

## HAVANT BOROUGH COUNCIL

At a meeting of the Council held on 3 November 2021

Present

Councillor Raines (Mayor)

Councillors Bowerman, P Bains, Bains, Branson, Briggs, Crellin, Francis, Howard, Hughes, Keast, Inkster, Jenner, Kennett, Linger, Patel, Robinson, Stone, Thain-Smith, Lloyd, Patrick (Deputy Mayor), Pike, Rennie, Satchwell, Sceal, Scott, Turner, Weeks, Denton and Wilson

### **28 Apologies for Absence**

Apologies were received from Councillors Ian Robinson, David Guest and Jo Lowe.

### **29 Declarations of Interests**

There were no declarations of interest from the members present.

### **30 Minutes**

Proposed by Cllr Kennett and seconded by Cllr Wilson it was RESOLVED that the minutes of the previous meeting of the Council held on 22 September 2021 be confirmed as a true record.

### **31 Mayor's Report**

The Mayor did not wish to add anything to her published report and there were no questions from members in relation to the Mayor's report.

### **32 Public Questions under Standing Order 27.5**

There were 13 questions received from the public under the provision of this standing order.

Ms Skennerton addressed Council to ask 2 questions, which were duly responded to by Cllr Rennie and Cllr Satchwell respectively, as relevant Cabinet Leads for the points raised.

All other questions received were read out within the meeting and responded to by the relevant Cabinet Leads as part of this item. A list of questions and answers are attached to the minutes for reference.

### **33 Cabinet/Board/Committee Recommendations**

There were no recommendations from Committees for this meeting.

### **34 Leader's Report**

There was nothing further that the Leader wished to add to his published report.

**35 Cabinet Lead Reports**

There were no matters that Cabinet Leads wished to add to their published reports.

**36 Cabinet Leads and Chairmen's Question Time**

The Cabinet Leads took questions from Councillors on their published reports and the Committee Chairmen on their respective minutes.

**37 Questions Under Standing Order 27.4.1**

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

**38 Urgent Questions Under Standing Order 27.4.2**

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

**39 Notices of Motion**

Council considered the following Motion, proposed by Cllr Rennie and seconded by Cllr Francis.

Following debate and a vote, it was RESOLVED that:

'This Council asks that the Council Leader conveys our condolences on the loss of Sir David to the Speaker of the House of Commons and writes to the Leaders of all political parties in Westminster to support measures that would see politicians and Councillors at all tiers of government kept safe and secure so that they continue working hard on behalf of their constituents'.

**40 Acceptance of Minutes**

Proposed by Cllr Keast and seconded by Cllr Branson, it was RESOLVED that the minutes of Committees held since the last meeting of Council be received.

**41 Exclusion of the Press and Public**

**The meeting commenced at 5.04 pm and concluded at 6.17 pm**

**COUNCIL MEETING 03 NOVEMBER 2021**

**Item 5 – Public Questions Received under Standing Order 27.5**

	<b>Question From</b>	<b>Question to</b>	
1	Mr Owens	Cllr Thain-Smith	I note that the council now has an Environmental strategy published. Given the devastating pollution going on in both harbours, pollution of the boroughs "jewel in the crown" blue flag beach and the £190M uplift to the local economy from tourism. When will the council commit to testing the harbours' for pathogens found in excrement for the health and safety for its citizens in the water around the borough and also to protect the environment it claims to protect?

**Reply**

I would like to emphasise that we all want to minimise pollution from any source in our coastal waters and rivers.

The beaches at Hayling Island attract thousands of visitors to the area every year and we want our visitors to feel confident that they can swim and enjoy the facilities there safely.

The Blue Flag beach Mr Owens mentions in his question is adjacent to the designated Bathing Waters of Hayling Bay, which is a different body of water to that of the Harbours and is subject to different water quality influences, different public health considerations, and different regulatory duties.

For public health purposes the harbours are known informally as 'recreational waters', which have no specific status under the body of public health legislation.

