description: The CIL Charging Schedule sets a locally based infrastructure tariff giving developers more certainty over what they will have to contribute to support infrastructure development. It spreads the

cost of providing infrastructure over a wide range of developments and provides a fund to put in the place essential infrastructure to support development. It replaces the Section 106 mechanisms in many cases, although the S106 regime continues for site specific infrastructure and affordable housing. A list of infrastructure which will be or may be provided through CIL is set out in the Regulation 123 list.

The CIL charging schedule sits alongside the planning policy documents but does not form part of the statutory development plan.

Title:	The Statement of Community Involvement
Adoption date:	June 2017
Website:	https://www.portsmouth.gov.uk/ext/documents-external/pln-sci-2017-final.pdf
Description:	The Statement of Community Involvement (SCI) sets out how residents and other stakeholders can be involved in putting together plans for the future of the city and in determining planning applications.

Title:	The policies map
Adoption date:	January 2012 (latest revisions)
Website:	http://www.portsmouth.gov.uk/living/16299.html
Description:	The policies map sets out all of the adopted local planning policies geographically. It will be updated as part of the new Portsmouth Local Plan.

The future development plan

- 2.2 The Council has begun the process of reviewing the Portsmouth Plan. The city council will be producing the following Local Plan documents over the next three years:

Portsmouth Local Plan This plan will set out the overall strategy and strategic priorities for accommodating development in Portsmouth. It will include strategic sites for housing, employment and proposals for other key land uses. It will replace the policies set out in the Portsmouth Core Strategy and those set out in the Southsea Town Centre and North Southsea and Somerstown AAPs. The saved policies in the 2006 Portsmouth City Plan will also be replaced by this new Local Plan.

The Statement of Community Involvement in Planning (review)

The SCI was adopted in July 2017.

Supplementary planning documents

- 2.3 Planning policy sets out the basic requirements for development proposals in an area. However, this is supplemented by Supplementary Planning Documents (SPDs) which provide greater detail on specific Local Plan policies, helping in their implementation. However, SPDs are only prepared when they are clearly justified and provide further guidance for development on specific sites or on particular issues. They are not part of the development plan but are a material consideration in the determination of planning applications.

- 2.4 Current SPDs are:

- Housing Standards
- Parking Standards and Transport Assessments
- Student Halls of Residence
- City Centre masterplan
- Houses in Multiple Occupation
- Achieving Employment and Skills Plans
- Solent Special Protection Areas
- Reducing Crime through Design
- Developing Contaminated land
- Tall Buildings
- The Hard
- Portsmouth City Centre Masterplan

Air Quality and Pollution
Food and Drink Uses on Albert Road
The Seafront masterplan
Eastney Beach

Sustainability appraisal

- 2.5 A sustainability appraisal assesses the likely social, economic and environmental effects of draft policies and proposals in planning policy documents. An initial framework for the sustainability appraisal of planning policy documents was developed in 2017 and published as part of the Issues and Options consultation.

Minerals and Waste Plan

- 2.6 The City Council, together with its other partners is currently reviewing the Hampshire Minerals & Waste Plan to determine the need for an update and if so, to what extent one is required. No timetable is currently available for a further review of the Waste and Minerals Plan but please see <http://www3.hants.gov.uk/mineralsandwaste/planning-policy-home.htm> for further updates.

3. The project plan

3.1 The following section sets out the timescale for each planning policy document that the council are intending to produce over the next three years. For each document, the following information is set out:

- the title of the document
- a brief description of its role
- a map of the area it will cover
- the plan's position relative to other policy documents
- projected dates for the milestones in the plan's preparation

3.2 The milestones in a Local Plan's preparation are as follows:

Preparation	This is often referred to as 'regulation 18' consultation under the 2012 regulations. This consists of one or more formal opportunities for stakeholders to comment on the content of the plan.
Publication	This is often referred to as 'regulation 19' or 'pre-submission' consultation. This is the publication of the plan in a form which the Council believe to be sound. There then follows at least a six week period for interested parties to comment on the plan. Such comments must specifically relate to the legal compliance and soundness of the plan.
Submission	This is when the plan is submitted by the council to the Secretary of State (regulation 22 of the 2012 regulations). The Examination of the Local Plan starts at this point.
Hearings	The most crucial time in the Examination is the hearings sessions (regulation 24 of the 2012 regulations), however plans can be examined purely through written representations. The hearings are roundtable discussions where the Inspector explores the issues the plan raises.
Inspectors report	The Inspector then issues a report on the Examination. This sets out whether the plan is legally compliant and sound. It also sets out any changes the council requests the Inspector to make to the plan in order for it to be found sound.
Adoption	The final stage in the process is the formal adoption of the plan by the council (regulation 26 of the 2012 regulations). From then on it forms part of the development plan.

