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CABINET AGENDA

Membership: Councillor Wilson (Chairman)

Councillors Bains, Bowerman, Pike, Turner and Hughes

Meeting: Cabinet

Date: Monday 29 July 2019

Time: 2.00 pm

Venue: Tournebury Room , Public Service Plaza, Civic Centre Road,
Havant PO9 2AX

The business to be transacted is set out below:

David Brown
Monitoring Officer

19 July 2019

Contact Officer: Penny Milne 02392446234
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PART 1 (Items open for public attendance)

1 Apologies for Absence

To receive and record any apologies for absence.

2 Minutes

1 - 4

To confirm the minutes of the last meeting held on 26 June 2019.

3 Declarations of Interests

To receive and record any declarations of interest.

4 Chairman's Report

PART 2 (Confidential items - closed to the public)

5 Exclusion of the Press and Public

RECOMMENDED that the public be excluded from the meeting during consideration of the item headed and numbered as below because:

- (a) it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and
- (b) in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item 6 – Mobilisation of EHDC Environmental Services
(Paragraph 3)

Item 7 – Investment in Additional Car Parking
(Paragraph 3)

Cabinet Lead for Commercial Services and County Council Liaison

6 Mobilisation of EHDC Environmental Services

Exempt report to be circulated separately.

Cabinet Lead for Neighbourhoods, Safety and Enforcement

7 Investment in Additional Car Parking

Exempt report to be circulated separately.

GENERAL INFORMATION

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Internet

This agenda and its accompanying reports can also be found on the Havant Borough Council website: www.havant.gov.uk

