

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
HAVANT
HAMPSHIRE P09 2AX



Havant
BOROUGH COUNCIL

Telephone: 023 9244 6019
Website: www.havant.gov.uk

Tuesday, 18 July 2023

SUMMONS

Dear Councillor

You are requested to attend the following meeting:

Meeting: Cabinet
Date: Wednesday 26 July 2023
Time: 2.30 pm
Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road, Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Steve Jorden
Chief Executive

CABINET MEMBERSHIP

Chairman: Councillor Alex Rennie (Leader of the Council)
Councillors Robinson (Vice-Chairman), Bowdell, Bowerman, Fairhurst and Lloyd

CONTACT OFFICER: Jenni Harding Tel No.02392 446234
Email: jenni.harding@havant.gov.uk

AGENDA

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PART 1 (Items open for public attendance)

1 Apologies for Absence

To receive and record any apologies for absence.

2 Declarations of Interests

To receive and record any declarations of interest from members present.

3	Minutes	1 - 4
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To confirm the minutes of the last meeting of Cabinet held on 07 June 2023.

4	Chairman's Report	
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To receive a report from the Chairman.

5	Councillor Questions under Standing Order 68.3	
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In accordance with standing order 68.3.1, to receive questions from the Chairman of the Overview & Scrutiny Committee and standing order 68.3.3, a period of 20 minutes is permitted to receive questions put to Cabinet by Councillors.

6	Matters referred by Full Council or the Overview & Scrutiny Committee Under Standing Order 68.7.3	
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In accordance with Standing Order 68.7.3, this item is reserved for matters referred by the Full Council or the Overview & Scrutiny Committee for consideration.

Leader of the Council

7	Free Parking in Waterlooville	5 - 10
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8	Corporate Priorities Plan	11 - 38
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Cabinet Lead for Planning, Environment and Water Quality

9	Membership of the Solent Cluster	39 - 58
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10	Warnford Park Estate Nutrient Mitigation Scheme	59 - 82
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To consider the recommendations of the Planning Policy Committee arising from the attached report.

11	Cabinet Lead Delegated Decisions, Minutes from Meetings etc.	
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RECOMMENDED that the following Delegated Decisions be noted:

[Wellington Way Car Park, 30 Minutes Free Parking](#)

RECOMMENDED that the following Minutes of Meetings be noted:

(1) [Portchester Crematorium Joint Committee](#) - 26 June 2023

(2) [Langstone Harbour Board](#) - none

(3) [Solent Freeport Consortium Board](#) – 28 June 2023

12	Appointments to Outside Bodies	
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That Cabinet appoints Councillor Fairhurst as Standing Deputy members to represent the Council on the Local Government Association Coastal Issues Special Interest Group (SIG). Attendance at the meetings of the organisation concerned to qualify as an Approved Duty and the appointment to have effect until the first meeting of the Cabinet in the 2024/2025 municipal year.

PART 2 (Confidential items - closed to the public)

There are none.

GENERAL INFORMATION

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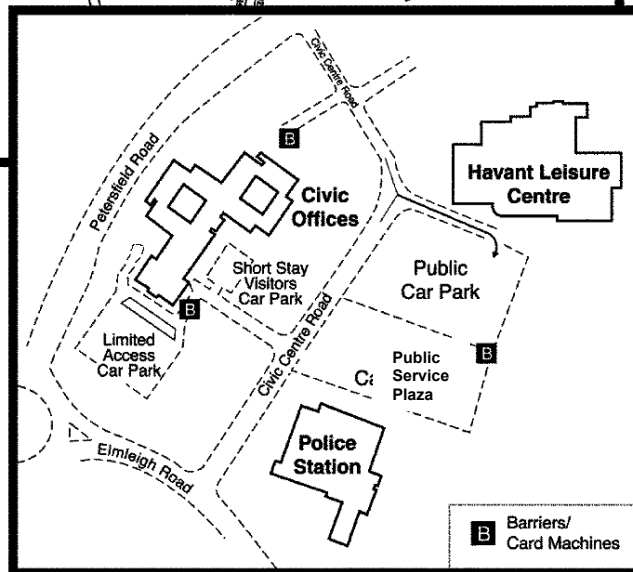
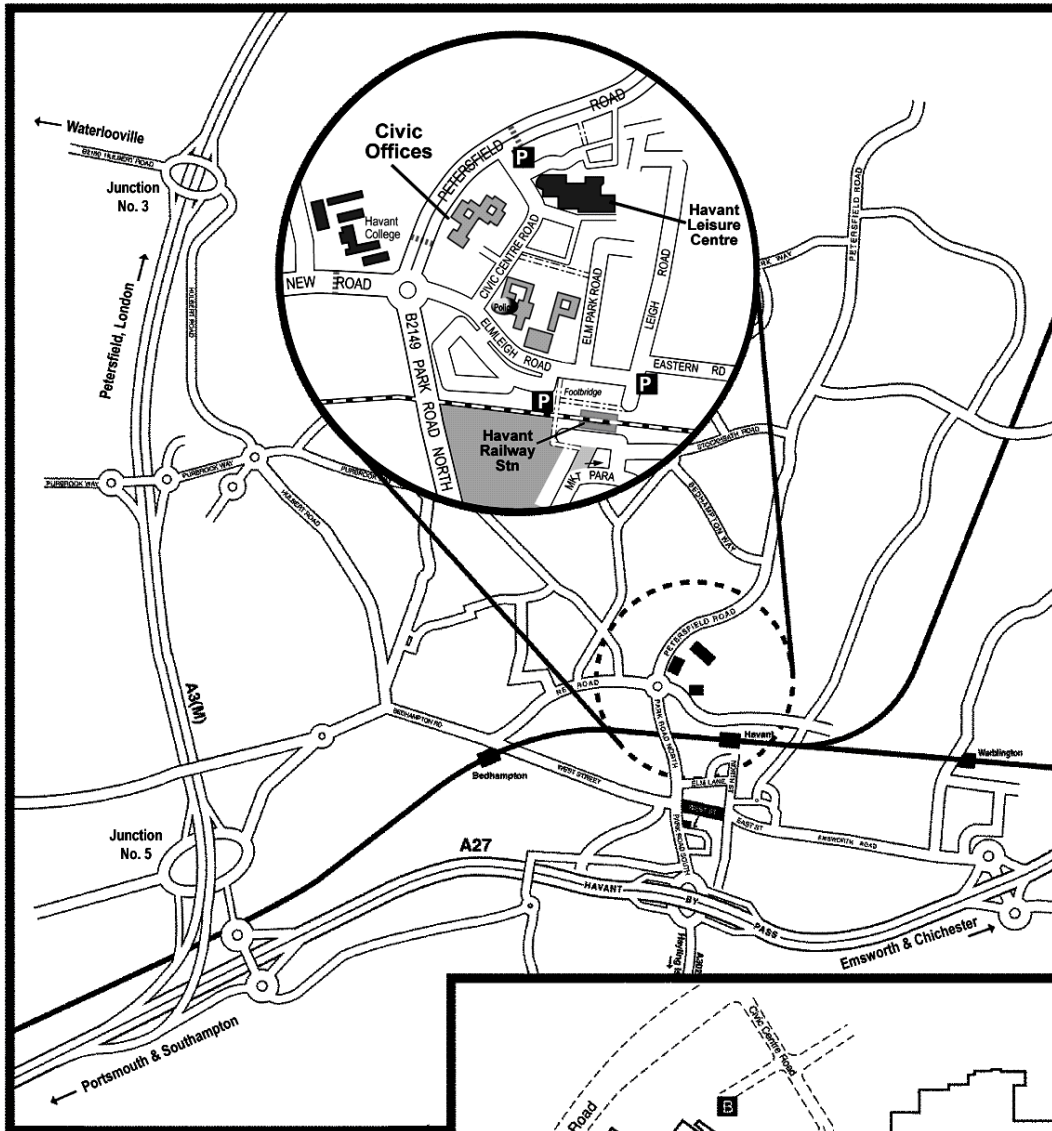
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HAVANT BOROUGH COUNCIL

At a meeting of the Cabinet held on 7 June 2023

Present

Councillor Rennie (Chairman)

Councillors Robinson (Vice-Chairman), Bowdell, Bowerman, Fairhurst and Lloyd

Other Councillors Present:

Councillor(s): Briggs, Richardson and Stone

1 Apologies for Absence

There were no apologies for absence received for this meeting.

2 Declarations of Interests

There were no declarations from the members present.

3 Minutes

The minutes of the meetings of Cabinet held on 15 and 22 March 2023 were agreed as a true record.

4 Chairman's Report

The Leader of the Council thanked Councillor Denton and former Councillors Pike and Satchwell for their contributions to Cabinet and service to their communities.

The Leader welcomed Councillors Fairhurst and Bowdell to the Cabinet. The Leader further welcomed the Assistant Cabinet Lead members: Councillors Briggs, Richardson and Stone and set out their supporting role to the Cabinet Leads and ongoing attendance at future meetings of the Cabinet in their supporting capacity.

5 Councillor Questions under Standing Order 68.3

There were no questions from Councillors under the provision of this standing order.

6 Matters referred by the Full Council or the Overview & Scrutiny Committee Under 68.7.3

There were no recommendations referred by Full Council or from the Overview & Scrutiny Committee for consideration under the provision of this standing order.

7 Cabinet Appointments to Outside Bodies

The Leader informed Cabinet he wished to replace Councillor Lloyd with Councillor Milne as a representative of the West of Waterlooville Forum.

Proposed by Councillor Rennie, seconded by Councillor Bowerman, it was therefore

RESOLVED that Cabinet appoints members to represent the Council on those outside organisations as set out. Attendance at meetings of the organisations concerned to qualify as an Approved Duty and all appointments to have effect until the first meeting of the Cabinet in the 2024/2025 municipal year.

8 Appointment of the Shareholder Sub Committee

Proposed by Councillor Rennie, seconded by Councillor Lloyd, it was therefore

RESOLVED that the following councillors be appointed to the Shareholder Sub-Committee:

- Cllr Alex Rennie (Leader)
- Cllr Neil Bowdell (Cabinet Lead with responsibility for Finance)
- Cllr Lulu Bowerman
- Cllr Gwen Robinson

Reserves

- Cllr Elizabeth Lloyd
- Cllr Liz Fairhurst

Proposed by Councillor Rennie, seconded by Councillor Bowdell, it was therefore

RESOLVED that the appointments to the Cabinet Liaison Panel be approved and for all appointments to have effect until the first meeting of the Cabinet in the 2024/2025 municipal year:

Elizabeth Lloyd (Chairman)
Neil Bowdell
Lulu Bowerman
Caren Diamond
Richard Stone
Phil Munday (Lab)
Paul Gray (Lib Dem)
Grainne Rason
Standing Deputies
Liz Fairhurst (Con)
Alex Rennie (Con)

9 Council Tax Support Fund 2023-24

Councillor Bowdell, as relevant Cabinet Lead, introduced the report on discretionary payments made under the Council Tax Support Fund 2023-24. A motion proposed by Councillor Bowdell was seconded by Councillor Bowerman and therefore it was

RESOLVED that Cabinet approve:

- a. The discretionary element of the Council Tax Support Fund 2023-24 be used to increase the limit of support for existing Local Council Tax Support claimants, from £25, up to a maximum of £50.
- b. To use any remaining funds to support new claimants, during the financial year 2023-24, on a first come, first served basis, with a limit of up to £50 support.
- c. That officers monitor and review the expenditure of the financial year 2023-24 discretionary fund in September 2023 and the Cabinet authorise the s151 Officer, in consultation with the Cabinet Lead for Finance, to distribute the remaining funds to Local Council Tax Support claimants as appropriate.