Portsmouth Local Plan

The new Portsmouth Local Plan will set out the strategy for development in the city and identify strategic development sites to meet future development needs. It will allocate sites for housing, employment, retail and community uses where appropriate. It will also identify and designate areas to be protected from development. Once adopted it will replace the Portsmouth Plan, 2012 and the saved policies from the Portsmouth City Local Plan 2006.

Joint production? No

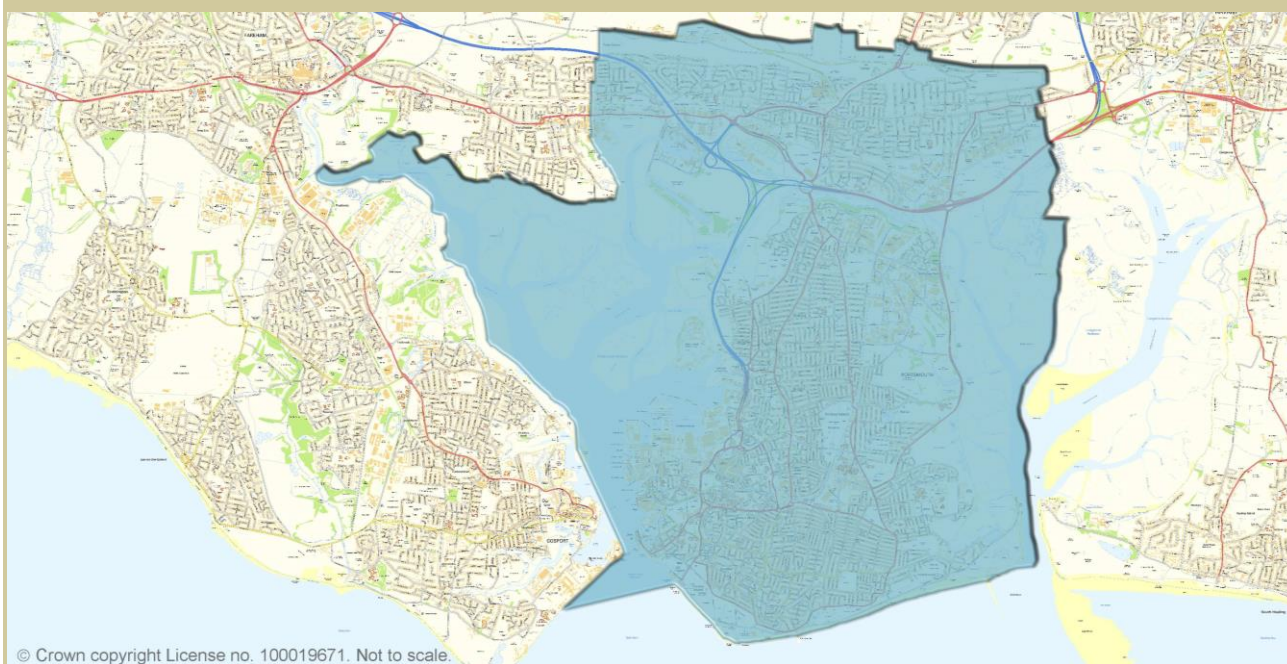
Chain of conformity

National policy	National Planning Policy Framework
Regional policy	The South Hampshire Spatial Strategy (non statutory)
Local policy	The Portsmouth Local Plan

Timetable for production

Preparation	Issues and Options consultation July 2017
Preparation	Draft Plan consultation November 2018
Publication	Proposed Submission Plan consultation July 2019
Submission	December 2019
Hearings	March 2020
Inspectors report	May 2020
Adoption	September 2020

Geographical coverage



4. Monitoring and review

- 4.1 The Authority Monitoring Report (AMR) will assess progress against this LDS. Any changes to the proposed programme will be reflected in an update to the LDS.
- 4.2 The AMR will identify any changes needed to the planned development documents. If there is a need for an additional document which is not in the LDS or there are further substantial regulatory changes, this LDS will be refreshed to incorporate this.
- 4.3 If you have any queries about the timetabling and progress of the planning policy documents, please get in touch with a member of the planning policy team.

Call us on 02392 437863

Email us at planningpolicy@portsmouthcc.gov.uk

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