For environmental purposes, the harbours are classified as transitional waters under the Water Environment Regulations (2017).

The Environment Agency (EA) has a duty to classify and monitor waterbodies under the Water Environment Regulations (regulations 6 & 11), and is also bound by the duties under regulation 3, which requires it to exercise its regulatory functions to support the achievement of environmental objectives.

One of the functions of the EA is to regulate polluting activities under the Environmental Permitting Regulations (2016), and under these regulations the EA is the regulating authority for Southern Water’s Wastewater Treatment Works, providing the permission to allow discharges under restricted circumstances.

The EA is also responsible for the classification of bathing waters for their water quality, and to monitor for the levels of pathogens present during the bathing season. The EA’s data tells us that the water quality at our bathing beaches is consistently in the ‘Excellent’ category, and this has been the case for many years. This information is available to the public on the EA website.

The Council necessarily relies upon the EA for guidance and support on all water quality matters, and currently sees no justification in spending Council Taxpayer’s money in establishing a discretionary programme of routine water quality monitoring in recreational waters.

The Council’s focus remains on working in partnership with the Environment Agency, the water companies, and interested parties in various fora to make the improvements we all seek.

2	Mr Owens	Cllr Satchwell	With so many outstanding questions from government inspectors and others regarding transport assessments and coastal strategy. It seems that the council is in a hurry to push through their seafront regeneration ambition and the Rooks Farm development in the November timeframe. Has the council spotted any loophole(s) in the Environment Bill currently going through parliament that may scupper its ambition given the Environment Bill will be enshrined in law before the end of the year?
---	----------	----------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Reply**

The Council continues to monitor the progress of the Environment Bill as this will have widespread implications for many of the Council’s functions, including Planning and Waste Collection. The Bill was expected to have progressed to Royal Assent before now. In anticipation, work has already begun on how the Council would respond to the proposals in the Environment Bill. For example, the Council’s emerging Local Plan contains a requirement for all development to achieve biodiversity net gain, which is a key part of the Bill.

The Environment Bill has been in development for many years and its proposals have changed during that time. However there are no proposals which would mean that the new developments currently being planned for anywhere in the Borough would not take place. It should be noted that whilst the proposals for Hayling Island seafront are being proposed by Havant Borough Council, the Rook Farm development site is being progressed by the private sector and so the Council has no control over the timescales of when a planning application may be submitted.

3	Mr Owens	Cllr Satchwell	What was the reasoning behind why HBC did not publish physical signs on Hayling's beaches following Environment Agency "Advice against Bathing" on October 9th? What should residents expect from the council in this regard?
<p><b><u>Reply</u></b></p> <p>The bathing water regulations (2013) contain both the procedures for the issuing of formal Advice Against bathing, and for the execution of Local Authority bathing water management measures, which would include a duty to provide public information. This legislation only applies during the UK bathing season, which runs from 15<sup>th</sup> May to 30<sup>th</sup> September. Pollution incidents that occur at the bathing beaches outside of the bathing season are managed under the Council's generic emergency planning procedures, and not under the Bathing Water regulations.</p> <p>No emergency planning procedures were implemented on October 9<sup>th</sup> as the Council was promptly informed that officers of the relevant authorities found no physical evidence of sewage pollution during their respective investigations into the complaints received. The Council understands that subsequent investigations have ruled out any possibility of a significant release of sewage from the local wastewater network as having caused an incident on the 9<sup>th</sup> October.</p>			
4	Ms Hearn	Cllr Satchwell	Why are they apparently failing to condemn Southern Water for its appalling sewage discharges from its Budds Farm site into Langstone harbour?
<p><b><u>Reply</u></b></p> <p>The council are not the regulator for discharges made by Southern Water. We would look to the Environment Agency to determine whether or not any discharge was lawful in the context of their permit. We would be cautious in condemning actions that could be entirely compliant with the discharge conditions associated with the permit.</p>			
5	Ms Hearn	Cllr Satchwell	Does the council or its members have any pecuniary interest in Southern Water?
<p><b><u>Reply</u></b></p> <p>The council does not have a pecuniary interest in Southern Water. Any councillor owning shares in Southern water would have to declare this on their declaration of interests, which is available on our website and updated annually. In addition every Councillor is invited to declare their interest in topics on council agenda meetings.</p>			