10 Warnford Park Estate Nutrient Mitigation Scheme

The Planning Policy Committee's decision, made at its meeting on 30 May 2023 was to defer consideration of this item, therefore there were no recommendations to be considered at this meeting.

11 Cabinet Lead Delegated Decisions, Minutes from Meetings etc.

RESOLVED that the minutes as set out in the agenda be noted.

The meeting commenced at 6.00 pm and concluded at 6.13 pm

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Chairman

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NON EXEMPT

HAVANT BOROUGH COUNCIL

CABINET

26 July 2023

Free Parking in Waterlooville

FOR DECISION

Portfolio Holder: Councillor Alex Rennie

Key Decision: No

Report number: HBC/026/2023

1. Purpose

1.1 This paper is submitted to Cabinet for a decision.

2. Recommendation

2.1 Members are requested to approve:

- (i) The introduction of free parking for a maximum stay of 30 minutes (no return within one hour) in 12 parking bays which will be in force between the hours of 8am-6pm Monday-Saturday at the Wellington Way Car Park in Waterlooville.

3. Executive Summary

3.1 This paper comes before Cabinet as part of a range of measures the Council is seeking to implement to encourage footfall in Waterlooville Town Centre. This initiative is designed to encourage people to use some of the smaller independent retailers on the High Street.

4. Additional Budgetary Implications

4.1 The cost of lining and signing in this area will be around £1,000 and will be funded from the existing Off Street Parking Maintenance budget.

4.2 The car park is currently well used and generates more than £100,000 per annum. The Council believe that the introduction of “pop in” parking will attract new shoppers to the area and hence should not significantly affect the income already generated.

5. Background and relationship to Corporate Strategy and supporting strategies and policies

5.1 The decision to implement this incentive to shoppers helps to support the Council's Growth aspirations outlined in the Corporate Strategy and encourages people to use local businesses located in the Town Centre.

6. Options considered

6.1 The Council has considered various options, including the introduction of 30 minutes free parking and making the Car Park entirely free.

6.2 Making the car park entirely free is not a viable option. Free car parks attract a charge for business rates and maintenance and the Council would need to find a funding source elsewhere within it's budget. The car park currently generates more than £100,000 per annum income. Should the car park be entirely free, the Council would need to find an alternative source of funding for the loss of this income and payment of rates.

6.2 The proposed scheme is similar to the scheme that we already operate in Park Parade car parks in Leigh Park which seems to be popular with shoppers.

7. Resource implications

7.1 Financial implications

- i. The Financial Implications are set out at section 4 above and in the S151 Officer comments.

Section 151 Officer comments

Wellington Way car park hold just over 100 spaces. The average charging rate is ~£1 per hour, for 10 hours per day, 6 days per week. Therefore 12 parking spaces have a maximum income potential of ~£39k per annum.

Based on the current parking fees income from the site, 12 spaces are worth ~£12k per annum.

Therefore, the likely maximum budget risk ~£13k (implementation costs plus lost opportunity costs)

Members may want assurance that this move will bring in additional shoppers (rather than simply provide existing shoppers with free parking) and that it will help boost the local economy via increased footfall in Waterlooville before agreeing the proposal.

It is also not clear if this could have any impact on “on-street” parking in the area (which could be taken as a positive).

b. Human resources implications

- i. None

c. Information governance implications

- i. None

d. Climate and environment implications

- i. It is not initially anticipated that this initiative will have a material impact on the number of Cars that are being driven into the Town Centre and as a consequence its felt the impact on the environment.

e. Other resources implications

- i. None

8. Legal implications

- a. The legal implications are set out below in the Monitoring Officers comments.

Monitoring Officer comments

People who park their vehicles in off-street parking places may do so free of charge or may be required to pay. The Council controls off-street parking by means of an off-street parking order under the Road Traffic Regulation Act 1984.

The variation of charges at off-street parking places can be done under Road Traffic Regulation Act 1984, by notice, subject to any regulations of the Secretary of State as to the procedures for giving notice. The procedure for giving notice is set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

Constitutionally, it falls to the Cabinet to approve the resolution to introduce 30 minutes free parking at Wellington Way Car Park.

9. Risks and mitigations

9.1 There is a risk that by offering free parking in Wellington Way Car Park that this could see a significant drop in income. The Council will need to monitor this situation closely and if there is an adverse effect on income the decision will need to be made to continue with this initiative or find another funding source. Officers do not anticipate this to be a very likely scenario.

9.2 Since the Council looked at introducing this initiative the car park operators at Dukes Walk have introduced 3 Hours free parking. It is anticipated that visitors to the Town centre will park at Dukes Walk rather than Wellington Way Car Park.

10. Consultation

- 10.1 The parking order has been advertised publicly and there have been no adverse comments. Officers have spoken with Councillors in Waterlooville and all the feedback has been positive.

11. Communications

- 11.1 Once approved the Communications team promote this through Council channels. The Waterlooville Regeneration Officer will also promote this with local businesses so they can draw their customers towards this initiative.

12. Appendices

- a. None

13. Background papers

- a. None

Agreed and signed off by:

Portfolio Holder: Cllr Alex Rennie

Executive Head: Wayne Layton

Monitoring Officer: Jo McIntosh

Section 151 Officer: Steven Pink

Contact officer:

Name: Sean McKay

Job title: Parking Enforcement Manager

Email: sean.mckay@havant.gov.uk

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NON EXEMPT

HAVANT BOROUGH COUNCIL

CABINET

26 July 2023

Corporate priorities plan

FOR DECISION

Portfolio Holder: Councillor Rennie

Key Decision: No

Report number: HBC/024/2023

1. Purpose

- a. This paper is submitted Cabinet for decision on approving the corporate priorities plan that will help to deliver the ambitions set out in the Corporate Strategy.

2. Recommendation

- a. Members are requested to approve the corporate priorities plan.

3. Executive Summary

- a. Havant Borough Council must have a Corporate Strategy document in place which sets out the ambitions and proposed approach to delivery of the functions of the Council.
- b. Any matters falling outside of the policy framework or the budget framework will require approval at Full Council. It is therefore important that the Corporate Strategy covers all the proposed endeavours that the Council wishes to undertake through the executive function of Cabinet over the next few years.
- c. The Corporate Strategy was approved by Full Council in February 2023 and that document articulates at a high level what the Council aims to provide for residents and businesses in the borough.

- d. Following approval of the Corporate Strategy more detailed work has taken place on providing the detail of what corporate priorities will be delivered over the coming year; in particular the specific projects and programmes that the Council will progress.
- e. A total of 16 corporate priorities have been identified for delivery and these are fully articulated within the corporate priorities plan (Appendix A). Each corporate priority has been mapped against a corporate strategy theme, aim and initiative to ensure that it will deliver against the Corporate Strategy.
- f. Corporate priorities will be reported quarterly to Cabinet for monitoring purposes and will be tracked throughout the year in terms of milestones being completed.

4. Additional Budgetary Implications

- a. None associated with this report.

5. Background and relationship to Corporate Strategy and supporting strategies and policies

- a. The corporate priorities have a direct relationship with the Corporate Strategy in that they articulate at a more detailed level exactly what will be delivered over the coming year.
- b. Each priority details the objective of what the priority is trying to achieve, the actions that will take place and the measurable output of that priority. Each priority is also assigned to the relevant Executive Head to ensure accountability for delivery.
- c. It is acknowledged that there are still a number of other important activities that the authority is continuing to progress and these are being taken forward by individual service areas. The corporate priorities plan is not intended to capture all work of the authority but of

the key projects and programmes that will help to deliver the Corporate Strategy.

6. Options considered

- a. The purpose of producing the corporate priorities plan is to ensure that officers and Members are fully aware of the priorities of the Council that will be delivered. Without the plan there is the risk that officer and Member resource will be diverted to responding to events and hence not necessarily progressing the plans that will help to deliver the Corporate Strategy.

7. Resource implications

a. Financial implications

- i. The corporate priorities plan makes no budgetary commitments but does inform the budgetary framework. Whereas some of the initiatives and associated projects will be delivered through existing revenue budgets others will require the identification and approval of relevant funding through a combination of external grants, council reserves, the strategic element of the Community Infrastructure Levy (CIL) and potential borrowing. Funding allocations will be determined through the consideration and approval of relevant business cases and/or the next revenue/capital budget round.

Section 151 Officer comments

Whilst there is no immediate financial impact from the corporate priorities, the priorities set will have some major financial impacts and requirements. Therefore, it is vital that the authority sets clear priorities as this will impact the ease, pace and ability to make funding/spending decisions for all major projects. Any requests for spending/budget that does not relate to these agreed priorities will face additional hurdles in governance processes and faces a much higher likelihood of not being approved.

The priorities also set a clear direction for the allocation of resources and officer time. Having a robust set of agreed priorities will help to focus resources and avoid unnecessary expenditure caused by uncertainty and working on non-priority areas

b. Human resources implications

- i. None

c. Information governance implications

- i. None

d. Climate and environment implications

- i. One of our key strategies supporting our Corporate Strategy is our Climate Change and Environment Strategy which was adopted in 2021. The Climate Change and Environment Strategy is supported by a separate action plan which will help deliver that strategy. In addition, one of the 16 priorities identified in the corporate plan is one specifically covering our climate action plan progression, water quality considerations and nutrient neutrality work.

e. Other resources implications

- i. The corporate priorities plan does not specifically commit resources in itself but does provide the framework for the

allocation of resources across services. The nature of the priorities and links with the Corporate Strategy have meant that resources are focussed around our wellbeing (communities), place and growth (regeneration) aspirations.

8. Legal implications

- a. Delivering Good Governance in Local Government: Framework, published by CIPFA, sets the standard for local authority governance in the UK.
- b. The concept underpinning the Framework is that it is helping local government in taking responsibility for developing and shaping an informed approach to governance, aimed at achieving the highest standards in a measured and proportionate way. The Framework is intended to assist authorities individually in reviewing and accounting for their own unique approach. The overall aim is to ensure that:
 - i. resources are directed in accordance with agreed policy and according to priorities
 - ii. there is sound and inclusive decision making
 - iii. there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.
- c. The Corporate Strategy is a key document. It sets out the Council's ambitions and proposed approach to delivery of the functions of the Council. The corporate priorities plan provides further detail on how the council shall direct resources in accordance with agreed policy and priorities.
- d. There are no direct legal implications arising from the plan. Legal advice and assistance will be provided on key projects as and when required.

Monitoring Officer comments

The Corporate Strategy and priorities plan are essential requirements in setting out the Council's overarching strategic framework and priorities. Constitutionally, it is a matter for determination by Cabinet.

9. Risks and mitigations

- a. The Council is looking towards a new and vibrant active future to meet the challenges around development, regeneration, the green agenda, business growth and the health and wellbeing of our communities. The corporate priorities sets out the immediate plans which the Cabinet will be focussed on delivering. Without a clear plan there are risks around delivery.
- b. During the year it is likely that new priorities may surface dependent on events and circumstances. These new priorities will need to be considered against the existing priorities as decisions will likely need to be made around resources in order to deliver, otherwise there is a risk that additional priorities are added to the existing list.

10. Consultation

- a. The corporate priorities plan has been prepared in consultation with the Leader and Cabinet. Staff have also been involved in the development and priorities will form part of staff objectives.

