

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 03 December 2018

Portfolio:	Planning and Development
Subject:	Provision of Highway Development Planning Advice
Report of:	Director of Planning and Regulation
Corporate Priorities:	Protect and enhance the environment; dynamic, prudent and progressive council

Purpose:

To update the Executive on Hampshire County Council's proposed reduction in funding for the delivery of highway development planning advice.

To seek approval to terminate the agreement with Hampshire County Council for the delivery of highway development planning advice.

Executive summary:

Fareham Borough Council currently exercises some of the powers of the Highway Authority (Hampshire County Council) in respect of 'highway development planning'. These powers to act on behalf of the County Council are granted through a formal agency agreement entered into by Fareham Borough Council in March 2009.

The highway development planning powers exercised on behalf of Hampshire County Council include providing advice on 'non-strategic' planning applications and pre-application planning enquiries.

Under the agency agreement, Hampshire County Council provides a budget allocation for delivering these functions on its behalf. This budget allocation has been reduced in recent years. For the next financial year (2019/20) Hampshire County Council is proposing a further reduction in the current budget allocation to Fareham Borough Council of approximately 45% to £18,000 per annum.

Recommendation:

It is recommended that the Executive approves the termination of the agreement with Hampshire County Council for the delivery of highway development planning advice.

Reason:

The reduction in budget allocation by Hampshire County Council would result in Fareham Borough Council subsidising a County Council service which can be delivered by the County at no cost to this Council.

Cost of proposals:

The recommendations would not result in the Council incurring additional costs on current budgets.

Background papers: None

Reference papers: None

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Executive Briefing Paper

Date:	03 December 2018
Subject:	Provision of Highway Development Planning Advice
Briefing by:	Director of Planning and Regulation
Portfolio:	Planning and Development

INTRODUCTION

1. An agency agreement between Fareham Borough Council and Hampshire County Council has been operating since March 2009. This enables Fareham Borough Council to exercise some of the powers of the Highway Authority in respect of 'highway development planning' on behalf of Hampshire County Council.
2. More specifically, the agency agreement allows Fareham Borough Council to provide pre-application planning advice, general planning advice and advice (from a highway perspective) on all planning applications of the following scale:

100 or fewer residential units;

2,500 square metres or less of office or industrial space;

5,000 square metres or less of warehousing and distribution space;

1,000 square metres or less of retail space;

Any development proposal not the subject of a travel plan.

Any schemes greater in scale than those listed above (or subject to a travel plan) are considered 'Strategic' applications by Hampshire County Council. Hampshire County Council currently provides advice on all 'Strategic' applications itself.

CURRENT ARRANGEMENTS

3. The work on highway development control at Fareham Borough Council is undertaken by a Transport Planner. Originally the post was full time (37 hours a week); following the reduction in the budget allocation from Hampshire County Council in 2017, the post was reduced from full time to 27 hours a week.

The Transport Planner is based within the Development Management section and spends most of their time providing transport advice on planning applications and pre-application planning enquiries. Being based within the team dealing with the planning

applications and pre-application enquiries, means the post holder is readily available to advise customers, planning officers and Members and to attend Planning Committee when required

PROPOSED CHANGES & RESULTANT FUNDING

4. Hampshire County Council has written to this Council and advised that it needs to make further annual savings totalling £140m per annum by April 2019. Potential options for securing savings were reported to Hampshire County Council's Cabinet last October. The report to the cabinet identified a proposal to save £500,000 against 'agencies'. For Highways Development Planning agencies, this equates to a reduction of £150,000 per annum.
5. Hampshire County Council has also advised this Council that it is anticipated that all matters regarding internal layouts of development sites will transfer to a newly formed 'Road Agreements Team'. The scope of any retained agency agreements will need to be reviewed to address this. This will also need to be reflected in revisions to agency agreements where retained and would also have an implication on the level of funding, alongside the 2019 savings
6. For the financial year 2016-17, the budget allocation from Hampshire County Council to Fareham Borough Council for delivering the highway development control function was £73,254. Hampshire County Council reduced the budget allocation for 2017/18 by 55% to £32,674. For the forthcoming financial year, the budget will be further reduced by around 45% to approximately £18,000.
7. The proposed reduction in the budget allocation to around £18,000 per annum would fund the existing Transport Planner post for approximately 15 hours a week.
8. Hampshire County Council already provide highway development planning advice for a large number of district Councils in Hampshire. Hampshire County Council advises that all other district Councils in Hampshire are either in the process of handing back the highway development planning agency agreement or have already done so.
9. In light of the fact that all other district Councils in Hampshire have either terminated the agency agreement or are in the process of doing so, means there is a very strong likelihood that Hampshire County Council would terminate the agency agreement in the event this Council did not wish to.
10. Notwithstanding the position set out in paragraph 9, the benefits/ disbenefits of Fareham Borough Council terminating the highway development planning advice agency agreement are set out below