6	Mr Parham	Cllr Rennie	<p>We keep hearing that the majority of pollution in the HBC catchment area is water-borne. As the whole Solent and South East Coast wastewater treatment is the responsibility of Southern Water, what is HBC doing to co-ordinate a joined-up approach with all the affected Councils to:</p> <p>(a) drive a consolidated stand;</p> <p>(b) ensure the real problems and risks are addressed; and</p> <p>(c) clean-up solutions are implemented.</p>
---	-----------	-------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Reply**

The Council continues to positively and proactively work with its partner authorities through PfSH together with Government, Natural England, the Environment Agency, Portsmouth Water and Southern Water and any other stakeholders in order to address water management in the Solent appropriately. The work that is done at PfSH aims to guide investment in water related infrastructure and address the existing inadequacies such as capacity constraints in drainage and surface water run-off and the environmental impacts it may have.

The Council is also proactively engaging and working with Southern Water through the Drainage and Wastewater Management Plan (DWMP) which will provide long term plans to improve water quality and drainage systems in the Borough. As part of the DWMP work a risk assessment has been undertaken for the wastewater treatment works to ascertain the current performance and future vulnerabilities of the wastewater system.

7	Ms Saunders	Cllr Pike	<p>Reference Havant Regeneration Plan (report page 46).</p> <ul style="list-style-type: none"> <li>The report states that work will be ready in early 2022, does this work include engagement with local residents and stakeholders?</li> </ul> <p>I note that the Hayling plan has a clear engagement programme will there be one in place for Havant?</p>
---	-------------	-----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Reply**

The Council is keen to engage with a range of stakeholders as it refreshes the Regeneration Strategy for the borough and some of that is already well underway. The Strategy itself will by nature be quite high level as it will cover the aspirations for the whole borough. As we look in more detail at places like Hayling Seafront, we are able to do much more by way of local engagement with residents, which is why there is a different engagement approach for the Hayling Seafront work. Engagement with stakeholders, including residents will be an ongoing process and we hope to establish a range of ways for residents to contribute going forward.

8	Ms Saunders	Cllr Pike	<p>Reference Waterlooville and Leigh Park Regeneration Plans (report page 46).</p> <ul style="list-style-type: none"> <li>• What are the timelines on the regeneration initiatives for Waterlooville and Leigh Park ?</li> </ul> <p>When will residents be engaged?</p>
<p><b><u>Reply</u></b></p> <p>Alongside the refreshed Regeneration Strategy, we are working on an updated delivery programme, which will set out delivery timelines. This is due to come back to Cabinet in early 2022 and will include Waterlooville and Leigh Park. We know local residents will want to get involved and contribute and as mentioned, we will be looking to establish a whole range of ways that residents can be kept up to date, get involved and participate in projects as they move forward.</p>			
9	Ms Saunders	Cllr Pike	<p>Reference Feasibility Study, Hayling Billy Trail and bridge options (report page 47).</p> <ul style="list-style-type: none"> <li>• What are the timelines for the consultation programme?</li> <li>• A resident recently asked me 'with the government talking about investment in regional railways what would the chances of the Hayling island branch railway being re-opened as the road traffic in the summer can get very blocked'? I am sure this has been evaluated before but is there an opportunity to revisit this option in this current feasibility study?</li> </ul>
<p><b><u>Reply</u></b></p> <p>a) There are a number of feasibility studies and technical assessments of route options currently being developed. As these are still not yet completed and need to be integrated with other areas of work such as the LCWIP, wider Hayling Island Seafront Ambition and also the Coastal Management Strategy a programme has not yet been developed. More information will follow in due course.</p> <p>b) Re-installing rail infrastructure and a new bridge is not considered a viable option because it would mean the route could no longer be used for active travel, a new rail line crossing of the A3023 would create untold congestion and the seasonal demand would not be financially sustainable . However, recognising the importance of this route, our focus has been on options for increasing active travel. This will offer more potential to reduce impacts on the A3023 with the potential for innovative, flexible and demand orientated methods of travel.</p>			

