

## HAVANT BOROUGH COUNCIL

At a meeting of the Council held on 16 March 2022

Present

Councillor Raines (Mayor)

Councillors Bains, Branson, Briggs, Bowerman, Crellin, Denton, Francis, Howard, Inkster, Kennett, Linger, Lloyd, Milne, Payter, Pike, Rennie, Robinson, Satchwell, Mrs Shimbart, Stone, Thain-Smith and Wade

### 72 Apologies for Absence

Apologies of absence were received from Councillors Prad Bains, David Guest, Gary Hughes, Tom Moutray, Husky Patel, Diana Patrick, Ian Robinson, Leah Turner, Yvonne Weeks and Michael Wilson.

### 73 Declarations of Interests

#### Councillor Mark Inkster

Minute No. 80

Item Title: Havant Brough Local Plan: Update on The Examination, Implications, Way Forward and Approach to Decision Making in the Interim.

Nature of Interest: The Councillor informed Members that he wished to remove himself from the meeting for this item and did not intend to take part in any discussion or vote on this matter.

#### Narinder Bains

Minute No: 82

Item: Freeports Programme – Update & Approvals in respect of the Memorandum of Understanding (MOU) & Full Business Case (FBC)

Nature of Interest: Councillor Bains informed Members she is a member of the Board.

### 74 Minutes

Proposed by Councillor Kennett, seconded by Councillor Branson, the minutes of the meeting of Council held on 23 February 2022 were accepted as an accurate record.

## **75 Mayor's Report**

Following prayers, that were delivered by Mayor's Chaplain, Sue Moss, the Mayor invited representatives from Bridget To Unity, a local charity, informed Council of the humanitarian work being undertaken by them in the Ukraine.

There were no questions for The Mayor on her published report.

## **76 Provisional Appointment of the Mayor for 2022/2023**

Proposed by Councillor Bowerman and seconded by Councillor Satchwell, it was RESOLVED that Councillor Diana Patrick be provisionally appointed as Mayor for 2022 / 2023.

## **77 Provisional Appointment of the Deputy Mayor for 2022/2023**

Proposed by Councillor Crellin and seconded by Councillor Denton, it was RESOLVED that Councillor Rosy Raines be the Deputy Mayor for 2022/2023.

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

There were 4 questions received from members of the public under the provision of this standing order.

Mrs Buckley asked questions on behalf of the Havant Brough Residents' Alliance, which were duly responded to within the meeting.

The question submitted by Mr Comlay would be responded to in writing outside of the meeting.

A list of questions and answers are attached to the minutes of this meeting as Appendix A.

## **79 Address from the Public Under Standing Order 28**

There was no address by members of the public under the provision of this standing order.

## **80 Havant Borough Local Plan: Update On The Examination, Implications, Way Forward And Approach To Decision Making In The Interim**

Councillor Inkster left the meeting.

Councillor Satchwell introduced the item as relevant Cabinet Lead.

Councillor Branson informed Members that the Planning Policy Committee had considered the report and had supported the recommendations.

Proposed by Councillor Satchwell and seconded by Councillor Rennie, following debate, it was RESOLVED that Council:

**Update regarding the Havant Borough Local Plan examination**

- a. Note the outcome of the examination of the Local Plan, the Inspectors Interim Findings Report (examination library document reference CR18), the response to it (CR19) and subsequent communications (CR20, CR21, CR22 and CR23);
- b. Note the correspondence between the Council Leader and the Secretary of State for Levelling Up, Housing and Communities regarding the need for the NPPF to recognise more strongly the relevance of a plan led approach to development and to not penalise communities whilst plans are being put in place (Appendix 1);
- c. Authorise the withdrawal of the Havant Borough Local Plan from Examination in line with Section 22 (1) of the Planning and Compulsory Purchase Act 2004 (as amended);