BENEFITS TO THIS COUNCIL OF TERMINATING THE AGENCY AGREEMENT

11. Officers do not believe it is possible to deliver the current highway development planning function on behalf of Hampshire County Council within the budget constraints of circa £18,000 per annum. If this Council wishes to retain the agency agreement and continue the present arrangements, it will be necessary for Fareham Borough Council to identify additional money from its own budgets to make up the funding gap for the post. At present, this would equate to £15,000 per annum. If the agency agreement is terminated, Hampshire County Council would be responsible for delivering the service entirely at no cost to this Council.
12. Transferring the function back to Hampshire County Council will provide increased

'resilience' for the service. Fareham Borough Council currently has one dedicated Transport Planner post. If the function were entirely handled by Hampshire County Council, there is a wider resource which could be called upon during periods of increased work pressure, holiday or sickness.

13. Hampshire County Council have confirmed that they would provide the following principal functions should the highway development planning advice function revert to them:
 - Fulfilment of statutory obligation to provide a written response/recommendation to planning applications in accordance with their 'Consultation with Hampshire County Council as the Local Highway Authority – Notification to local planning authorities';
 - Provide responses within statutory response times;
 - Provide a central email inbox to direct all planning consultations to and to manage day to day enquiries;
 - Provide pre-application service in accordance with Hampshire County Council's 'Pre-application Highways Advice'.
 - Regular liaison meetings with a single point of contact to respond to any queries.
 - Facilitate officer presence on a regular basis.

The current level of service will be maintained.

14. Hampshire County Council have also highlighted the benefits of advice on internal layouts of development sites being provided directly by Hampshire County Council rather than by the agent under the terms of the agency agreement. The current disjointed approach has led to some difficulties across Hampshire with consistency between layouts approved at the planning stage and those that come forward for adoption as public highway which is subject to a separate road adoption process administered by the County Council. By bringing the internal layout function back into Hampshire County Council under one Road Agreements Team, the County Council is confident that it can provide a more efficient and consistent approach, through:
 - Providing a single holistic planning response covering all highway aspects;
 - Co-ordination of internal consultees at Hampshire County Council from pre-application stage to ensure consistency of advice from planning to adoption (where appropriate) of internal layouts;
 - Remove uncertainty for the planning authority as to who to consult, Hampshire County Council or agent (currently depending on size of application and on whether internal layout matters are to be considered);
 - Direct access to the Road Agreements team at Hampshire County Council as a dedicated resource to assess and approve internal road layouts.

The improvements proposed by Hampshire County Council in respect of a more 'joined up' approach to the approval of internal development layouts will greatly assist customers and decision makers alike.

DISBENEFITS TO THIS COUNCIL OF TERMINATING THE AGENCY AGREEMENT

15. The current provision of highway development planning advice 'in house' helps to minimise delays in deciding planning applications and providing advice. Information can currently be exchanged between Planners and the Transport Planner both quickly and efficiently. With a reduced physical presence of the Transport Planner at the Civic Offices there is potential for delays in decision making. In addition to this, the Transport

Planner may not be available to attend the Planning Committee at short notice if required.

FINANCIAL IMPLICATIONS

16. Continuing with the Agency agreement and delivering highway development planning advice 'in-house', at its current level would require Fareham Borough Council to subsidise the function by approximately £15,000 in the next financial year.
17. There may be some limited opportunity to reduce the level of subsidy by reducing the hours of the Transport Planner post. Any monetary savings would need to be balanced against how attractive the post would be to the market.

CONCLUSION

18. The intention of Hampshire County Council to reduce funding for delivering the highway development planning advice function will require Fareham Borough Council to subsidise the delivery of the service from next April.
19. Whilst the provision of the highway development planning function 'in-house' assists with the determination of planning applications, Hampshire County Council has provided assurances that the same fundamental level of service will be delivered if the agency agreement is terminated.
20. Hampshire County Council have highlighted the creation of a new 'Road Agreements Team' who will look to ensure consistency at all levels in the design and approval of new estate layouts. If this function were taken back by Hampshire County Council in isolation from the other agency functions, this could lead to a more disjointed approach to highway approval.
21. If Fareham Borough Council continue to provide the highway development planning advice through the agency agreement, this Council will need to subsidise the service by approximately £15,000 per annum. There is no ongoing budget pressure for this Council if the agreement is terminated and Hampshire County Council provides the highway development planning advice service
22. It is recommended that the highway development planning advice agreement with Hampshire County Council is terminated.

Enquiries:

For further information on this report please contact Lee Smith (Ext 4427)