

**SOUTH EAST ENGLAND REGIONAL ASSEMBLY
REGIONAL PLANNING COMMITTEE**

Date: 25 July 2007

Subject: **Thames Basin Heaths: Next Steps**

Report of: Director of Development

Recommendations:

It is recommended that the Committee:

- i. Note the progress made in taking forward the short term recommendations of the Assessor's report;
- ii. Considers and endorses the draft terms of reference for the Thames Basin Heath strategic partnership included in Annex I.
- iii. Propose to the Executive Committee that the Chairman of the Regional Planning Committee is nominated to represent the Assembly on the strategic partnership.

Purpose of the Report:

To update members on progress that has been made in taking forward the recommendations in the Technical Assessor's report into the Thames Basin Heaths Special Protection Area and Natural England's draft Delivery Plan.

Key Issues:

The Technical Assessor made a number of recommendations. Key recommendations for the short and medium term included:

- i. that an Interim Strategic Delivery Plan (ISDP) be produced to help delivery housing in the short term
- ii. that further work be undertaken to identify a list of land available for use as alternative recreation land to attract additional users away from the SPA
- iii. that a strategic partnership be set up to coordinate policy for the management and protection of the SPA.

Assembly officers have been working with partners to progress these recommendations:

- i. A consultant has been commissioned to assist in the development of the ISDP;
- ii. A consultant has been commissioned to undertake further work on the availability of alternative recreation land to act as mitigation;
- iii. Following a meeting of local authorities proposals for a first strategic partnership meeting in early autumn are being developed.

I. Context

- 1.1 This Committee has discussed the Thames Basin Heaths Special Protection Area (SPA) on a number of occasions. In March 2007, it was updated on the technical sessions into Natural England's draft Delivery Plan (held as part of the South East Plan Examination-in-Public), the conclusions of the Technical Assessor's report, and the implications for the South East Plan and the Assembly's other work.
- 1.2 Key recommendations arising from the Technical Assessor's report were:
- i. that an Interim Strategic Delivery Plan (ISDP) be produced to help delivery housing in the short term
 - ii. that further work be undertaken to identify a list of land available for use as alternative recreation land - known as 'Suitable Alternative Natural Green Space' (SANGS) - to attract additional users away from the SPA; and
 - iii. that a strategic partnership be set up to coordinate policy for the management and protection of the SPA.

2. Interim Strategic Delivery Plan (ISDP)

- 2.1 Following discussions with GOSE the Assembly is taking the lead in developing the ISDP. The Assembly has now appointed an independent consultant to assist with this work.
- 2.2 The ISDP will provide a strategic framework for the delivery of housing and mitigation within the area affected by the SPA designation, building on the work that has been undertaken to date through the Technical Assessment, and individual local authorities' mini delivery plans.
- 2.3 Not all of the Technical Assessor's recommendations for inclusion in the ISDP are necessarily endorsed by stakeholders, and some parties have questioned the soundness of some of his recommendations. A key part of producing the ISDP will be to resolve of these issues, including:
- i. the conclusion that the ISDP should only generally apply to developments of 10 houses or more within 5km of the SPA; and
 - ii. the identification of a 1km zone around sensitive areas of the SPA.
- 2.4 In order for ISDP to be a success it is important to ensure that it is developed in consultation with those parties who have a direct interest in the Thames Basin Heaths. A key part of the consultant's work is to liaise with local authorities, landowners, the Government Office, Natural England and other stakeholder groups.
- 2.5 The target is to have a draft ISDP prepared by early September with a view to undertaking a consultation with interested parties in the autumn. It is then anticipated that the final ISDP can be endorsed by the strategic partnership (see below) in early 2008.

3. Availability of suitable alternative natural green space (SANGS) for mitigation

- 3.1 In July 2006, we published the 'Audit and assessment of land to mitigate effects of housing development' – a report from Land Use Consultants (LUC) into the availability of public land that may be available to act as SANGS. Further work was undertaken for the Thames Basin Heath technical sessions, which sought to assess the likelihood of the land identified in the earlier study being brought forward during the 20-year life of the South East Plan.
- 3.2 In the light of this work, the Technical Assessor concluded that the level of housing in the draft South East Plan for the area around the Thames Basin Heaths could be accommodated without a significant effect on the SPA. However, he identified that further work would be necessary to better understand the suitability of the land identified in terms of its quality and accessibility.
- 3.3 The Assembly has commissioned LUC to undertake further work to refine the previous study - in consultation with local planning authorities and landowners, to:
- i. more clearly identify the viability of delivering the potential SANGS sites identified; and
 - ii. identify strategic areas of SANGS deficit where there may be a need to share SANGS between local authorities, or consider alternative sources of mitigation land.