10	Ms Saunders	Cllr Robinson	<p>Reference Network meetings (report page 33)</p> <p>The report states that both meetings have 'very good attendance' can you provide attendance numbers and demographics?</p>
<p><b><u>Reply</u></b></p> <p>The networks were set up to bring busy Community Groups and Partners together to share resources, information and create collaborations. The network groups were established a number of years ago for organisation who work in the borough. The meetings are attended by up to 40 organisations including voluntary sector and statutory organisations.</p> <p>Further information can be obtained from the Community Team.</p>			
11	Mr Comlay	Cllr Satchwell	<p>"Given the recent shocking evidence of uncontrolled raw sewage spills into Langstone and Chichester Harbours from Southern Water's WWTC at Budds Farm, we believe that all future investment at this facility should be directly targeted and focused on the immediate actions necessary to address the underlying causes of these spills.</p> <p>Now that Havant Borough Council have approved the plan by Portsmouth Water (with Southern Water) for the Havant Thicket reservoir, will this council provide an unequivocal assurance that they will not validate or approve any planning application from Southern Water which includes the construction of a Wastewater Recycling facility at Budds Farm until all outstanding issues with the existing plant and processes have been resolved to the regulator's satisfaction?</p>
<p><b><u>Reply</u></b></p> <p>The Council supports the Environment Agency as regulator to the country's water companies, investigating the events that took place in Langstone Harbour recently. It is important that everyone knows what took place and whether that was lawful or not. Water companies, as a single supplier industry, operate under strict controls and regulations – in place to protect customers. This includes what capital investments can take place at wastewater treatment works.</p> <p>There is no planning application for a Wastewater Recycling Facility at Budds Farm, although the Council is aware that consultation on high level options for future fresh water provision, which includes such a facility, has taken place. Nonetheless, as a simple matter of fact, the Council cannot arbitrarily choose to not validate planning applications from any one organisation – if it meets the</p>			

necessary requirements and includes the necessary documentation, a planning application must be validated. As a further statement of fact, any planning application from any applicant must be assessed on its own merits. This does of course though include the impact on our environment and water quality, which are material considerations, and the Council will take these into account in determining planning applications

12	Ms Skennerton	Cllr Rennie	At a recent Partnership for South Hampshire Meeting, members suggested that some of the £90 million Southern Water fine should be used to take more agricultural land out of production on the basis that that would reduce nitrates flowing into the Solent and allow more housing development. Given the ongoing clear photographic evidence, including the latest BBC video of this, of Southern Water sewage discharges directly into the Solent at Langstone, does the Council Leader still support the intensive housebuilding on Hayling and Havant's mainland, given that Southern Water has provided residents with no immediate and permanent plan to prevent sewage nitrates from fouling local sea water? If the Leader does support the housebuilding that will lead, both in the building process, the consequent foul water run-offs and residents' foul water drainage, what reassurance can he give for ensuring our local waters will be safe for recreational uses and healthy eco-systems?
----	---------------	-------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Reply**

The Council supports a robust and comprehensive investigation into the discharge which took place recently by the regulator. The regulator is not Havant Borough Council but is the Environment Agency. The Council does not license waste water treatment works nor does it have any enforcement powers over those licenses and the conditions and restrictions they contain. However we will watch this situation carefully.