11. Communications

- a. Quarterly monitoring of the performance against the strategy and hence the corporate priorities will be routinely reported to Councillors and published on the website. As stated, the document will also be used to set organisational objectives as part of annual planning.

12. Appendices

- a. Appendix A - Corporate priorities plan

13. Background papers

- a. [Corporate Strategy 2022-2026](#)

Agreed and signed off by:

Cabinet Lead: Cllr Rennie 13/07/23

Executive Head: Matt Goodwin 14/07/23

Monitoring Officer: Jo McIntosh 17/07/23

Section 151 Officer: Steven Pink 12/07/23

Contact officer:

Name: Will Jackson

Job title: Chief Policy Officer

Phone number: 02392 446269

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No.	Title	Exec Head	Corporate Strategy Theme	Corporate Strategy 'AIM'	Corporate Strategy 'INITATIVE'
P1	Waterlooville CCTV	Regeneration and Economic Development	Pride in Place	We will work closely with partners to drive improvements in our areas relating to communities, safety and place	Considering options for prevention of crime (particularly surveillance technologies) working in partnership with police
P2	Play Parks improvement programme	Housing & Communities	Wellbeing	We will enable quality spaces for children to play in all areas of the borough	Continued delivery of improvements to our play parks to maintain and enhance play provision within the borough
P3	Plaza A to B Programme	Regeneration and Economic Development	Growth	We will aim to maximise our relationships with our partners to help improve the area for our residents and businesses	Review our approach to the use of the Plaza including our workstyles and facilities available Developing a regeneration plan for Havant Plaza and civic centre to make best use of the surrounding land
P4	Langstone Flood & Coastal Erosion Risk Management Scheme	Coastal	Pride in Place	We will maintain and enhance our coastline and harbours for wildlife and continue to deliver projects to protect our coastline	Continued delivery of coastal protection and management projects including the Langstone Flood and Coastal Erosion Management Plan and Broadmarsh coastal landfill protection
P5	Broadmarsh Coastal Landfill protection	Coastal	Pride in Place	We will maintain and enhance our coastline and harbours for wildlife and continue to deliver projects to protect our coastline	Continued delivery of coastal protection and management projects including the Langstone Flood and Coastal Erosion Management Plan and Broadmarsh coastal landfill protection
P6	Havant Town Centre - Bulbeck Road car park demolition and redevelopment	Regeneration and Economic Development	Growth	We will aim to enable and facilitate regeneration in our borough utilising all funding opportunities	Progressing the regeneration of Bulbeck Road car park site
P7	Local Authority Housing Fund & development of Housing Strategy	Housing & Communities	Pride in Place	We will facilitate the delivery of and improve the quality of our affordable housing	Exploring options for measures that accelerate the provision of good quality homes, such as the formulation of a housing company

P8	Changing Places	Regeneration and Economic Development	Pride in Place	We will work closely with partners to drive improvements in our areas relating to communities, safety and place	
P9	Expansion of Garden Waste service and wider Environment Act changes	Commercial	Pride in Place	We will enable interventions to ensure waste going to landfill is genuine and will aim for continuous improvement in recycling rates	Reviewing our recycling and waste disposal offering, incorporating new requirements from the Environment Bill and improving our garden waste collection service
P10	Hayling Island Beachfront (inc Chichester Ave)	Regeneration and Economic Development	Pride in Place	We will improve our public spaces in particular our seafront, towns and village centres across the borough	Building on the improvements made at Hayling Seafront, utilising the Hayling Seafront Masterplan, to make it a destination place
P11	Waterlooville Town Centre Strategy / Plan	Regeneration and Economic Development	Pride in Place	We will improve our public spaces in particular our seafront, towns and village centres across the borough	Utilising support from the High Street Task Force at Havant town centre and Waterlooville town centre, and continuing to implement initiatives to support thriving town and village centres
P12	Havant Town Centre Strategy / Plan	Regeneration and Economic Development	Pride in Place	We will improve our public spaces in particular our seafront, towns and village centres across the borough	Utilising support from the High Street Task Force at Havant town centre and Waterlooville town centre, and continuing to implement initiatives to support thriving town and village centres
P13	Encampments/travellers	Commercial	Pride in Place	We will work closely with partners to drive improvements in our areas relating to communities, safety and place	Designing and implementing new prevention enforcement service approach focusing on triage and early intervention to improve the quality of place across the borough and address long standing issues
P14	Langstone Mill Pond	Coastal	Pride in Place	We will maintain and enhance our coastline and harbours for wildlife and continue to deliver projects to protect our coastline	Continued delivery of coastal protection and management projects
P15	Achieving a sound Local Plan	Place	Growth	We will produce a Local Plan which will deliver sustainable development for our residents and businesses	Development and delivery of our Local Plan to ensure sustainable development in the borough in the coming decades

P16

Climate Action Plan, Water
Quality discussions and
nutrient neutrality

Place

Pride in Place

We will aim to take measures to promote
and embed environmental
matters and consider environmental
impacts in all our decisions to help tackle
climate change

Delivery of our Climate Change
Environmental Action Plan

Stage Defintions

Strategy/Policy development	Reviewing an existing, or producing a new, POLICY / STRATEGY / PLAN and obtaining a decision for it to be adopted and for delivery work to commence
Options Analysis / outline business case	Undertaking work to explore the ideas to resolve the issue or capitalise on the opportunity, and then make recommendations in order to obtain approval to proceed with Business case development
Business Case Development	Producing a BC to show viability of the chosen option and to obtain a decision to proceed with work – if approved work will move to 'delivery', if not approved further BC (or plan) development may be required
Delivery	To deliver the outcomes and outputs defined and agreed in the Business Case (or plan)

Waterlooville CCTV

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	1. To implement CCTV provision in Waterlooville Town Centre by E/O Q1 23/24	Install CCTV and associated hardware/software	CCTV cameras in place by E/O June 23	In progress
		Communicate CCTV information to Businesses and public users of Waterlooville	Communications delivered by E/O June 23	Not started

Play Parks improvement programme

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	1. To complete the refurbishment of Bidbury Mead Playpark by Sept 2023	Undertake Community Consultation	Consultation report by December 2022	Complete
		Appoint the contractor	Contract Awarded by April 2023	Complete
		Undertake the refurbishment works	Construction started July 2023	Not started
			Equipment and landscaping works complete by Aug 2023	
		Communicate and re-open the Park to the public	Park is re-opened by Sept 2023	Not started
	2. To complete the refurbishment of Springwood Avenue Playpark by Sept 2023	Undertake Community Consultation	Consultation report by December 2022	Complete
		Appoint the contractor	Contract Awarded by April 2023	Complete
		Undertake the refurbishment works	Construction started July 2023	Not started
			Equipment and landscaping works complete by Aug 2023	
		Communicate and re-open the Park to the public	Park is re-opened by Sept 2023	Not started
	3. To complete the refurbishment of Front Lawn Recreation ground Playpark by Sept 2023	Undertake Community Consultation	Consultation report by December 2022	Complete
		Appoint the contractor	Contract Awarded by April 2023	Complete
		Undertake the refurbishment works	Construction started June 2023	In progress
			Equipment and landscaping works complete by Aug 2023	
		Communicate and re-open the Park to the public	Park is re-opened by Sept 2023	Not started
	4. To complete the refurbishment of Spencers Field Playpark by Nov 2023	Undertake Community Consultation	Consultation report by April 2023	Complete
		Appoint the contractor	Contract Awarded by July 2023	In progress
		Undertake the refurbishment works	Construction started September 2023	Not started
			Equipment and landscaping works complete by Oct 2023	
		Communicate and re-open the Park to the public	Park is re-opened by Nov 2023	Not started
	5. To complete the refurbishment of Eastoke Plaza Play area, Outdoor Gym and MUGA by May 2024	Undertake Community Consultation	Consultation report by May 2023	Complete
		Appoint the contractor	Contract Awarded by Sept 2023	In progress
		Undertake the refurbishment works	Construction started March 2024	Not started
			Equipment and landscaping works complete by April 2024	
	Communicate and re-open the Park to the public	Park is re-opened by May 2024	Not started	
6. To complete the refurbishment of Hayling Dirt Jumps by August 2024	Undertake consultation with the community	Consultation report by September 2023	Not started	
	Design scheme	Final facility design and planning approval secured by January 2024	Not started	
	Procure construction contractor	Contract awarded March 2024	Not started	
	Undertake the refurbishment works	Site construction	Not started	
		Practical completion by July 2024		
	Communicate and re-open the Park to the public	Site re-opened August 2024	Not started	

Plaza A to B Programme

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	1. To free up storage capacity at the Plaza by Aug 23	Clear unused storage spaces at the Depot to free up space for HBC use	Space ready for use	In progress
		Move stored files from Plaza to Depot	Files in place at the depot Space cleared at the Plaza	Not started
Options Analysis / outline business case	2. To establish the direction and scope of the future occupation of Plaza A block and develop a programme of works by Aug 2023	Meet with CeX to establish direction and scope for the programme	High level scope agreed by E/O June 2023	In progress
		Understand and analyse all options for future occupation of A Block	A report/presentation compiling all current options for the future occupation of block A (and the impact on block B) By Mid-July 2023 Agreement for next steps by E/O July 2023	In progress
		Present options / findings to ELT	Develop a Plan and Objectives for the Business Case Development Stage by E/O Q2 23/24	Not started
Business Case Development	3. To gain approval for delivery of Plaza A to B programme	Develop Business Case	TBC pending objective 2	Not started
		Present Business Case to ELT	TBC pending objective 3	Not started
		Present Business Case to Cab briefing / Cab??	TBC pending objective 4	Not started

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	To construct a flood defence scheme in Langstone. The works consist of a variety of defences to provide 0.5% annual exceedance probability (AEP) Standard of Protection to 77 properties at risk as of today and the A3023	<u>Detailed design</u> Actions following sixth stakeholder working group currently being progressed as design progresses from 80% to 100% complete Working with AECOM to progress design changes on Frontage 1A and Frontage 2	100% design review meeting (July 2023) 100% design acceptance (December 2023)	In progress
		<u>Funding and approvals</u> An FCERM4 to Environment Agency for inflation allowance is being prepared for submission. Assess and quantify project cost risk as part of a Monte Carlo Assessment Discussions with all funding partners re ability to increase contributions once cost certainty gained Implement an approach for engaging with potential (currently unconfirmed) funding partners and residents in accordance with design programme milestones	Provisional dates: HBC Cabinet approval (design, licensing and consents) (15 Jan 2024) HBC Cabinet approval (consent to award contract) (21 Mar 2024)	In progress
		<u>Communication and Engagement</u> Update engagement log following stakeholder meetings in 2023 and for the 80-100% design programme Preparations for the Public Exhibition of final designs Website updates in relation to announcement of the 80% design milestone which will include any content updates and sharing of information presented at LSWG	Public Exhibition final designs (post Nov 2023)	In progress
		<u>Environment, Licences and Consents</u> Complete BNG metric 4.0 calculation on 80% design to inform support for 100% design work and incorporation of environmental improvements Continue EIA baselining work on the ES Input to Frontage of 1A/Frontage 2 design review - workshop scheduled Finalise over-wintering bird surveys report and the breeding bird surveys report	TBC	In progress

Broadmarsh Coastal Landfill protection

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Options Analysis / outline business case	To construct a new coastal defence at Broadmarsh Coastal Park. The preferred option, a rock revetment, will protect the historic coastal landfill site, and require minimal maintenance	Secure HBC funding, and undertake and deliver Phase 2: Detailed design, Licensing and Consents	HBC Capital bid (October 2023) Anticipated detailed design start date (subject to funding) (Late 2024) Anticipated project stage end date (subject to funding) (Late 2027)	In progress