4. Strategic Partnership

- 4.1 In March 2007, the Committee agreed to support the Assessor's proposal for a strategic partnership to coordinate policy for the management and protection of the SPA, and offered to play a leadership role in establishing the partnership.
- 4.2 The Assembly hosted a meeting of local authority members on 25 June. This provided a progress update and enabled members to have an initial discussion on the membership and functions of the proposed strategic partnership.
- 4.3 Draft terms of reference for the strategic partnership were presented to the meeting for their consideration. This document is now attached as Annex I of this report, and members' comments are invited.
- 4.4 A number of minor changes to the draft terms of reference were proposed at the member meeting. These are indicated in Annex I as tracked changes. Once comments have been received from all the authorities a revised draft of the terms of reference will be produced. It will be for the first meeting of the strategic partnership to consider and agree its terms of reference.

Membership

- 4.5 The strategic partnership will comprise a member group and a supporting officer group. The member group will include councillors from all those local authorities affected by the SPA designation, as well as from county councils and the Regional Assembly. In addition Natural England, GOSE, a representative of the housebuilding industry, and a representative of the non-governmental environmental sector will sit on the group as advisory members (i.e. without voting rights).
- 4.6 The Assembly will need to nominate a member to sit on the strategic partnership. It is proposed that this Committee recommend to the Executive Committee that the Assembly's representative be the Chairman of the Regional Planning Committee.

Functions

- 4.7 The purpose of the strategic partnership will be to provide a forum for joint working and liaison between the local authorities and other organisations affected by the Thames Basin Heaths SPA. Further information about the key functions of the partnership is included in Annex I.
- 4.8 The strategic partnership will have no powers to exercise any of the functions of a local planning authority nor could it fetter any decisions made by such bodies – rather it will act as an advisory body to local authorities and stakeholders.

Next steps

- 4.9 The first meeting of the strategic partnership member group will be held in mid-late September, when the chairman and vice chairman will be elected. The first meeting will agree the terms of reference, agree a work programme for the coming year and be asked to endorse the draft ISDP (see above) for formal consultation.

5. Conclusions and Recommendations

- 5.1 Progress is now being made towards delivering key short/medium terms recommendations within the Technical Assessor's report. It is recommended that members endorse the proposals for a Thames Basin Heaths strategic partnership set out in Annex I, and recommend to the Assembly's Executive Committee that the Chair of the Regional Planning Committee be nominated to represent the Assembly on the partnership member group.

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**THAMES BASIN HEATHS JOINT STRATEGIC PARTNERSHIP
DRAFT TERMS OF REFERENCE**

**With amendments as suggested by local authority
members' meeting, 25 June 2007**

1. Purpose and Scope

- 1.1 To provide a forum for joint working and liaison between the local authorities and other organisations affected by the Thames Basin Heaths SPA, to address matters relating to the management and protection of the Thames Basin Heaths SPA and associated land management and planning issues that are of interest to the member organisations.

2. Relationships

Local Planning Authorities

- 2.1 The Thames Basin Heaths Joint Strategic Partnership (TBH JSP) Board will act as an advisory and liaison body for local planning authorities affected by the Thames Basin Heaths SPA. For the avoidance of doubt, the Strategic Partnership cannot exercise any of the functions of a planning authority nor can it fetter any decisions made by such bodies.

Other organisations

- 2.2 The TBH JSP will work with a range of SPA stakeholder organisations and bodies as may be relevant to the TBH JSP's areas of interests to exchange information, carry out consultation and work in partnership as appropriate.

3. Composition

- 3.1 The TBH JSP will consist of a Board, comprising elected Member representatives from the member organisations with voting rights, and an Officer Support Group, consisting of senior officers from the member organisations.

4. Membership

- 4.1 The following Local Planning Authority organisations will be invited to be full members of the Joint Strategic Partnership with full voting rights at meetings of the Board:

- Basingstoke & Deane Borough Council*¹
- Bracknell Forest Borough Council
- East Hampshire District Council*
- Elmbridge Borough Council
- Guildford Borough Council
- Hampshire County Council
- Hart District Council
- Mole Valley District Council*
- Royal Borough of Windsor and Maidenhead
- Runnymede Borough Council*
- Rushmoor Borough Council
- South East England Regional Assembly
- Surrey County Council
- Surrey Heath Borough Council
- Waverley Borough Council
- West Berkshire Council*
- Woking Borough Council
- Wokingham Borough Council*

and such other planning authorities who may be affected by matters connected with the Thames Basin Heaths SPA.