**Preparation of a new Local Plan and CIL Charging Schedule for Havant Borough**

- d. Authorise the preparation of a Local Plan to replace the Havant Borough Local Plan (Core Strategy) and the Havant Borough Local Plan (Allocations Plan);
- e. Authorise the preparation of an updated Community Infrastructure Levy Charging Schedule for Havant Borough;
- f. Delegate authority to the Planning Policy Manager, in discussion with the Cabinet Lead for Planning, Hayling Seafront Strategy and Coastal Management<sup>1</sup> to prepare and publish a Local Development Scheme and keep this updated as necessary;
- g. Delegate authority to the Cabinet Lead for Planning, Hayling Seafront Strategy and Coastal Management<sup>1</sup> to consider for approval, following scrutiny by the Planning Policy Committee, an update to the Hayling Island Transport Assessment, to consider the impact of development on summer traffic conditions;

**Decision making on planning applications for new housing**

- h. Note the Borough's five year supply of 3.9 years and the implications that the delay in the local plan's examination have for this issue;
- i. Approve the publication of the Housing Delivery Action Plan (Appendix 2);
- j. Adopt the Housing Delivery Position Statement (Appendix 3);

- k. Delegate authority to the Cabinet Lead for Planning, Hayling Seafront Strategy and Coastal Management<sup>1</sup> to consider for approval, following scrutiny by the Planning Policy Committee<sup>2</sup>, updates to the Housing Delivery Position Statement

#### **Other**

- l. Delegates authority to the Planning Policy Manager<sup>1</sup> to make any necessary minor amendments to the documents listed in this report. These shall be limited to the inclusion of page numbers, a contents page, a glossary, factual updates, correction of minor errors, typographical errors and other minor changes that do not change the meaning of the material.

Councillor Inkster re-joined the meeting.

### **81 Havant Regeneration & Economy Strategy - A Refreshed Approach**

Councillor Pike introduced the item as relevant Cabinet Lead and proposed the recommendation.

Seconded by Councillor Stone and following debate, it was RESOLVED that Council adopt the Havant Regeneration & Economy Strategy.

### **82 Freeports Programme - Update and approvals in respect of the Memorandum of Understanding (MOU) and Full Business Case FBC)**

Councillor Bains introduced the item as relevant Cabinet Lead and proposed the recommendations. Cllr Bains further reiterated to Members that she is a member of the Board.

Seconded by Councillor Lloyd, following debate and a vote; in which Councillor Bains abstained, it was RESOLVED that Council:

- 1) Note the update in respect of the development of the Solent Freeport Programme and with regard to the opportunities for Havant borough.
- 2) Note the update on progression of the Full Business Case (FBC).
- 3) Note the update on progression of the Memorandum of Understanding (MoU).

### **83 Cabinet/Board/Committee Recommendations**

#### **83a Options Appraisal and Business Case for Withdrawal from Joint Management and Shared Staff Arrangements**

Recommendation arising from the meeting of Cabinet held on 07 March 2022:

Options Appraisal & Business Case for Withdrawal from Joint Management & Shared Staff Arrangements

Councillor Rennie proposed the recommendations within the report and added recommendation E. Seconded by Councillor Howard and following debate it was RESOLVED that Council:

- a) approve the preferred option for the future of the Council as set out in the Options Appraisal and Business Case (Appendix 1).
- b) approve the outline business plan for the delivery of the preferred option, as set out in the Options Appraisal and Business Case (Appendix 1).
- c) note the findings of the independent report by CIPFA (Appendix 2) into the affordability of the option to end the Joint Management Team Arrangements.
- d) approve the arrangements for managing transition as set out in section 7 of the Options Appraisal and Business Case (Appendix 1), and that the Chief Executive be delegated authority, in consultation with the s151 Officer, Monitoring Officer and Head of Organisation Development, to develop and implement a robust transition plan, including the entering into contracts or variation agreements which may be required.
- e) Subject to the approval of the above arrangements for withdrawal and transition, the following actions be agreed:
  - i) The Joint Human Resources Committee be reconstituted as a single authority Human Resources Committee with a membership of 6 councillors in political balance and with a quorum of 3
  - ii) The existing members be reappointed to serve on the Committee for the remainder of the Municipal Year
  - iii) The scope, competency and matters reserved to the Committee shall be as presently exist for the Joint Committee but applicable to one authority
  - iv) All consequential and necessary changes to Section F1 of Part 2 to the Council's Constitution (Responsibility for Functions) be made