Havant Town Centre - Bulbeck Road car park demolition and redevelopment

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	1. To secure planning permission for the demolition of the structure by December 2023	To carry out environmental studies on the site	Environmental study reports received by July 2023	In progress
		To prepare and submit the planning pre-application for the demolition of the structure	Planning Pre-application submitted by Sept 2023	Not started
		Planning approval process undertaken by HBC DM	Planning pre-app decision received by Nov 2023	Not started
	2. To investigate options for the development of the site and gain agreement on the preferred option by Sept 2023	To procure an architect to produce a realistic value engineered scheme for 91 units as per the bid submission.	Production of a realistic scheme by end of July 2023	In progress
		To use QS processes to assess varying numbers of units and delivery models	A report laying out the options tested with a recommendation for a best value scheme by mid-August 2023.	In progress
		To take the preferred option to Cabinet to seek approval to proceed.	Cabinet paper Decision by Cabinet to proceed with recommended course of action (6th Sept)	Not started
		To seek approval from DLUCH as funders to proceed with preferred option if varying from the original grant submission.	Approval in writing (after cabinet or before?)	Not started
	3. To demolish the structure and be prepared to handover a flat site to developers by spring 2024.	Closure of the car park	Car park is closed	Not started
		Demolition of the car park.	Car park is demolished	Not started
		Securing of the flat site in preparation for handover.	Secure hoardings erected	Not started
	4. To complete site redevelopment by March 2026 in line with the grant conditions	To procure a development partner on the open market.	Contract with successful bidder	Not started
		Handover of the site.		Not started
		Development		Not started

Local Authority Housing Fund & Housing Strategy

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	1. To purchase a minimum of 15 homes for Afghan and Ukrainian refugees and commission a housing company to manage/maintain on behalf of HBC by Nov 2023	Procure an estate agent to source homes and initiate purchases	Contract with chosen estate agent (30 June 2023)	In progress
		Purchase homes including refurbishing where necessary	All stages of purchase completed	Not started
			All homes to be completed or under conveyancing by (30 Nov 2023)	Not started
	Procure a management company for day-to-day management of the homes including maintenance and tenant management	Contract with chosen supplier – (3 Aug 2023)	In progress	
	2. To prepare a package of support for the families that will be moving into the new homes by Nov 2023.	To investigate and develop a support package for transitioning families to ease the move into the new homes and communities.	Package of support measures ready for when the families start moving into the new homes.	Not Started
3. To establish a model that can be applied when further rounds of funding are released by Nov 2023	To review the process and write a method for future rounds of funding.	Lessons learned (Mar 24)	Not started	
		Method	Not started	
Business Case development	1. To review any potential schemes that come forward for additional temporary housing	Agree process for reviewing schemes as they are highlighted	Process in place for reviewing schemes July 2023	In progress
		Develop business case for new scheme including funding source	Business case (as per any relevant scheme)	Not started
		Present options / findings to ELT / Cabinet (as required)	Options study (as per any relevant scheme)	Not started
Strategy/Policy development	1. New Homelessness Strategy in place in order to guide future direction of temporary housing	Review evidence and draft new Homelessness Strategy to be reviewed by ELT/Cabinet/Council	New Strategy reviewed by ELT (August 2023) New Strategy reviewed by Cabinet (6 September 2023) New Strategy adopted by Full Council (September 2023)	In progress

Changing Places

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	To refurbish public toilets	Portsmouth to complete feasibility study into required refurbishments and to provide costings	Feasibility study completed (Summer 2023)	In progress
		Identifying toilets that would be refurbished (Havant Park, Eastoke or West Beach) following feasibility report	Confirmed toilets that will be refurbished (Late summer 2023)	Not started
		Confirm toilets to be refurbished and funding in place (UKSPF or any top-up funding)	Cabinet confirmation	Not started
		Hire contractors to undertake work and project management	Contractors in place to take forward work (early 2024)	Not started
		Complete refurbishment work	Review project and consider lessons learnt (Mar 2024)	Not started

Expansion of Garden Waste service and wider Environment Act changes

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	1. To implement new garden waste round to increase revenue	Open up new service for subscribers	Service open for new customers	In progress
		New waste round formally launched	New garden waste round in operation June 2023	In progress
		Communications to publicise new garden waste round and encourage additional take up from residents	Marketing campaign launched over Summer 2023	In progress
		Review of financials (and round rebalancing if required) to ensure service is delivering additional revenue	Additional revenue from new service October 2023	Not started
Strategy/Policy development	1. To plan for the wider Environment Act changes and ensure the implementation of the County IAA is agreed	Review implications of Environment Act changes	Implement changes as required	In progress
		Implement County IAA once agreed	IAA in place	In progress
		Further actions to be identified based on the above		In progress

Hayling Island Beachfront (inc Chichester Ave)

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	Short term interventions to focus on income generation, improved health/wellbeing and leisure for residents and visitors	Set up Hayling Seafront Management Group	membership confirmed, and meetings set	Complete
		Identify and deliver 'quick wins' from ambition document Council assets (HQ, Chichester Avenue, Eastoke plaza, benches, bins, beachhuts, car parks and broadwalks)	Quick wins identified and progress (Mar 2024) Improved perception of the Council by visitors and residents	Ongoing
		Develop an action plan to deliver quick wins and a clear pathway towards development of the Master Plan; to include review of Beach Hut policy	agreed plan by E/O August	Ongoing
Strategy/Policy development	Have in place a new Hayling Island Masterplan combining all work previously completed into one definitive, cohesive masterplan for the whole seafront	Develop masterplan and programme of work including a strategy for funding of projects	Clear plan showing how the ambition document will come into fruition and what that looks like for residents, businesses and visitors. (March 2024) Clear way forward to maximise the earning, investment and funding potential for the seafront (March 2024) A funding strategy and resource in place (Mar 2024)	Ongoing

Waterlooville Town Centre Strategy / Plan

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Business Case development	Develop opportunities for improvements in the town by building detailed business case for short term interventions to include: 1) improved street scene and 2) tackle high vacancy rates and low footfall	Build the business case for short term interventions	1) Business case delivered to Cabinet for approval 6 September 2023 2) Interventions initiated to include: repurpose vacant units re-invent unused spaces creating green spaces/hanging baskets street dressing completed such as hanging baskets, banners, murals, street art etc measure footfall in town	In progress
Delivery	Preparation of LUF3 potential bid	Prepare bid for Waterlooville utilising the short term intervention work and emerging Waterlooville masterplan	Bid submitted to Government	Not started
Delivery	To engage with relevant stakeholders	Public meeting to be held 6th July	Engaged residents, businesses and stakeholders	In progress
Strategy/Policy development	Have in place a new Waterlooville Masterplan and links to Housing development active travel routes	Produce a masterplan to set the long term regeneration of the town centre by launching the IAA to its production	IAA to be finalised (July 2023) Engage consultant to take forward Masterplan (September 2023) and drafting on masterplan (December 2023), approval of masterplan by Cabinet	In progress
		Set out clear realistic vision for the future role and function of the town centre	Vision in place by March 2024	Not started
		Produce a spatial framework for the development and regeneration of town centre	Spatial framework in place by March 2024	Not started
		Agree a strategic implementation framework/delivery plan setting out project phasing, priorities, timescales and delivery approaches	Delivery plan agreed by March 2024	Not started

Havant Town Centre Strategy / Plan

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	Short term interventions to review options for Market parade and town centre site to support the town to become a thriving place	Develop opportunities for improvements in the town by for short term interventions to include: 1) improved street scene and 2) Livery, zoning of town centre 3) Marketing/brand/website Building business case for short term interventions, analysis - September Cabinet to tap into difference funding streams	1) Business case delivered to Cabinet for approval of short term interventions 2) Interventions delivered as per proposal (Mar 23):	In progress
Delivery	To engage with relevant stakeholders	Utilise the recommendations from the High Street Task force	Recommendations implemented from High Street Taskforce including establishment of Traders Group(Mar 23)	In progress
Strategy/Policy development	Have in place a new Havant Town Centre strategy	Produce a strategy to set the long term regeneration of the town centre	Engage consultant to take forward Strategy and drafting on masterplan (December 2023), approval of Strategy by Cabinet in	In progress
		Set out clear realistic vision for the future role and function of the town centre	Vision in place by March 2024	Not started
		Agree a strategic implementation framework/delivery plan setting out project phasing, priorities, timescales and delivery approaches	Delivery plan agreed by March 2024	Not started

Open spaces - encampment defences

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Delivery	1: Complete major works on sites to make them more secure 2. Continue a programme of maintenance of existing assets to improve	1) Undertake construction work at Bartons Triangle 2) Progress existing maintenance programme to cover Ferry Road carpark (heightbar), Ladybridge (new gate) and Jubilee Park (upgraded gate)	Open space defence in place at Bartons Triangle (July 2023) Maintenance programme complete (Mar 2024)	In Progress
Strategy/Policy development	Develop the plan for open spaces requiring encampment defence	1) Develop plan for longer term programme of site improvements to include: Plan Purbrook Heath Plan Hooks Lane	Update at Cabinet Briefing (July 2023) Budget request for additional funding (Sept 23) Agreed programme of future works (Feb 24)	

Langstone Mill Pond

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Options Analysis / outline business case	To realign the public footpath so as to ensure its continued use for the public, to tackle coastal erosion and habitat loss. This should include the holistic assessment of the long-term management and enhancement of the wildlife within the Langstone Mill Pond that supports the network of habitats and species within the Harbour.	<p>To seek support and funding from the Environment Agency and other key stakeholders for a long term solution by undertaking a Chichester Harbour Environment and Investment Adaptation Strategy.</p> <p>To write to the Environment Agency, Chichester Harbour Conservancy and Natural England to express the strong democratic support for the protection of the Langstone Mill Pond through sea defences</p>	<p>Letter to Environment Agency, Chichester Harbour Conservancy and Natural England (June 2023)</p> <p>Meeting with Chichester Harbour Conservancy (July 2024)</p> <p>Funding secured from Environment Agency</p>	In progress

Achieving a sound Local Plan

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Options Analysis / outline business case	Review options for the Local Plan	Consideration of options for the overall delivery of the Local Plan including consideration of; resources to deliver, timeframe, consultation requirements or not progressing	Review options July 2023 Update timetable based on options August 2023 Progress new timetable (if required)	In progress
Delivery	Progress Local Plan to ensure sustainable development within the borough as per current published timetable	Progress Local Plan to pre-submission stage, examination stage and adoption	Local Plan agreed milestones delivered: Preparation for pre-submission (Q4 2023) Pre-submission consultation (Q1 2024) Compiling of consultation representations (Q1/Q2 2024) Submission to Secretary of State (Q2 2024) Examination (Q2 2024-Q1 2025) Review of Inspectors report and adoption (Q1-Q2 2025)	In progress

Climate Action Plan, Water Quality discussions and nutrient neutrality

Stage	Objective	Action	Measurable: 'Milestone completed' or 'Output'	Status
Strategy/Policy development	Develop, agree, and where practicable, implement a Climate Change and Environment Action Plan to underpin achievement of the Climate Change and Environment Strategy, and other environmental commitments made by HBC.	Develop and agree an updated Climate Change and Environment Action Plan, with resources assigned to ensure this can be delivered.	Climate Action Plan updated and agreed. Climate awareness training delivered (Q3)	In progress
		Work with Southern Water, the Environment Agency and Portsmouth Water to support them to secure and maintain high quality drinking water and safe beaches.	Plans re. reporting and improving the quality of water on HBC shorelines development, agreed and implemented.	In progress
		Develop and secure options for nutrient neutrality, supporting plans for development across the borough.	Adopted Warnford Park s.106 Agreement, identify future mitigation sites working with Government, PFSH and the private sector by April 2024	In progress
		Enact all requirements in law and regulation, relating to Biodiversity Net Gain.	Prepare Biodiversity Net Gain Implementation Plan for HBC	In progress

NON EXEMPT

HAVANT BOROUGH COUNCIL

CABINET

26 July 2023

Membership of Solent Cluster

RECOMMENDATION TO FULL COUNCIL

Portfolio Holder: Councillor Lloyd

Key Decision: No

Report number: HBC/025/2023

1. Purpose

- a. This paper seeks Cabinet approval to recommend to Full Council that Havant Borough becomes a member of the Solent Cluster.