The overflows that take place happen in periods of intense weather, when the runoff from impermeable surfaces (such as roads) means that the storm water system can become inundated. This is a remnant from when those systems were originally built and means that surface water and foul water enter the system together. Whilst the scenes that we've all witnessed are not how Southern Water should be treating our local environment in the 21st century and need to stop, that is better than the alternative which is for waste water and sewage to back up into streets and people's homes. That is why Southern Water's license allows this practice to take place, under strict conditions. The key question is whether conditions were followed.

<p>The standards for drainage in new developments are very different to those in place when most houses in the Borough were built. It's now necessary for surface water which drains off of roads and other surfaces to be separated from foul water coming off of houses so that there's not a big increase in the rate of water entering the system when a storm takes place. This means that new development can take place without adding to the pressure on the drainage system. The Borough needs new homes, our young people cannot afford to get onto the housing ladder and our waiting list and waiting times are too high. It is perfectly possible to build new homes and for Southern Water to reduce storm water discharges at the same time and that is what needs to happen.</p>			
13	Ms Skennerton	Cllr Satchwell	<p>I welcome the Council's publicising of the Hayling's Seafront Ambition in Hayling Herald's Nov 01 Edition. The Hayling Herald's editorial deadline was Oct 15<sup>th</sup>. Hayling residents who happen to subscribe to the Council's press releases read first on October 26<sup>th</sup> 2021, that Exhibitions on Havant's Ambition for Hayling's Seafront would be held on the now amended Nov. 3<sup>rd</sup> &amp; Nov. 11<sup>th</sup> which is now Nov 11<sup>th</sup> and Nov 13<sup>th</sup>, with comments deadline still remaining Nov. 21<sup>st</sup>.</p> <p>Residents need more than 21 days, that is assuming that a busy pre-Christmas November allows them to share and discuss and feedback their views on this important document.</p> <p>The Seafront Regeneration document was re-published for the Cabinet in Sept. 2021 providing opportunity for it to be well-publicised in Hayling's Herald for October 1<sup>st</sup> and again November 1<sup>st</sup> as well as on local radio and with hard copies from early October in Hayling's Library.</p> <p>How does Cllr. Satchwell, as Lead for this Programme, reconcile such a narrow and restrictive audience and timescale with the Council's own, recently published Stakeholder Engagement Document, as so many people choose not to view documents online and don't subscribe to the Council's online press releases.</p> <p>Stakeholder Engagement Document Guiding Principles Section 2-6 cannot be met with this unfair time-scale and method of engagement. Will Cllr. Satchwell please consider</p>

			removing the Nov. 21 <sup>st</sup> deadline and provide a suitably wider platform for effective and meaningful two-way engagement?
--	--	--	------------------------------------------------------------------------------------------------------------------------------------

**Reply**

Engagement with local residents, business and key stakeholders is critical to the success of the delivery of regeneration aspirations for Hayling Seafront. We aim for our engagement programme to be inclusive; residents can engage with the programme in many ways:

- Exhibition days at Hayling Island Community Centre (Room 2) on Station Road on Thursday 11th November 2021 at 2.00-5:30pm and Saturday 13th November 2021 at 10.00am - 1.00pm
- Online at [www.havewithhavant.co.uk](http://www.havewithhavant.co.uk) via our online survey and mapping tool, which has been available since the middle of October 2021.
- Written submissions can be submitted to the Plaza and to our drop box at Beachlands Information Centre
- Via email at [regeneration@havant.gov.uk](mailto:regeneration@havant.gov.uk)

This has been promoted through:

- Press releases
- Social media posts
- 4-page pull out in the Hayling Herald in November
- Posters have been sent to Hayling Island Community Centre and Hayling Island library
- The team have emailed Stakeholders, Residents Associations and Businesses.

Hard copies of the Ambition document can be requested from the team at [regeneration@havant.gov.uk](mailto:regeneration@havant.gov.uk).

This work builds on work undertaken by Hemingway Design (January 2019) and Mace (December 2019/20) and extensive engagement already completed within these pieces of work. While we are working to the 21st of November, we aim to create positive and collaborative working relationships and engagement will be ongoing.

This page is intentionally left blank