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BOROUGH COUNCIL

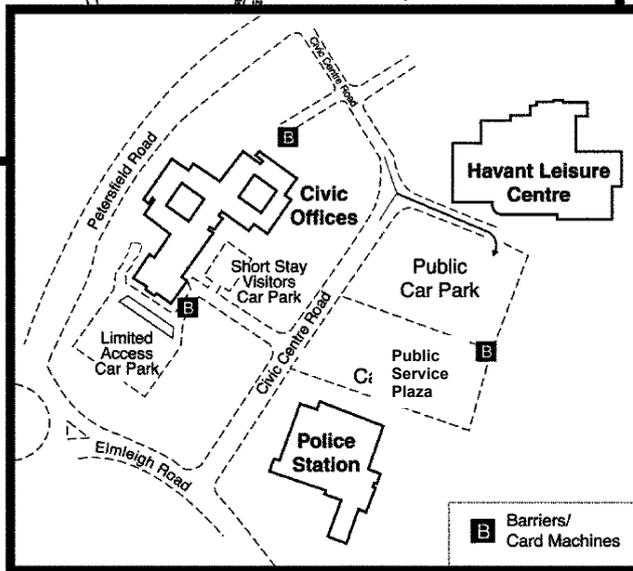
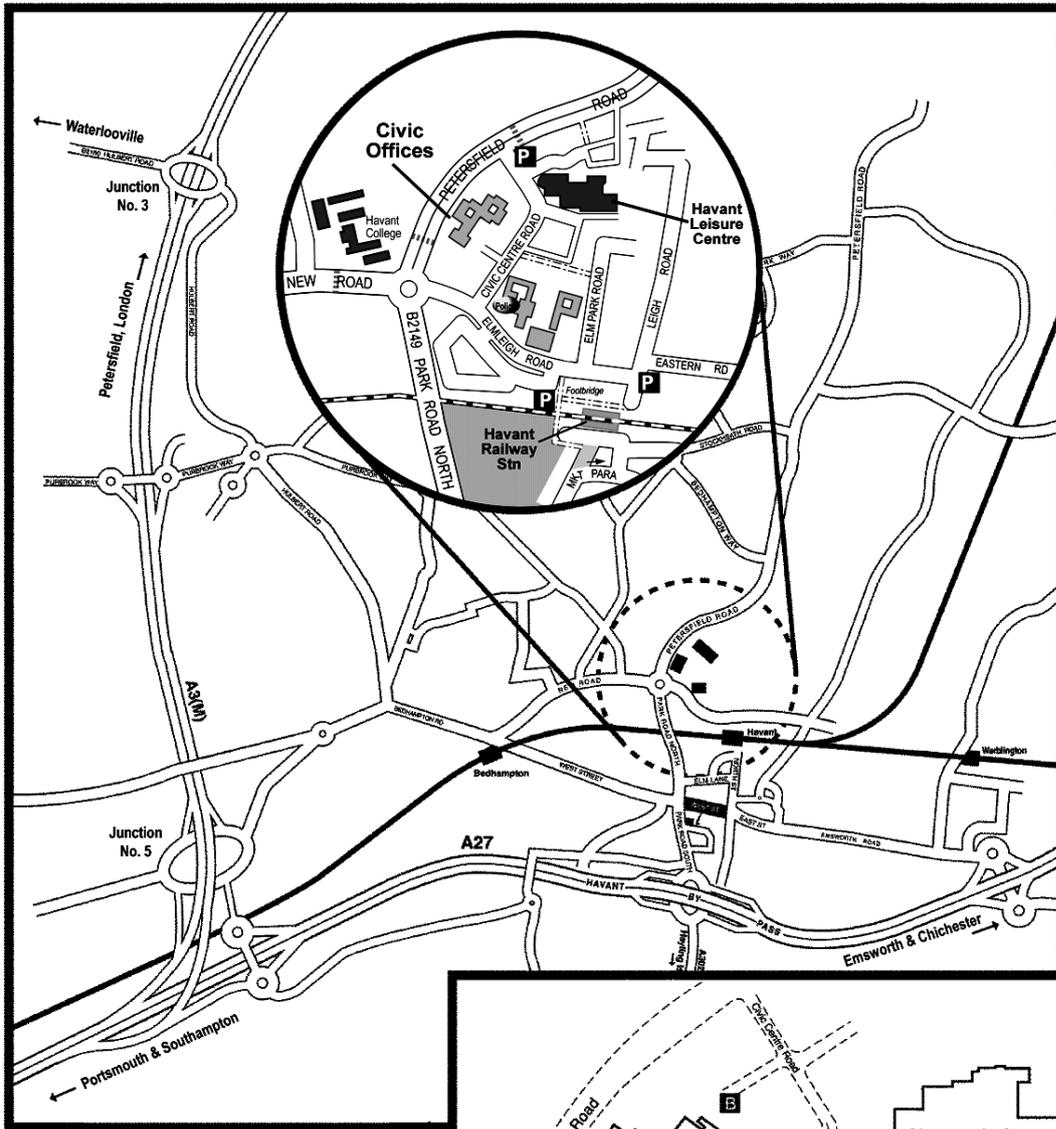
PROTOCOL AT MEETINGS – RULES OF DEBATE

Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman;
- A motion must relate to the business included on the agenda or accepted by the meeting as urgent business
- A motion must be proposed and seconded before it is debated until it is either accepted or rejected by a vote;
- An amendment can be proposed to the original motion and this must be seconded before it is debated;
- An amendment cannot be considered if it is inconsistent with an amendment previously adopted or repeats an amendment previously rejected;
- The mover of an original motion may, with the consent of the mover of an amendment, incorporate an amendment into the motion;
- Only one amendment may be moved at a time. No further amendments can be moved until the previous amendment has been dealt with;
- Each amendment must be voted on separately;
- If an amendment is carried, the amended motion becomes the substantive motion to which further amendments may be moved;
- If an amendment is lost, other amendments may be moved to the original motion.
- The mover may withdraw an amendment at any time
- After an amendment has been carried, the Chairman will read out the amended (substantive) motion, before accepting any further amendment, or if there are none, put it to the vote.

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the item;
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A recorded vote will always be taken in respect of approval of the Annual Budget
- Councillors may not vote unless they are in the meeting for the full debate on any particular item
- A Councillor may request that his/her vote be recorded in the minutes



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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 Regulations¹, 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 Manager², in consultation with the Cabinet Lead for Planning, Regeneration and Communities², 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;

¹ 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/section/1

² Or successor in similar or equivalent role

- e) authority be delegated to the Planning Policy Manager², in consultation with the Cabinet Lead for Planning, Regeneration and Communities², 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