2. Recommendation

- a. Cabinet recommends to Full Council that Havant Borough becomes a member of the Solent Cluster.

3. Executive Summary

- a. The Solent Cluster is a new partnership launched in 2022 that aims to make the Solent 'a leading centre for low carbon investment that will grow the regional economy, protect skilled jobs, and create new employment opportunities in the energy technologies and industries of tomorrow.'
- b. The Solent Cluster brings together a significant number of high-profile members, this regional partnership aims to drive low carbon investment and innovation, which should capture up to 3.2million tonnes of CO2e per year.
- c. Signing up as members requires the Council to sign up to the vision of the cluster (Solent Cluster Charter). Further details of the vision are

contained in Section 5 as well as the supporting appendices, which includes a full list of current members. Current members of the Solent Cluster include private, public and non-governmental organisations which wish to collaborate to decarbonise the Solent region.

4. Additional Budgetary Implications

- a. None

5. Background and relationship to Corporate Strategy and supporting strategies and policies

The Solent Vision

- a. The Vision of the Solent Cluster is to become a leading centre for low carbon investment that will grow the regional economy, protect skilled jobs and create new employment opportunities in the cleaner energy technologies and industries of tomorrow.

Our Climate Change and Environment Strategy

- b. Havant Borough Council has a Climate Change and Environment Strategy which was adopted by Full Council in September 2021. The purpose of this strategy is to provide a clear statement of the Council's climate change and environment objectives and identify priorities that will drive action and promote accountability.
- c. We recognise that we are all partners in the delivery of this strategy as individuals, families, communities, organisations, schools and businesses across the borough.
- d. Our strategy provides a vision for Havant Borough Council and its priorities over the next few years. The strategy describes high level objectives to reduce carbon emissions to net zero by 2050 and to protect and enhance the local natural environment. It covers spheres of

influence to drive change and lift the level of ambition for a future where people and nature thrive. We want to take an inclusive approach, so everybody takes action to tackle the climate crisis.

- e. Membership of the Solent Cluster aligns with our Corporate Strategy in particular commitments around supporting growth in our area and improvements to our area by making Havant Borough a great place to live, work and enjoy.

6. Options considered

- a. The preferred option is to sign up as a member of the Solent Cluster in order to work collaboratively with the wide range of partners, recognising that we are all partners in the delivery of effecting real change in energy production and consumption.
- b. An alternative would be to not sign up to the Solent Cluster and to continue to deliver our Climate Change and Environment Strategy. However, this would potentially result in us as an organisation missing out on opportunities of working with a wider group of public, private and non-profit organisations and missing out on highlighting to our businesses opportunities around decarbonisation plans and funding.

7. Resource implications

a. Financial implications

- i. There are no financial commitments of joining the Solent Cluster. Our commitment will be to work with the Cluster to help deliver its vision. If in the future the Cluster requires a financial commitment to continue Membership or formalised resource commitment then this will be considered and brought back to Cabinet for review.

Section 151 Officer comments

There are no initial financial implications (positive or negative) from joining the Solent Cluster. It is unlikely that there will be any future negative financial implications, but it could put us in a place to access specific funding at some point in the future (or rather, not joining could preclude us from accessing funds). Therefore I fully support this proposal.

b. Human resources implications

- i. None

c. Information governance implications

- i. None

d. Climate and environment implications

- i. As discussed in this report, the opportunity of joining the Solent Cluster would provide a platform for Havant to access opportunities to help deliver low carbon investment in the borough, potentially bring in new jobs and investment for the benefit of our communities and help us to make a major contribution in the move towards net zero.

e. Other resources implications

- i. By signing up to the Cluster we would look at engaging with the Cluster in particular to support efforts in making the area a leading centre for low carbon investment. This work would likely involve our Economic Development team working with the cluster to help drive local economic growth, protect skilled jobs and look at the creation of new employment opportunities, through signposting opportunities that the cluster identifies

8. Legal implications

- a. There are no legal commitments of becoming members of the Solent Cluster. Our commitment would be to sign up the Vision, which as per the detail in the report, already aligns with our existing Corporate Strategy and Climate Change and Environmental Strategy.

Monitoring Officer comments

The are no legal commitments or obligations arising from membership of the Solent Cluster. The Council may resolve to become a member.

9. Risks and mitigations

- a. Three possible risks have been highlighted in terms of becoming members of the Solent Cluster and these are articulated below which accompanying mitigations.
 - i. There is a risk that we as a borough are aligning with organisations who may not have the interests of Havant Borough residents at the forefront of their plans. Joining any group of public, private and non-profit will carry this risk. However, we recognise that in order to achieve our climate ambitions we cannot work in isolation and being part of a group with such a large membership will potentially bring about opportunities which Havant can explore.
 - ii. A second risk covers funding as at present there is no cost of membership. The Solent Cluster is currently being funded from private sector and there is potential that this funding may stop and request made to all members to contribute or that the funding will result in particular focus that does not match our ambitions. This is mitigated by the approach that the Cluster is taking at looking at other funding sources, in particular government funding in order to drive forward decarbonisation plans. In addition, if we are asked to contribute to membership this will be considered by Cabinet.

- iii. A third risk covers commitments that the Cluster may require on us as a council. As a new organisation the Solent Cluster is still exploring how best to deliver its vision and this may result in request to members that do not align with priorities. However, the only commitment at present is to sign up to the Cluster vision and our commitment will be to help support the Cluster, for example through signposting businesses in our area that may benefit from decarbonisation plans. If we feel that commitments from the Cluster cannot be met then we would be free at any time to remove our membership.

10. Consultation

- a. Discussions have taken place with the Solent Cluster team on requirements to join and we have briefed relevant Cabinet leads.

11. Communications

- a. At this stage there are no further communications plans other than confirming our membership.
- b. There is the potential for further communications around potentially highlighting the benefits of being members to our area and/or signposting our businesses to the Cluster and how they could become involved, in particular around future decarbonisation plans/access to funding.

12. Appendices

- a. Solent Cluster Charter
- b. The Solent Cluster Brochure including membership

13. Background papers

- a. None

Agreed and signed off by:

Cabinet lead: Cllr Lloyd 13 July 2023

Executive Head: Alex Robinson 12 July 2023

Monitoring Officer: Jo McIntosh 17 July 2023

Section 151 Officer: Steven Pink 12 July 2023

Contact officer:

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THE SOLENT CLUSTER CHARTER

The Solent Cluster partnership represents a once-in-a-generation opportunity for communities, the region, and the UK.

It has the opportunity to effect real change in energy production and consumption. We will play a fundamental role in the world's fight against climate change, enabling the UK to reach Net Zero emissions by 2050.

In becoming a leading centre for low carbon investment, we can grow the regional economy, protect skilled jobs, and create new employment opportunities in the technologies and industries of tomorrow, while significantly reducing carbon emissions.

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OUR VISION

Our vision is for the Solent to become a leading centre for low carbon investment that will grow the regional economy, protect skilled jobs, and create new employment opportunities in the cleaner energy technologies and industries of tomorrow.

We want the Solent and wider region to become a leading area for low carbon investment, now and for the future

We will aim to bring new jobs and investment for the benefit of our communities

We will help secure existing jobs and livelihoods

We want to help the UK remain competitive and deliver on national energy priorities

We aim to make a major contribution in the UK's move to Net Zero

We will provide a platform to showcase the Solent's low carbon innovation and collaboration



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WORKING TOGETHER FOR A LOWER CARBON FUTURE

THIS IS A ONCE IN A GENERATION OPPORTUNITY

The Solent Cluster partnership represents an incredible opportunity for local communities, the region, and the UK, and can affect real change in sustainable energy production and consumption.

We will play a fundamental role in the world's fight against climate change, supporting the UK in reaching Net Zero emissions by 2050.

The Solent Cluster is the only project of its kind in the region and is backed by companies with the technical expertise and global track record of delivering cost effective low carbon solutions. This effort could position the Solent at the centre of low carbon fuel production in the UK and make a major contribution to the country's Net Zero ambitions by 2050.

Together we can create a hub of expertise and innovation that will enable the development of a new hydrogen and lower carbon energy facility creating sustainable fuels for marine, aviation and transport as well as providing low carbon power to heat homes, businesses, and public buildings in our region and beyond.

WE ARE THE SOLENT CLUSTER

The Solent Cluster founding members Solent Local Enterprise Partnership, ExxonMobil, the University of Southampton and all of its members will help drive and implement the first major decarbonisation initiative that would substantially reduce CO₂ emissions from industry, transport and households across the Solent and Southern England.

PROJECT TIMELINE

Opportunity to create UK South Coast Low Carbon Hub by 2030, building on the recently launched Solent Freeport.

2020
2030

Develop a hub of expertise and innovation that will produce hydrogen fuel for industry, aviation, maritime and transportation as well as commercial and domestic power and heating.

Enable capture and safe storage of CO₂ emissions.

Drive economic growth, protect skilled jobs and create new employment opportunities.

Help UK business remain competitive within the global market, while supporting energy resilience, fuel security and affordability.

2030
2040

Make a major contribution in the transition to Net Zero and help position the UK at the cutting edge of clean energy innovation and production.

Play a major role in powering a sustainable future for industry, transport, homes and businesses in the local community, the region and the UK.

2040
2050

PLAYING OUR PART IN BUILDING A NET ZERO FUTURE FOR THE UK

The Government has set targets for the UK to reduce its carbon dioxide emissions to Net Zero by 2050 and has identified six decarbonisation zones.

The creation of clusters within these zones enables local industries, businesses and communities to create decarbonisation solutions to best suit their regional requirements and support the UK decarbonisation strategy.

At present two clusters have been formally recognised by Government with a target of four in total. Establishing The Solent Cluster is a critical step in enabling organisations to bid for government investment support for projects to decarbonise the Solent region.

To begin the essential decarbonisation of the region as quickly as possible, we need to work together to reduce CO₂ emissions from our local industries, this will include carbon capture and storage (CCS).

By developing our ability to produce and deliver lower carbon fuels and energy, through reliable supplies of hydrogen, our plans will also help UK business remain competitive within the global market, while supporting energy resilience, fuel security and affordability.

By supporting local industry to create sustainable production processes, we can position the South Coast region as a leading clean energy hub.



HELPING THE UK ACHIEVE A NET ZERO CARBON ECONOMY BY 2050

Hampshire and its marine gateway, the Solent, is one of the largest and most successful industrial areas in the UK, supporting around 90,000 businesses and a £50bn economy.

With around 200,000 large vessel movements each year, the ports of Southampton and Portsmouth are

major trade and commercial hubs connecting the UK with the global economy. Our region is also close to the UK's busiest airports.