**83b Council Tax Empty Homes Premium Review**

Recommendation arising from the meeting of Cabinet held on 07 March 2022:

Council Tax Empty Homes Premium Review

Proposed by Councillor Denton and seconded by Councillor Bowerman, following debate it was RESOLVED that Council approve the introduction of a

Premium Deferral process to the existing Council Tax Empty Homes Premium scheme as detailed in Appendix C.

### **83c Community Infrastructure Levy (CIL) Spending Protocol**

Recommendation arising from the meeting of the Planning Policy Committee held on 22 February 2022:

#### Community Infrastructure Levy Spending Protocol

Councillor Branson introduced this item as Chair of the Planning Policy Committee and proposed the recommendations. Seconded by Councillor Milne, following debate, it was RESOLVED that Council:

- a) approve the Community Infrastructure Levy (CIL) Spending Protocol in the Appendix for use in CIL spending decisions;
- b) grant delegated authority to the Head of Planning to amend the CIL Spending Protocol, in consultation with the Cabinet Lead for Housing, Communities & CIL (or any future Cabinet Lead responsible for Community Infrastructure Levy matters). Such changes shall be limited to:
  - (i) the correction of factual errors and changes necessary to accommodate national or local changes in regulations, guidance or procedures and shall not otherwise alter the meaning of the protocol;
  - (ii) amending the Annual Funding Awards for the Neighbourhood Portion as set out in Part 4 of the CIL Spending Protocol where scrutiny by the Planning Policy Committee suggests this should be the case; and
  - (iii) Amending the branding of the Spending Protocol to align with the Council's Corporate Strategy and wider place-making and regeneration agenda and commentary within the document.
- c) grant delegated authority to the Head of Planning, in consultation with the Cabinet Lead for Housing, Communities & CIL (or any future Cabinet Lead responsible for Community Infrastructure Levy matters) to prepare guidance and relevant processes for the implementation and administration of CIL spending decisions in line with the Spending Protocol;
- d) grant delegated authority to the Community Infrastructure Officer/Team Leader, in consultation with the Head of Planning and the Cabinet Lead, to approve spends from the neighbourhood portion and interim Strategic CIL spends with a value of no greater than £10,000.

- e) grant delegated authority to the Cabinet Lead responsible for CIL to approve interim spends greater than £10,000, in consultation with the S151 Officer, and, where the value exceeds £50,000, after consideration by the Planning Policy Committee.
- f) grant delegated authority to the Community Infrastructure Officer/Team Leader, in consultation with the Head of Planning and the Cabinet Lead, to approve spends from the neighbourhood portion;
- g) grant delegated authority to the Community Infrastructure Officer/Team Leader to assign available neighbourhood portion funds for 2022/23 in line with section 4.8 of the Spending Protocol.

#### **84 Leader's Report**

The Leader added to his published report that he had submitted a response to the consultation from Water Resources Southeast in relation to the plan by Southern Water to use recycled water to supplement the water in the planned Havant Thicket Reservoir. Councillor Rennie felt generally that there had not been enough consultation, there was not enough understanding about how this will work and felt that there was more work that needed to be done to provide assurance that this was the right decision for the Borough.

#### **85 Cabinet Lead Reports**

Councillor Bains congratulated the Planning Enforcement Team for their successful prosecution of the owner of the derelict property in Waterlooville. Councillor Bains clarified that the neighbours had endured sustained anti-social behaviour and that the owner is not a resident of the Borough.

Councillor Pike added to his report in relation to the decision taken by Hampshire County Council to take back control of on-street parking and Traffic Regulation Orders and is disappointed with the decision. Our own in-house team of enforcement officers were delivering an excellent service with no cost to the Council and thanked the officers for their work.

