

RECORD OF EXECUTIVE DECISION

Tuesday, 7 January 2025

Decision No: (CAB 24/25 47451)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	Cabinet Member for Economic Development
SUBJECT:	Partnership for South Hampshire's Inter-Authority Agreement (IAA) for nutrient mitigation
AUTHOR:	Amber Trueman

THE DECISION

- (i) To delegate authority to the Executive Director of Growth and Prosperity to enter into and become a party to the Inter Authority Agreement (IAA) by way of a deed of adherence and to agree to any minor amendments from time to time.
- (ii) To delegate authority to the Executive Director of Growth and Prosperity to agree the Council as a Benefiting Authority and/or Host Authority for projects delivered through the Inter Authority Agreement following consultation with the Council's S151 Officer and Cabinet Member for Economic Development.

REASONS FOR THE DECISION

1. The Council, as Local Planning Authority, needs to ensure that sufficient nutrient mitigation is available to meet planned growth. Without sufficient mitigation, planned development may not be able to proceed. Whilst there is a private supply of mitigation across the majority of impacted areas across the Solent, regular reporting of the relative supply of mitigation has shown that the private market is unable to supply a sufficient amount of mitigation to maintain a 5-year supply within the market across the Solent sub-region. Additionally, reliance on the private market requires substantial work on cross boundary legal agreements in order to ensure compliance with the Habitat Regulations as Competent Authorities in decision making.
2. The IAA aims to create an ongoing framework to provide mitigation in the sub-region and to ensure a 5-year supply of mitigation by working alongside the private market to provide a supply of mitigation for developers for those authorities that do not yet have their own mitigation strategies. It is also proposed that projects delivered through the IAA deliver multiple benefits, including the provision of BNG units and removing the need for cross-boundary legal agreements for projects delivered through the IAA.

DETAILS OF ANY ALTERNATIVE OPTIONS

Do Nothing: Southampton City Council, as local planning authority must comply with the Habitat Regulations when granting planning permission. Planning permissions issued by the Council could be challenged if it is unable to secure a 5-year supply of nitrate mitigation.

It is also proposed that projects delivered through the IAA deliver multiple benefits, including the provision of BNG units and removing the need for cross-boundary legal agreements for projects delivered through the IAA. This opportunity would be lost to Southampton by not being part of the IAA.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 7 January 2025

Decision Maker:
The Cabinet

Proper Officer:
Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in <i>(if applicable) (this suspends implementation)</i>
Call-in Procedure completed <i>(if applicable)</i>
Call-in heard by <i>(if applicable)</i>
Results of Call-in <i>(if applicable)</i>