Working together we can help this vital industry to reduce its carbon dioxide emissions and meet its ambitions for a lower carbon future.

40%

of all industrial CO₂ ever captured (120 million metric tonnes in total) has been successfully captured by one of our founding partners, ExxonMobil.

Up to

10

million tonnes

of CO₂ captured per year by this project, which is the equivalent to taking 3.75 million cars off the road.

NEW FUELS FOR A NEW FUTURE

Through new hydrogen production facilities, the Solent can lead the way in creating low carbon fuels for the maritime industries, on which much of our region's economic prosperity depends. Uniquely, it can also put the Solent at the heart of Sustainable Aviation Fuel production in the UK, leveraging new pipeline connections to Heathrow and Gatwick airports that are already under construction, supporting that sector's transition to Net Zero as well as its £22bn contribution to GDP.

And closer to home, delivering on our plans will also secure the future of the existing Fawley site, protect many jobs across the Solent area and create new highly skilled jobs and training opportunities as we transition to a sustainable, Net Zero future.

One of the most successful industrial areas in the UK, supporting around 90,000 businesses and supplementing the economy by

£50bn

LOCAL SIGNIFICANCE, GLOBAL IMPORTANCE

The Solent Cluster could enable organisations to bid for government investment support for projects to decarbonise the Solent region and realise the benefits that can flow to the region's businesses and communities.

By developing our ability to produce and deliver lower carbon fuels and energy, through reliable supplies of hydrogen, our plans will also help UK business remain competitive within the global market, while supporting energy resilience, fuel security and affordability.

By empowering local industry to create sustainable production processes, we can position the South Coast region as a leading clean energy hub.

As a result of its geography, geology, infrastructure and capabilities, the UK has an important opportunity to demonstrate global leadership in low carbon hydrogen and to secure competitive advantage. Building hydrogen production and enabling use across multiple sectors will be critical for developing domestic capacity and capabilities and securing green jobs across the UK.

The UK Government has committed to enable the transportation and storage of 20–30Mt of CO₂ per year by 2030.

20–30 million tonnes

OUR MEMBERS

The Solent Cluster is a truly cross-sector collaboration of regional and international organisations, many with decades of proven expertise in carbon capture, storage and hydrogen technology.

No other Cluster has such diverse members drawn from business and industry, academia and the public sector. Together, the partners can deliver the key elements of decarbonisation – knowledge, production and storage, distribution, and end user markets.

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THE
SOLENT
CLUSTER

WORKING TOGETHER FOR
A LOWER CARBON FUTURE

www.thesolentcluster.com
Enquiries: info@thesolentcluster.com



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NON EXEMPT

HAVANT BOROUGH COUNCIL

PLANNING POLICY COMMITTEE & CABINET

4 JULY 2023 & 26 JULY 2023

LEGAL AGREEMENT FOR WARNFORD PARK ESTATE NUTRIENT MITIGATION SCHEME

PLANNING POLICY COMMITTEE

Portfolio Holder: Cabinet Lead for Planning, Environment and Water Quality

Key Decision: Yes

Report number: HBC/015/2023

1. Purpose

- a. This paper is submitted to Planning Policy Committee for consideration and recommendation to Cabinet for decision. This report has been updated following the deferral of this item at Planning Policy Committee on 30th May 2023, with updated recommendations presented to address concerns raised at that meeting.
- b. In order to satisfy the Habitat Regulations certain types of development¹ are required to be nutrient neutral in order to have no adverse impact on Solent European sites. The absence of mitigation would be an impediment to housing delivery.
- c. The report recommends that the Council enter into a legal agreement for the Warnford Park Estate nutrient mitigation scheme to ensure a continuing supply of nutrient mitigation. This will enable developers for large scale developments in Havant Borough to access nutrient mitigation from a third party mitigation scheme, reflecting that the Council's strategic mitigation scheme at Warblington Farm is reserved for use by smaller scale developments. The report also seeks

¹ New housing schemes and other proposals which include a net gain in overnight accommodation or development which has a high volume of water use.

delegated authority to enter into further legal agreements with appropriate third party mitigation schemes as they emerge onto the market.

2. Recommendation

- a. Members are requested to recommend to Cabinet to enter into a nutrient neutrality mitigation agreement and delegate authority:
 - i. To the Executive Head of Place in consultation with the Monitoring Officer and Section 151 officer to enter into a legal agreement with the South Downs National Park Authority and the mitigation land owner at Warnford Park, Warnford, Hampshire;
 - ii. To the Executive Head of Place in consultation with Cabinet Lead for Planning, Environment and Water Quality to enter into other legal agreements for third party strategic nutrient neutrality mitigation schemes, following agreement of them from Natural England.
- b. Members are also requested to agree that officers:
 - i. Update the Planning Policy Committee annually, or sooner if requested by the Chair, on the planning based measures being put in place to preserve and enhance the Borough's natural environment. This would include, but not be limited to, nutrient neutrality.

3. Executive Summary

- a. Development within Havant Borough which provides overnight accommodation must be nutrient neutral in order for it to be lawfully granted planning permission. This must be shown through a Habitats Regulation Assessment (HRA). It is required to secure mitigation for nutrient neutrality if it is to be concluded through the HRA process that the development will not have an adverse effect on the integrity of on Solent European sites.

- b. Some development will be able to use on-site measures in order to achieve nutrient neutrality or reduce the scale of off-site mitigation required to achieve nutrient neutrality. However, for the vast majority of developments in Havant Borough, particularly brownfield development and regeneration schemes, on-site mitigation is not possible.
- c. Havant Borough Council launched its own mitigation scheme for nutrient neutrality at Warblington Farm. However, this site has limited capacity to mitigate development with around 250kg/N remaining available as of April 2023. Following a Full Council decision on 18 November 2022, only developments which propose 15 dwellings or less (net) or are regeneration schemes are able to access Warblington Farm. As a result, larger development schemes in Havant Borough are required to secure mitigation from third party providers.
- d. Currently for development draining to Budds Farm Wastewater Treatment Works (WWtW), there are three mitigation schemes available, notably that of the Warnford Park Estate. This report seeks approval from Cabinet for the Executive Head of Place to enter into a legal agreement with Mr Sellick (the mitigation land owner) and the South Downs National Park Authority (SDNPA) to enable development in Havant Borough to secure nutrient neutrality mitigation using the scheme.
- e. The two other identified mitigation schemes (Whitewool and Hampshire & Isle of Wight Wildlife Trust) are close to being fully or completely reserved.
- f. However, there are other strategic nutrient mitigation schemes which are emerging which are expected to launch later this year. As such, this report also asks for delegated authority for the Council to enter into further similar legal agreements, subject to agreement with Natural England.

4. Additional Budgetary Implications

- a. None.

5. Background and relationship to Corporate Strategy and supporting strategies and policies

- a. Following the Court of Justice of the European Union judgements, Natural England advised that in order to comply with the Habitat Regulations, all new residential development resulting in a net gain of overnight accommodation should be nutrient neutral. This has profound implications for the Council in terms of the ability to grant planning permission for new development which provides overnight accommodation. This is principally residential development but also applies to care homes, hotels and water intensive commercial development.
- b. The origins and implications of the issue are well known and not repeated here. However, the Council has undertaken a number of workstreams to date to ensure that nutrient mitigation is available to development in order to ensure planning permissions can be granted and will not be stalled in the future.
- c. The Council launched its own mitigation scheme at Warblington Farm in August 2020 alongside the current Position Statement and Mitigation Plan for Nutrient Neutral development. The Council was able to secure the first phase of Warblington Farm (25 hectares) to do this following authorisation from the Cabinet on 3 June 2020.
- d. Since the scheme's launch it has been a success. Two thirds of the mitigation available from the phase one scheme has been used by development. On 18 November 2022 Full Council took the decision to restrict the eligibility of developments able to use the scheme to 15 dwellings or less at recognising the finite capacity of the scheme. This means larger developments are expected to secure their own third party mitigation from one of the strategic mitigation schemes.
- e. This Council has worked with Partnership for South Hampshire (PfSH) to identify strategic mitigation schemes for nutrient neutrality, which are brought forward by third parties. This has led to a list of strategic

mitigation schemes available from the PfSH website² which have been developed and approved for use by Natural England.

- f. PfSH has a dedicated Strategic Environmental Planning Officer Team who monitor the supply of strategic nutrient neutrality mitigation options to aid the delivery of growth across all catchments the Solent region. This includes regular reports to PfSH Joint Committee on the current supply and demand position based on projected housing growth and the availability of nutrient mitigation from strategic mitigation schemes.
- g. The latest PfSH nutrient neutrality update in April 2023³ found there is a currently a large availability of strategic mitigation for the East Hampshire catchment, but with anticipated growth the currently available supply is currently expected to be exhausted mid-way through the 2024/25 financial year. This reflects the availability from third party providers as set out below.
- h. Warnford Park Estate is one of three mitigation schemes identified as being suitable to mitigate development draining to Budds Farm Wastewater Treatment Works (WWtW), alongside the Whitewool Stream Wetland, and the Hampshire & Isle of Wight Wildlife Trust (HIWWT) schemes. Authorisation to enter into the latter schemes is not sought at this time given that the Whitewool mitigation scheme is fully reserved, and the HIWWT Nunwell scheme is close to being fully reserved.
- i. The Warnford Park scheme will be suitable to mitigate development draining to Budds Farm WwTW, which serves most of Havant borough with the exception of Emsworth which drains to Thornham WWtW.
- j. In addition, there are two emerging mitigation schemes which will be suitable to mitigate development in the East Hampshire catchment which both have been granted planning permission and are anticipated to be delivered in the 2023/24 financial year.

Position Statement and Mitigation Plan for Nutrient Neutral Development

² [Potential Nutrient Mitigation Schemes - Partnership for South Hampshire \(push.gov.uk\)](https://www.push.gov.uk/potential-nutrient-mitigation-schemes-partnership-for-south-hampshire)

³ [Public Pack\)Agenda Document for Partnership for South Hampshire \(PfSH\) Joint Committee, 04/04/2023 18:00 \(push.gov.uk\)](https://www.push.gov.uk/public-pack-agenda-document-for-partnership-for-south-hampshire-pfsh-joint-committee-04/04/2023-18:00)

- k. Following Full Council on 18 November 2022, the Council's Position Statement was updated to set out the full suite of options available for developments to use as nutrient mitigation in Havant Borough. This makes clear that applicants for larger new developments are now expected to use one of the third party mitigation schemes endorsed by PfSH. This reflects the change in eligibility for development to use Warblington – as planning applications of more than 15 dwellings (net) will need to use third party nutrient mitigation.
- l. With the other strategic mitigation schemes now becoming subscribed, there will be an increasing reliance on the Warnford Park Estate scheme moving forwards. The Council does not yet have any legal agreements in place with third party providers of nutrient mitigation having largely relied on Warblington and on-site mitigation since the issue emerged. Development elsewhere in the sub-region has, however, largely relied on a market of third party mitigation schemes⁴.
- m. Often the strategic mitigation schemes are located outside of the administrative area where development is taking place, and there is a need to ensure that mitigation sites can be appropriately managed and monitored via legal agreement to ensure that the nutrient mitigation is properly secured.
- n. Neighbouring authorities have entered into legal agreements with landowners who are willing to make their land available for nutrient mitigation and who have received approval from Natural England. These legal agreements enable applicants to bring forward development using nutrient mitigation sites that is located outside of the administrative area.
- o. Any decision to enter into a legal agreement with Mr Sellick and the South Downs National Park Authority to enable land at Warnford Park Estate to be used as nutrient mitigation for new development within the catchment area would be the first of its kind for Havant Borough. Nevertheless, a number of neighbouring authorities already have

⁴ Eastleigh Borough Council has their own nutrient mitigation scheme similar to Warblington Farm

similar legal agreements in place and developments are successfully accessing the private mitigation sector in this way.