- 4.2 The following organisations will be advisory members of the Strategic Partnership with rights of attendance and participation in discussions at all meetings of the JSP but shall not have voting rights.
- Natural England
 - Government Office for the South East
 - Berkshire Joint Strategic Planning Unit²
 - A representative of the housebuilding industry
 - A representative of the non-governmental environmental sector
- 4.3 At the discretion of the Chairman, representatives of other stakeholder organisations that have recognised legitimate interests in the planning or management of land affected by the TBH SPA may be invited to attend, advise and / or speak, but shall not have voting rights. A list of prospective stakeholder organisations is included at **Appendix A**.

¹ N.B: Authorities marked * do not include SPA registered land within their boundaries but are either directly affected by falling within the 5.2km travel-based buffer zone beyond the SPA boundaries or by being within an area that may contribute to the provision of SANGS land.

² N.B. it is anticipated that the interests of this body in respect of its mineral and waste planning responsibilities will generally be served via representatives from the constituent member unitary planning authorities

5. Structure and Procedures

- 5.1 The Board will comprise one elected member from each of the full member organisations.³ One senior officer from each planning authority may attend meetings of the Board in support of each elected member from a full member organisation.
- 5.2 A Chairman and Vice Chairman of the Board will be elected annually from amongst elected representatives of member organisations with voting rights.
- 5.3 Meetings of the Board will be held three times per year, or more if required. The venue will be set by the Chairman and will normally be fixed for at least one year. At least 6 elected members must be present for meetings to be quorate.
- 5.4 The Chairman shall have the power to issue public statements and press releases on behalf of the Board and to delegate these powers to the Vice Chairman or other representatives as appropriate. No press releases will be made without member approval.
- 5.5 Officer support and secretariat services will be provided by the organisation chairing the partnership or as otherwise agreed.
- 5.6 Agendas, reports and minutes of meetings will be circulated to relevant stakeholders and the minutes of meetings will be made publicly available.

6. PowersFunctions

- 6.1 The Board shall have the following powersfunctions:
- 6.2 To act as point of contact and disseminate information between member organisations and other stakeholders relating to the Thames Basin Heaths SPA and associated land management and planning issues.
- 6.3 To act on behalf of the member organisations in commissioning studies, surveys and reports or other work on relevant matters, including making bids for joint funding and grants relating to the objectives of the body.
- 6.4 To raise funds from member organisations or other sources as may be required to operate and carry out the agreed functions of the Partnership and to maintain and publish accounts relating to the expenditure of these.
- 6.5 To instruct the Officer Support Group to undertake work in accordance with an agreed project plan and annual action plan or as otherwise agreed.

³ In the case of the Regional Assembly this should be a member of the Regional Planning Committee who is also a member of the Assembly but may also be a designated member substitute.
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- 6.6 To agree and publish documents representing the joint or majority position of the member organisations in relation to the management and protection of the SPA and the delivery of development in affected areas and associated land management and planning issues, and to ensure that minority opinions may be expressed.
- 6.7 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.
- 6.8 To liaise with stakeholders in monitoring and reviewing the effectiveness of measures taken to protect the SPA, and report this as necessary, and at least annually, to the Government Office for the South East.
- 6.9 To review its terms of reference as may be appropriate.

7. The Officer Support Group

- 7.1 The Officer Support Group will comprise:
- relevant planning, environmental and / or leisure officers of the member authorities and organisations and
 - officers or technical / professional representatives of stakeholder organisations, by invitation.
- 7.2 The Group shall meet at least every 2 months or as considered necessary at a venue to be fixed for a period of at least one year.
- 7.3 A lead officer and deputy shall be elected annually. Secretariat support will be provided by the lead authority or as otherwise agreed.
- 7.4 Agendas, papers and minutes will be prepared and maintained for all meetings and circulated to all representatives.
- 7.5 The Group shall be responsible, with external support where agreed, for undertaking the following:
- Providing technical support to the Board and carrying out such actions as may be instructed by the Board.
 - Preparing an annual Work Programme for the year beginning 1st April, for agreement by the Board.
 - Undertaking work identified in the annual Work Programme.
 - Preparing an annual monitoring report for the year ending 31st March, together with regular updates on progress for the Board.
 - Preparing and maintaining a three year rolling project plan, based upon the objectives of the Partnership.
- 7.6 The Group may establish small project or working groups as necessary to progress issues related to delivering the agreed Work Programme.

**Thames Basin Heaths Joint Strategic Partnership
Other Stakeholder Organisations**

Blackwater Valley Countryside Management Project
County Wildlife Trusts
Country Land and Business Owners Association
CPRE
Crown Estate
Defence Estates
National Farmers Union
National Trust
Open Spaces Society