

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Cabinet held on 26 June 2019

Present

Councillor Wilson (Chairman)

Councillors Bains, Pike, Turner and Hughes

### **1 Apologies for Absence**

Apologies were received from Councillor Bowerman.

### **2 Minutes**

The minutes of the meeting of the Cabinet held on 20 March 2019 were approved as a correct record.

### **3 Declarations of Interests**

There were no declarations of interest.

### **4 Chairman's Report**

The Leader reported on the discussion at a recent meeting of the PUSH Joint Committee that had focused on nutrient neutral development and the implications for all local planning authorities. The Leader had also attended a meeting of the Solent Leaders' Group.

### **5 Cabinet Lead Delegated Decisions, Minutes from Meetings etc.**

RESOLVED that the following delegated decisions be noted:

(1) Traffic Regulation Order, Brockhampton Lane South; and

(2) Traffic Regulation Order, Hillside Avenue.

### **6 Petition Scheme - Recommendations from the Governance, Audit and Finance Scrutiny Board**

Councillor Crellin was invited to join the meeting to present a recommendation from the Governance, Audit and Finance Scrutiny Board proposing amendments to the Council's petition scheme, that included a proposed reduction in the threshold for the number of signatures triggering a debate at full Council.

In considering the Board's recommendations, Cabinet members viewed the petitions scheme as an opportunity to improve transparency and better engage with residents over issues generating local concern, beyond the limitations of a full Council debate.

Cabinet was therefore minded not to support a reduction in the threshold triggering a Council debate at the present time but to refer the matter back to the Scrutiny Board with a request that the role of Scrutiny in dealing with petitions be reviewed, as the body best able to fully explore issues of local concern and to make evidence-based recommendations on appropriate courses of action.

RESOLVED that the Governance Audit and Scrutiny Board be invited to further review the Council's petition scheme as part of its ongoing review of the Constitution, in particular the role of Scrutiny in seeking to improve transparency and engagement with residents on issues of local concern.

## **7 Appointments to Outside Organisations**

The Leader presented the schedule of outside appointments for the forthcoming year. Cabinet was advised that the appointment of Directors to NORSE South East was matter for the company and not the Cabinet, this appointment was therefore withdrawn. It was appropriate, however, for the Cabinet to appoint one of its members to sit on the NORSE SE Strategic Liaison Board.

RESOLVED that

- (1) The appointments set out in Appendix A to the report be approved, subject to:
  - (a) the withdrawal of the recommended appointment of a Director to NORSE South East; and
  - (b) the appointment of Councillor Gary Hughes as the Council's representative on the NORSE South East Strategic Liaison Board; and
- (2) 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 2020/21 municipal year.

## **8 Position Statement on Nutrient Neutral Development**

Councillor Pike presented a report and recommendations seeking approval for a Position Statement which addressed the implications of case law on the Borough's development strategies, the Habitats Regulations Assessments of planning applications and the proposed approach to mitigation. A supplementary paper, setting out proposed amendments to the Position Statement at Appendix A to the report was circulated at the meeting and is published on the Council's website alongside these minutes.

Councillor Pike outlined the most recent advice from Natural England and the potentially significant implications for affordable housing delivery and the Council's 5-year land supply. Through the Partnership for Urban South Hampshire (PUSH) officers and members were working with neighbouring authorities to agree a way forward. In the meantime, the proposals set out in the report would provide an interim solution to allow planning permissions to be granted.

The Chairman then invited Mr Daniel Ramirez to make a deputation to Cabinet on behalf of the South Coast Development Consortium. This deputation is published on the Council's website alongside these minutes.

Councillor Dianne Lloyd was invited to address the Cabinet as Chairman of the Operations and Place Shaping Scrutiny Board. Whilst recognising the need to move forward urgently, Councillor Lloyd sought an assurance that the Scrutiny Board would be given an opportunity to review any proposed Implementation Plan prior to publication.

RESOLVED that

- a) the Council's responsibilities under the Habitats Regulations<sup>1</sup>, particularly in light of recent case law be noted;
- b) representations continue to be made through the Council Leader to the Government's Ministry of Housing, Communities and Local Government (MHCLG) together with the Department for the Environment, Food and Rural Affairs (DEFRA), relevant Government agencies (including Natural England) and other bodies to provide an efficient, central solution to the need to ensure nutrient neutral development takes place;
- c) collaborative work with neighbouring authorities to continue, including through the Partnership for Urban South Hampshire (PUSH), relevant Government agencies (including Natural England) and other relevant bodies to ensure nutrient neutral development takes place;
- d) the Position statement on nutrient Neutral development (Appendix 1), amended as set out in the supplementary information, be approved;  
authority be delegated to the Planning Policy Manager<sup>2</sup>, in consultation with the Cabinet Lead for Planning, Regeneration and Communities<sup>2</sup>, to prepare and publish a Nutrient Neutrality Implementation Plan which will specify the detail of the proposed short term water quality mitigation solutions and the costs for new development;

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<sup>1</sup> References to 'the Habitats Regulations' or 'The Regulations' in this report should be read as referring to the Conservation of Habitats and Species Regulations (2017 as amended), available at [www.legislation.gov.uk/ukxi/2017/1012/contents/made](http://www.legislation.gov.uk/ukxi/2017/1012/contents/made).

<sup>2</sup> Or successor in similar or equivalent role

- e) authority be delegated to the Planning Policy Manager<sup>2</sup>, in consultation with the Cabinet Lead for Planning, Regeneration and Communities<sup>2</sup>, to make any necessary amendments to the Position Statement on Nutrient Neutral Development and Nutrient Neutrality Implementation Plan prior to or after publication. These shall include any necessary factual updates, corrections of minor errors, typographical errors. These shall also include any necessary changes to reflect emerging best practice, standing advice, policy or case law and;
- f) The Operations and Placemaking Scrutiny Board be invited to consider any Implementation Plan on nutrient neutral development prior to publication.

**9 Havant Park Footway Refurbishment**

This item had been withdrawn from the agenda prior to the meeting.

**10 Exclusion of Public and Press**

This item had been withdrawn prior to the meeting.

**11 Investment in Additional Car Parking**

This item had been withdrawn prior to the meeting.

**The meeting commenced at 2.00 pm and concluded at 3.36 pm**

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**Chairman**