- p. The completion of the legal agreement with the Warnford Park Estate would ensure a continuing supply of mitigation for development in Havant Borough. This is essential in meeting the Corporate Strategy 2022-2026, and in particular the 'Pride in Place' and 'Growth' themes. The Council must be able to continue to grant planning permission for new homes in the Borough, to avoid any worsening of its five year housing land supply position at 1.81 years. The delivery of housing from large sites in particular will be key to recovering the Borough's housing shortfall – these sites being reliant on strategic mitigation schemes. It is anticipated that entering into legal agreements such as the one proposed will be part of the Council's business as usual approach to nutrient neutrality.

The Warnford Park Estate nutrient mitigation scheme

- q. The land at Warnford Park is close to the upper reaches of the River Meon located within the administrative area of the SDNPA. A plan showing the mitigation land is attached at Appendix A to this report.
- r. Warnford Park has historically been in use for a mixture of dairy and arable farming. The scheme involves taking the land out of agricultural use, similar to the Council's mitigation scheme. The scheme will be monitored by the SDNPA over 125 years who will be paid for doing so by the mitigation land owner. There is an upfront payment due to SDNPA of £46,960 and a tariff of £250 for each credit or kg/N (which is subject to a cap), all payable by the mitigation land owner.
- s. Natural England has confirmed that the Warnford Park Nutrient Mitigation Scheme is suitable to mitigate development in Havant Borough draining to Budds Farm (see Appendix C). In addition, the Council has obtained evidence from the mitigation land owner to verify the nutrient budget for the mitigation scheme. This confirms the land has been used for agricultural use for over 10 years in accordance with Natural England's guidance.

- t. As of April 2023, the first phase of mitigation has a capacity of 3,000 credits, equivalent to 3,000 kgN. This means the scheme is inherently more suitable for larger scale development schemes.
- u. The mitigation is available for use by development in other local authority areas. However, the scheme links each development to a specific parcel of land within the mitigation scheme which becomes linked to the development once the mitigation is purchased. The scheme can therefore be easily monitored to identify which developments are secured by which parcel of mitigation land.
- v. The legal agreement prevents mitigation from being double-counted for more than one development, including for developments in other local authority areas.

Future third party mitigation schemes

- w. As highlighted in paragraph i there are likely to be two further mitigation schemes which could serve development in Havant Borough in the near future. There is an inevitable churn in the market for mitigation as sites become fully used and additional ones come onto the market. As such, inevitably further sites will come forward in the future, which will provide choice and competition in the market.
- x. Given the Full Council decision of 16 November 2022 to limit access to Warblington Farm, this necessitates the use of third party mitigation. As such, this will become part of the Council's business as usual operations in relation to nutrient neutrality. As highlighted through the body of this report, overarching Section 106 agreements for suitable strategic mitigation schemes ensures that monitoring and enforcement of the mitigation schemes can be undertaken efficiently and robustly.
- y. It is proposed that future Section 106 agreements would be a delegated decision by the Executive Head of Place in consultation the relevant Cabinet Lead. It is important that there is appropriate scrutiny of such decisions, and this shall be achieved through liaison and consultation with the Cabinet Lead.
- z. In order to increase the robustness of the process, the updated recommendation ensures that schemes would only be strategic mitigation schemes, clarifying that this process could not be used for

those schemes which are bespoke to a particular planning application. It would also ensure that Natural England have approved the scheme in question before being taken forward. In practical terms this would take place through a letter of support, similar to appendix B of this report.

Regular updates

- aa. Outside of the specific recommendations regarding Warnford Park and future mitigation schemes, it is notable that there are a great many changes and reforms taking place within the Planning system regarding the natural environment. The topic of nutrient neutrality has constantly evolved since its introduction in 2019 through guidance, policy and case law changes. Nonetheless beyond this there are extremely significant changes on the horizon with the introduction of Biodiversity Net Gain through the Environment Act starting in November 2023.
- bb. As such, it is considered appropriate for at least an annual update to the Planning Policy Committee on changes to the planning system in relation to the natural environment and their implementation in the Borough. This would include nutrient neutrality and the implementation of third party mitigation schemes but also extend widely beyond this.

Appropriate Assessment

- cc. The agreement is neither a 'plan' nor 'project' under regulation 63 of the Habitats Regulations, and therefore there is no requirement to consider the effect of the agreement on protected sites. A plan or project would ordinarily either involve some form of physical intervention or have an effect on land, whereas this agreement on its own will only have an effect on land in the event that development in Havant Borough is granted planning permission, which itself will require its own appropriate assessment.
- dd. However, even if the agreement were to be considered to be a plan or project, such that regulation 63 applies, officers are nevertheless of the view that the agreement would not have a likely significant effect on the protected sites, meaning that it could be 'screened out'. This is for three reasons: firstly, whilst there is no specific definition of the term

'significant' in the Habitats Regulations, it can be interpreted in the context of the protective objectives of the Habitats Regulations as meaning a negative or adverse effect. Once the agreement takes effect, the result will be to remove land at Warnford Park from intensive agricultural use and secure the cessation of large inputs of fertiliser and, as a consequence, reduce the amount of nutrients entering into The Solent, thereby reducing the risk of eutrophication and preventing the deterioration of the protected sites. This will be a positive effect in light of the sites' conservation objectives.

- ee. Secondly, even if it were to be considered that (as the mirror opposite to development having a likely significant effect), the equivalent reduction may equally have a likely significant effect, there is no effect on the land as a result of the agreement unless a notice is served. When that notice is served, it is in combination with another development in Havant Borough (which would be subject to its own assessment). Therefore, on its own, it has no effect since the land remains unaffected by the agreement unless 'credits' are purchased, and the covenants crystallise.
- ff. Finally, in an assessment in combination with other development, the effect of the agreement, when a notice is served, is the decrease in nitrates from the site, resulting in no net change to the area when considered with the specific linked development or any proposed development in Havant. It won't give rise to a negative effect let alone a significant one.
- gg. Officers are of the view that the agreement is not caught by regulation 63 of the Habitats Regulations (since it is not a 'plan or project') but even if were, the agreement would not have a likely significant effect and can be screened out as set out above. Therefore, no appropriate assessment is required.

6. Options considered

Do Nothing Option

- a. If the Council decided not to enter into legal agreement(s) with third party mitigation providers, developers would still be able to access the mitigation scheme, but the Council would not have any power to directly secure and enforce the mitigation obligations. This would mean that the Council would be reliant on the local planning authority where the mitigation scheme is located to secure the effectiveness and efficacy of the mitigation.
- b. The ability to have certainty about the effectiveness of mitigation is significant in the context of assessing whether planning applications would have an effect on protected sites under the Habitat Regulations, which require the Council to approve only plans or projects (such as planning applications or a local plan) if significant effects on any European designated nature conservation site can be mitigated.
- c. The absence of any overarching legal agreement(s) could also lead to uncertainty about the suitability and availability of third party mitigation for large scale developments, and potentially frustrate their ability in terms of being able to purchase and secure third party mitigation.

Option to enter into legal agreements with third party mitigation providers

- d. This is the most precautionary of way of securing nutrient mitigation with a third party provider under the Habitat Regulations. Entering into a legal agreement provides the ability to directly enforce the covenants given by the mitigation landowner (cessation of the use of the land for agricultural purposes). It secures monitoring obligations on the local planning authority where the mitigation land is located and funding for such monitoring.
- e. In the case of Warnford Park scheme, the mitigation is to be kept in place for the lifetime of the developments to which it relates. It will be monitored over 125 years by the South Downs National Park Authority who will be paid for doing so by the mitigation landowner.

7. Resource implications

- a. **Financial implications**

- i. In terms of the legal cost associated with entering into the legal agreement, the solicitor for the mitigation land owner has provided the Council's solicitor with a costs undertaking. The Council's costs for undertaking the legal work will be fully reimbursed by the mitigation land owner.
- ii. The cost of mitigation itself will be paid by the applicant/developer to Warnford Park Estate. The Council will not be involved in these financial transactions. It is anticipated that the Council's costs associated with entering into the legal agreement will be paid by the land owner of Warnford Park Estate.
- iii. The cost of mitigation will be paid by the applicant/developer to Warnford Park Estate. The Council will not be involved in these financial transactions.
- iv. Monitoring will be undertaken by the SDNPA paid for by Mr Sellick.

Section 151 Officer comments

The proposal has no budget implications for Havant Borough Council. The majority of the financial risks remain with land owner/s or the developer/s and Havant Borough Council's financial risks are limited to collection of any legal fees reimbursement.

Therefore, this recommendation has my approval.

Steven Pink

Chief Finance Officer & Section 151 Officer

b. Human resources implications

- i. None.

c. Information governance implications

- i. None.
- d. **Climate and environment implications**
 - i. None.
- e. **Other resources implications**
 - i. None.

8. Legal implications

- a. Do nothing – in this scenario developers could still access the scheme to mitigate development in Havant Borough but it would not provide the same degree of certainty about the mitigation, or give the Council the ability to be confident about the efficacy of the mitigation. This could be key in any judicial challenge to a planning permission relying on a third party mitigation scheme.
- b. Entering into legal agreement(s) option - this is the most precautionary of way of securing nutrient mitigation with a third party provider and provides the ability to directly enforce the covenants given by the mitigation landowner (cessation of the use of the land for agricultural purposes). It secures monitoring obligations on the local planning authority where the mitigation is located, and funding for such monitoring. In the case of the Warnford Park scheme, the mitigation is to be kept in place for the lifetime of the developments to which it relates. It will be monitored over 125 years by the South Downs National Park Authority who will be paid for doing so by the mitigation landowner.

Monitoring Officer comments

The Council has a duty as local planning authority and competent authority under the Habitat Regulations to ensure that there is no adverse effect on the integrity of protected sites as a consequence of new development.

The Council is empowered to enter into planning and other agreements to facilitate mitigation measures under section 106 of the Town and Country Planning Act 1990, section 33 of the Local Government (Miscellaneous Provisions) Act 1986, section 111 of the Local Government Act 1972 and section 1 of the Localism Act 2011.

Jo McIntosh

Chief Legal Officer & Monitoring Officer

9. Risks and mitigations

- a. The proposal to enter into a legal agreement for the Warnford Park Estate and other approved third party nutrient mitigation schemes is recommended, however no approach to this major issue is without risk.
- b. The strategic mitigation schemes provided by third parties are in commercial competition with the Council's mitigation scheme at Warblington Farm. However, this risk is mitigated by only development in Havant borough being able to use Warblington, and the fact that the scheme is reserved for small scale development schemes (15 dwellings or less).
- c. It should also be noted that the future for this issue is not certain. Particularly now that the UK has left the EU, the Government can amend the Habitats Regulations if it desires to. Furthermore, Government's approach to this issue could change, for example an end of pipe solution at affected wastewater treatment works could be

enacted through Southern Water's Business Planning process. This could remove the need for these types of mitigation scheme.

- d. However, given the experience to date with this issue, this risk is considered low. The Environment Act 2021 and other developments in national policy signal an increased focus by the UK Government on ensuring gains in biodiversity and an increased focus on protection for the country's environment.