There were no further updates to Cabinet Lead Reports.

#### **86 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.

#### **87 Questions Under Standing Order 27.4.1**

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

## **88 Urgent Questions Under Standing Order 27.4.2**

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

Councillor Branson left the meeting at 18:56pm.

## **89 Notices of Motion**

Council considered the following Motion, proposed by Councillor Payter and seconded by Councillor Rennie.

Following debate and a vote it was RESOLVED that:

This Council condemns the actions taken by the Russian Government with its illegal and unjustified invasion of Ukraine. The Borough stands in solidarity with the Ukrainian people, flying its flag outside the Plaza with pride and applauds the efforts of local residents who have donated money and goods to the country.

In addition, the Council:

- Welcomes the sanctions placed on Russia by the Government and supports sanctions on oligarchs and individuals who benefit from the patronage of the Russian leadership.
- Calls on the Council's Chief Finance Officer to ensure that the Council divests any financial interest it may hold in Russian companies and investments.
- Makes clear the Council will not invest in any Russian company through its Treasury Management Strategy until such time that the Russian Government ends its illegal occupation of Ukraine and takes steps to reintegrate itself in the international community.
- Requests the Hampshire Local Government Pension Fund divests any similar interests and asks that the Chief Finance Officer to write to the fund managers to make clear this view.
- Welcomes the Council's decision to allow vacant space in the Meridian Centre to be used to support humanitarian donations and calls upon the Council to continue to take all reasonable steps to be part of the national programme to house refugees.

## **90 Calendar of Meetings 2022/2023**

Proposed by Councillor Lloyd, seconded by Councillor Howard, following debate it was RESOLVED that the Calendar of Meetings for 2022/2023 be APPROVED.

**91 Acceptance of Minutes**

Proposed by Councillor Kennett and seconded by Councillor Crellin, it was RESOLVED that the minutes of Committees held since the last meeting of Council be received.

**The meeting commenced at 5.00 pm and concluded at 7.12 pm**

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**Chairman**

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**COUNCIL MEETING 16 MARCH 2022**

**Item 7 – Public Questions Received under Standing Order 27.5**

	<b>Question From</b>	<b>Question to</b>	
1	Mrs Ann Buckley Havant Borough Residents' Alliance	Cllr Satchwell	<p>Many of the issues the Planning Inspectors listed as defects on the submitted Local Plan are ones which residents had brought forward in deputations at full Council and Cabinet meetings, with officers and in also our three consultation responses.</p> <p>Can you reassure us that in the preparation of the new Local Plan that more attention will be paid to what residents say, for example we pointed out that the first two consultations did not comply with the Statement of Community Involvement 2013 and that many of the proposed sites were not suitable for development for reasons such as inadequate infrastructure or the lack of mitigation for ecology? We also hope that it will be prepared in a timely way without excessive costs.</p>

**Reply**

Havant Borough Council always has, and always will, put a great deal of time, effort and resources into our community consultation. This was seen for the preparation of the Havant Borough Local Plan with the extensive amount of explanatory material which was made available and more recently with our consultation on the future of Hayling Island Seafront.

We assess every response to those consultations. Planning and the local plan are emotive and thought-provoking topics and rarely is there complete agreement on any one matter amongst the various stakeholders we engage with – residents, infrastructure providers, developers, statutory agencies and others. In preparing the new local plan, the Council intends to engage thoroughly, though in a way that balances expediency as well. Nonetheless, preparing a new local plan does not remove the necessity of making difficult decisions on controversial sites.

It is essential that we respond to the concerns raised by the inspectors in preparing the new plan and make sure that they are addressed. Whilst the inspectors did not comment on the *suitability* of these sites, they did comment on their *deliverability*. As such, in undertaking consultation and engagement, a firmer line will need to be taken on the development industry's calculations and evidence regarding deliverability of mitigation packages associated with sites being promoted, particularly where third-party land may be required.

