

Report to: Strategic Planning Committee



Date of Meeting 7 September 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

HELAA Panel constitution and role

Report summary:

Integral to the preparation of the HELAA is a 'panel' of key stakeholders who have a recognised interest and experience in the development of land for housing and employment. This report sets out the composition of the panel and the role they play in the formulation of the HELAA. It asks members to agree a terms of reference and constitution and to appoint two members of the Council to the Panel.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- (1) That Strategic Planning Committee recommends agreement to the proposed panel constitution and terms of reference in appendix 1.**
- (2) That Strategic Planning Committee recommends to appoint the Portfolio Holder for Economy and Assets and the Portfolio Holder for Strategic Planning onto the HELAA panel.**
- (3) That Strategic Planning Committee recommends agreement to delegate authority to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning, to make any further minor changes that might arise from a review of the panel's constitution and terms of reference by the panel.**

Reason for recommendation:

Members previously requested further information on the panel before the first meeting is held. These recommendations seek to inform and agree the process for undertaking the HELAA panel sessions so that work can proceed.

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Portfolio(s) (check which apply):

- Climate Action and Emergencies
 Coast, Country and Environment

- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; as members are being ask to note progress rather than make a decision.

Links to background information

Link to [Council Plan:](#)

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

1 Background

1.1 At the Strategic Planning Committee meeting of 22nd June members agreed a variety of amendments to the process for conducting the Housing and Economic Land Availability Assessment (HELAA). In addition to this, they also requested that ***“further information on the composition of the HELAA panel is brought back to Committee before the HELAA panel’s first meeting to be set out including the role of local members on the panel.”***

2 Proposed Constitution and Terms of Reference

- 2.1 A constitution and terms of reference was previously jointly adopted in 2016 by the authorities in the Exeter housing market area and this has been used to regulate the formation, structure, role and operation of the panel since then. A common approach to HELAA production across the Exeter housing market area is considered to be sensible in terms of use of resources and the duty to co-operate.
- 2.2 Given this process has been successful in the production of past HELAAs in the area, it is proposed that that no material changes to the detail of the document are made. However, a number of minor changes have been made to national planning practice guidance since then so references have been updated.
- 2.3 Members are therefore asked to agree the panel constitution and terms of references as presented. It should be noted that any agreed version will be shared with partner authorities in the Exeter Housing Market Area and confirmed at the first panel.
- 2.4 Should the panel wish to make any minor amendments to the constitution, to ensure timely progress members are also asked to agree a process for allowing this to be done through

delegated authority granted to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning.

- 2.5 Detailed in the document are the responsibilities of the panel, its makeup and the process for undertaking panel meetings.
- 2.6 It will be important for the Local Plan examination for us to be able to demonstrate that any allocations we include are “deliverable” and so it is a necessary and essential part of the process for us to gather advice from individuals and organisations with experience in delivering housing and economic development. This requirement is also laid out in National Planning Policy Framework¹.
- 2.7 At the meeting some members expressed some concerns over the HELAA process, particularly with respect to the role and influence the panel has in determining which sites may be allocated in the Local Plan.
- 2.8 It should be stressed in no uncertain terms that the role of the panel is to act on an advisory basis, utilising their breadth of experience principally on whether a site is “achievable”, taking into account factors such as the constraints of the site and viability and deliverability issues that arise from them. Consideration of sites and how they fit with emerging policy and the objectives of the Council will be undertaken by officers who will then make recommendations about particular sites. The role of the panel is made clear in the constitution and terms of reference in para 2.17. Outputs from the HELAA will be used as evidence to inform the Local Plan process and it will be for the Council and its members to decide on which sites are to be allocated for development.

3 Composition of the panel

- 3.1 Composition of the panel will largely be drawn from previously appointed members who have been involved in HELAA work undertaken in the housing market area. Where a candidate is no longer available or declines to confirm their acceptance of Panel membership then a suitable alternative will be chosen.
- 3.2 Given that we want to draw from those with experience and are familiar with the market for delivering housing and employment in the area, having an interest in the development of one or more potential sites will not preclude Membership of the Panel. However, where such an interest exists either as the controller of land, or with an option to purchase, or as agent for a landowner then this interest must be declared to the Panel.

4 Role of members on the panel

- 4.1 Members play a key role in representing the Council and community on the panel. They may also have specific knowledge of sites which will be valuable to inform panel discussions.
- 4.2 In the past the portfolio holders covering the Economy and Strategic Planning have been chosen to represent the Council on the Panel. Given that the HELAA will have important outputs both for strategic planning and the economy it is proposed that this approach is continued and that members agree to appoint to the panel both the Portfolio Holder for Economy and Assets (Councillor Paul Hayward) and the Portfolio Holder for Strategic Planning (Councillor Dan Ledger).

5 Implications for Neighbourhood Planning

¹ Para 68, National Planning Policy Framework

5.1 The HELAA including advice from the panel and other background information will form an important evidence base that Neighbourhood Plan groups can utilise in the formation of their plans. This will be particularly useful if groups are seeking to allocate sites.

Financial implications:

There are no specific financial implications which require comment.

Legal implications:

There are no legal comments other than as set out in the report