10. Consultation

- a. No public consultation is proposed on entering into the legal agreement. This is not required under the regulations pertaining to Local Plan preparation⁵ nor under the Council's Statement of Community Involvement⁶. Consultation would, however take place on individual planning applications in Havant Borough wishing to use third party nutrient neutrality mitigation schemes. This would provide stakeholders to the opportunity to comment on the suitability of the proposed mitigation to that development scheme.
- b. The Council has a European Sites Avoidance and Mitigation Checklist which is a validation requirement on planning applications, which requires applicants to indicate how they propose to mitigate the water quality impact arising out of the development. It is proposed that this document would be updated to require applicants to indicate which strategic nutrient neutrality mitigation scheme they are using to mitigate their development. This would include a requirement to provide evidence that there is a proven scientific link between the mitigation scheme and the development.

11. Communications

- a. A great deal of communication material has been provided to support this topic and the Council's approach. This includes the Position

⁵ The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), available at <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>.

⁶ <https://www.havant.gov.uk/statement-of-community-involvement>

Statement and Mitigation Plan for Nutrient Neutral Development⁷ which sets out the Council's approach towards securing off-site mitigation to ensure that mitigation is in place prior to the commencement of development.

- b. It is considered appropriate for the Council to update the nutrient webpage explaining which mitigation schemes are available for larger scale developments to use in Havant borough.

12. Appendices

- a. Appendix A: Location Plan showing the nutrient mitigation at Warnford Park Estate
- b. Appendix B: Letter from Natural England to Havant Borough Council re. Warnford Estate Nutrient Mitigation Scheme dated 5 May 2023

13. Background papers

- a. Update to the Position Statement and Mitigation Plan on Nutrient Neutral Development – considered by the Planning Policy Committee on 27 October 2022 and approved by Full Council on 16 November 2022⁸

Agreed and signed off by:

Portfolio Holder: Elizabeth Lloyd 20/06/2023

Executive Head: Alex Robinson 20/06/2023

Monitoring Officer: Jo McIntosh 22/06/2023

Section 151 Officer: Steven Pink 22/06/2023

Contact officer:

Name: Jade Ellis

Job title: Principal Planning Policy Officer

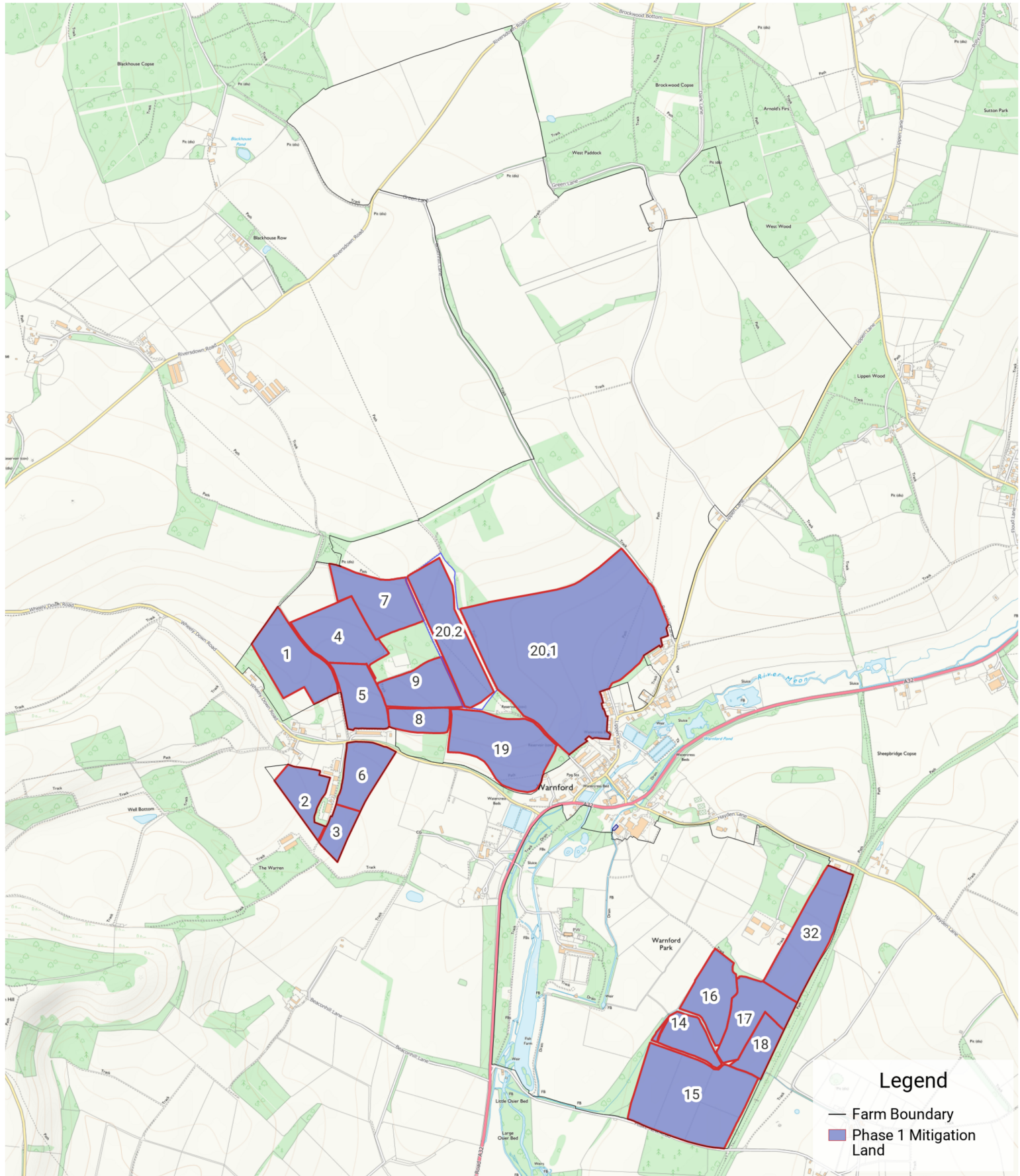
Phone number: 07918 582775

⁷ [Nutrient neutrality - what developers need to know | Havant Borough Council](#)

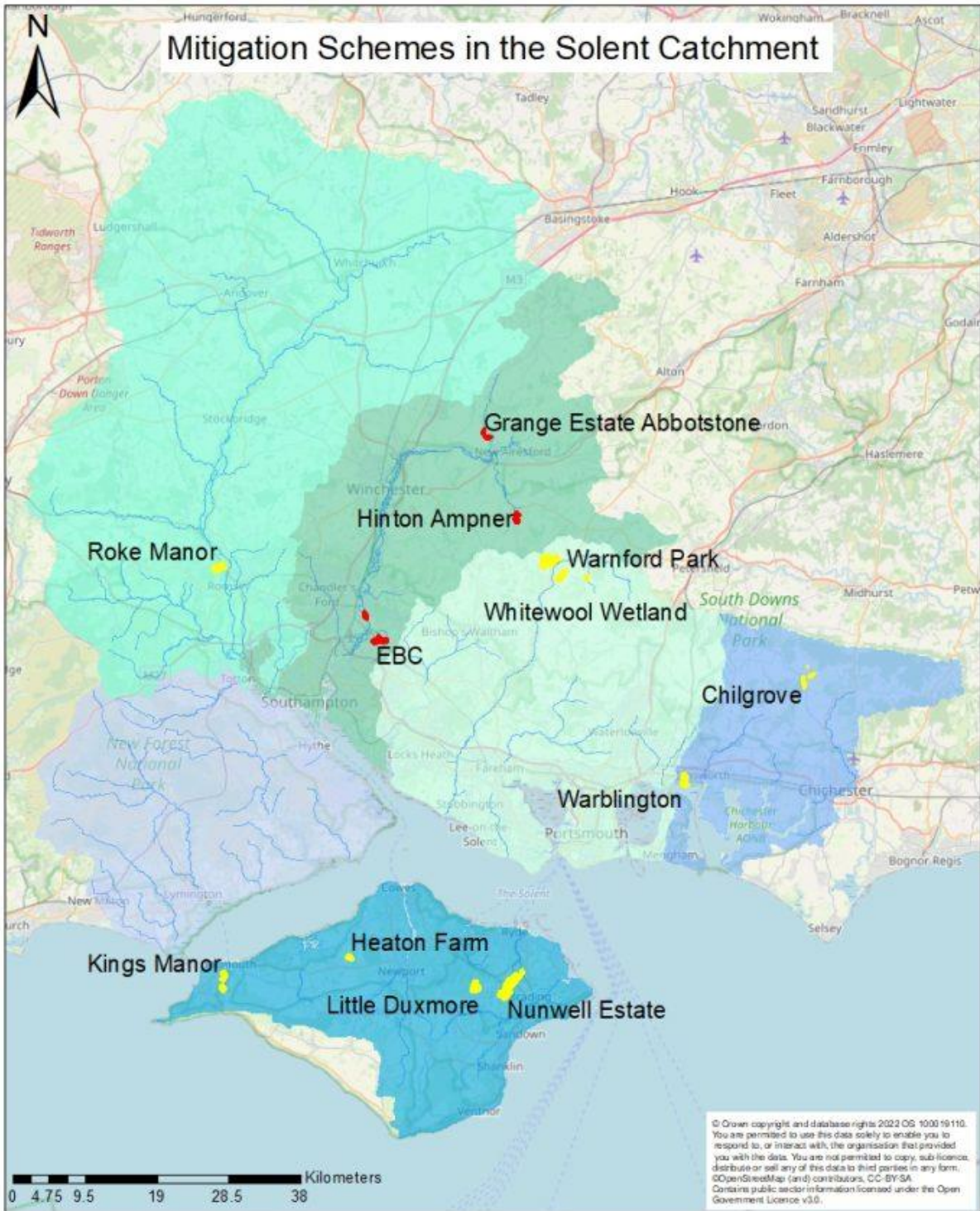
⁸ <https://havant.moderngov.co.uk/ieListDocuments.aspx?CId=531&MIId=12726&Ver=4>

Email: jade.ellis@havant.gov.uk

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Legend

- Nitrogen Credits Only
- Nitrogen and Phosphorus Credits
- Rivers
- East Hampshire Rivers
- Isle of Wight Rivers
- The Itchen River
- Lower Test and Southampton Streams
- The New Forest
- Western Streams

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Date: 05 May 2023



David Hayward
Planning Policy Manager
Havant Borough Council

Customer Services
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Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear David

RE: Warnford Estate Nutrient Mitigation Scheme

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Your authority recently contacted Natural England to request confirmation that the Warnford Estate Nutrient Mitigation Scheme would be suitable to help development in Havant draining to Budds Farm Wastewater Treatment Works (WwTW) to achieve nitrogen neutrality, with regard to impacts on the Solent European designated sites.

We can confirm that the scheme, which is situated within the River Meon catchment that sits within the East Hampshire Rivers operational catchment, is suitable for development draining to Budds Farm in line with the spatial principles for mitigation as set out within the Solent Nutrients Guidance (v5 June 2020) (see paragraph 5.40), attached for your ease of reference. We are supportive of the scheme which we consider is robust and effective in offsetting nutrient pollution from new development draining to coastal wastewater treatments works including Peel Common, Budds Farm and Ashlett Creek, whilst providing multiple wider benefits for biodiversity and people.

If you have any queries relating to the advice in this letter please do not hesitate to contact Natural England.

Yours sincerely,

The Thames Solent Area Team,
Natural England
Email: enquiries@naturalengland.org.uk
Website: www.gov.uk/natural-england

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