

Decision maker:	Cabinet member contracts and assets
Decision date:	Monday 12 November 2018
Title of report:	Response to Motion: Development Partnership
Report by:	Programme Director Growth

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose and summary

To respond to the motion passed by Full Council, which requested the executive give consideration to ensuring that the Development Partnership should be designed to be a Sustainable Development Partnership, with equal consideration given to social, environmental, and economic dimensions of planned development. This report provides assurance that the overarching agreement enables weight to be given to the social, environmental and economic dimensions developments delivered through the Development Partnership alongside value for money and financial sustainability considerations.

Recommendation(s)

That:

a) the development and regeneration partnership arrangements as set out in the report provide assurance that full consideration will be given on a project by project basis to the social, environmental, and economic dimensions of planned development.

Alternative options

1. To not seek to secure cost effective and deliverable, sustainable forms of development through the partnership and only seeking to comply with statutory obligations, including the legal terms of the Development Partnership's Overarching Agreement. This would mean that all developments would always be built to minimum standards of sustainability, removing opportunities to consider the delivery of environmentally progressive development in line with the objectives of the motion

Key considerations

1. In July 2018, Full Council passed a motion stating that the development partnership should be designed to be a sustainable development partnership, with equal consideration given to social, environmental, and economic dimensions of planned development and requesting that the executive consider ensuring that all development designed and constructed through the development partnership should be:
 - a) planned to maximise residents' health and wellbeing, including through shared green space and opportunities for outdoor exercise and social interaction with maintenance thereof;
 - b) built to the highest possible standards of energy and water efficiency in order to ensure affordability for residents and low environmental impact;
 - c) sourced using local procurement wherever possible, in order to maximise local economic benefit and employment opportunities;
 - d) designed to support and enhance wildlife habitats, in line with Herefordshire's identity as a beautiful rural county; and
 - e) designed to promote walking, cycling, public transport and car sharing.
2. In respect of 1a, 1b and 1e above the Development Partnership contains contractual requirements that will ensure that the regeneration programme is delivered a manner which is responsive to local needs and priorities (particularly being mindful of protecting the interests of individuals with protected characteristics, the elderly and children) by enhancing the county's natural and built environments through provision of quality housing which meets specified building code standard(s) which will reduce running costs. In addition those developments will enhance the quality of life for residents and increase community cohesion through the regeneration and/or creation of open space, and maximising sustainable forms of transport by encouraging alternative options to car as the first choice for local journeys
3. In respect of 1c above the council cannot make an absolute requirement for only local suppliers/contractors to be used as to do so would breach competition law. However the development partnership contains a range of contractual requirements that will provide local community and economic benefits through:
 - the development of sub-contracting and supply chain opportunities including transparency of opportunities and award procedures including open advertisement
 - workforce and training initiatives provided to the benchmark standards contained within the Construction Industry Training Board Client Based Approach (CITB CBA) framework
 - contribution to education such as through education-work placements, school visits and volunteering and support for national curriculum topics such as: numeracy; literacy; science and careers.
4. In respect of 1d above the Development Partnership contains a range of contractual requirements that will benefit the community by ensuring that development promotes quality of life for all. In the case of the benefits to the community provided by wildlife

habitats this would be through supporting volunteering, community groups and third sector organisations who work to maintain and enhance the natural environment.

5. New development proposals, delivered through the DRP, will set out, where possible at planning application stage, what approaches have been considered in meeting the objectives set out in the motion and what decisions have been taken to include or exclude such approaches also taking into account value for money and financial sustainability considerations..

Community impact

6. This decision actively promotes and maintains sustainable communities and promotes economic growth, in keeping with Herefordshire Council's corporate objectives.
7. Specifically the Development Partnership will increase the amount of affordable housing being delivered, and the use of the local supply chain will provide greater opportunities for apprentices and training, and sustainable modes of transport will be encouraged

Equality duty

8. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This decision will have a positive impact on the council's ability to discharge its 'equality duty' as it will offer opportunities to provide enhanced benefits to communities who share a protected characteristics by delivering developments which provide stronger community cohesion and wellbeing by positively

Resource implications

9. There may be financial implications for the council in that the costs of delivering developments to the highest possible standards of energy efficiency or sustainability may reduce the financial returns on investment. However, the controls detailed above will be integrated into the normal governance of the Development Partnership, and individual schemes will be considered and advanced through the necessary processes supported by their own business cases. Decisions as to whether to proceed with developments on a case by case basis will be informed by relevant business cases.

Legal implications

10. There are no legal implications in this report. The overarching agreement enables each project to be considered on a case by case basis.

Risk management

11. If the proposals are agreed, measures within the governance of each individual scheme will manage and mitigate the financial risks that could be encountered if too great an emphasis was placed on overinvesting in environmental or health benefits, if that investment exceeds what the scheme can reasonably provide without it becoming commercially unviable.

Consultees

12. None

Appendices

- None