2	Mrs Ann Buckley Havant Borough Residents' Alliance	Cllr Pike	<p>East Street in Havant has more listed buildings than any other location in the Borough. It also provides office and surgery space to many professionals such as dentists, accountants, insurance specialists, housing professionals, care workers and charities. However, many of these listed buildings have looked run down for two decades and in need of maintenance.</p> <p>Surely the St Faith's Conservation Areas needs to be conserved. Why does the regeneration strategy not contain any plans to improve this heritage asset?</p>
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**Reply**

The Regeneration & Economy Strategy is a strategic document which sets out the ambitions for the whole borough and provides a framework for how those ambitions will be realised over the coming years. It does not seek to replicate more detailed policies and management plans contained in other documents, for example, the St. Faith's Conservation Area Appraisal and Management Plan which covers East Street.

Detailed plans will come forward as the regeneration delivery programme and associated suite of projects are progressed. However, I agree that it will be important that we take the heritage quality and need to protect it into account going forward. It is one of Havant Town Centre's real assets and it will be key plank of the success of the regeneration scheme.

3	Mrs Ann Buckley Havant Borough Residents' Alliance	Cllr Pike	<p>The rusting red, white and blue poles which were put in place in Havant Park to commemorate Her Majesty the Queen's silver Jubilee have been in a very poor state for years.</p> <p>With the Platinum Jubilee celebrations in June could these rusty metal poles be removed and recycled and something more appropriate such as a flowering tree planted in this location in June?</p>
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**Reply**

We are involved a range of events and activities across the borough to celebrate the Jubilee and it will be a wonderful opportunity for the residents to celebrate together. In Havant Park, we are exploring opportunities to salvage some of the London Plane tree that sadly fell in recent Storm Eunice and are hoping to use some of it for a commemorative plaque to celebrate the Jubilee. If there are opportunities to refresh or replace other bits of infrastructure like the poles, we will happily look into this.

4	Mr Bob Comlay	Cllr Bains	<p>The Dunsbury Park employment area is perfectly situated for sustainable commuting from HBC's deprived areas of Leigh Park and Waterlooville. As a significant employment area, occupancy of the site is key to the Regeneration of Havant Borough. In ideal circumstances, owned by Portsmouth City Council with Havant Borough Council as rating authority, Dunsbury Park would continue to provide 'traditional' employment prospects for the residents of both Councils. However, designation of Dunsbury Park as a Freeport Tax Site will now limit occupancy to those incoming businesses which are directly related to Freeport commerce.</p> <p><u>Report Number: HBC/033/2022, "Freeports Programme – Update and approvals in respect of the Memorandum of Understanding (MOU) and Full Business Case FBC)"</u> discusses risk categories at Section 9.1 but it is not clear from the content of the section that risks associated with changes to Solent Freeport delivery scope and phasing are given appropriate focus.</p> <p>It could be interpreted from both the report and from the physical geography of the Solent Freeport boundary that 'first phase delivery priority' will be given to the Southampton Water (NFDC) and Navigator Quarter (Eastleigh BC) customs and tax sites, with Portsmouth International Port (PCC) and Dunsbury Park (HBC) following as a future phase of the Solent Freeport delivery programme.</p> <p>Portsmouth City Council appear to be prioritising funding for the new cruise terminal at Portsmouth International Port over any immediate extension to commercial freight capacity. This would further suggest that the combination of PIP as a Customs site and Dunsbury Park as a tax site might combine as a potential future delivery phase for Solent Freeport, should the Southampton based main programme prove successful.</p> <p>I understand that all potential customs and tax sites are expected to be designated by the end of March 2022.</p> <p>Could you please outline Havant Borough Council's fall-back contingency plan for the removal of Freeport tax status from Dunsbury Park should delivery of the overall Freeport programme stall or be scaled back. Given continued uncertainty surrounding global, European and UK national economies, both the risk and the likelihood of</p>
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			occurrence of de-scoping should be considered 'High', and I would expect contingency plans to be in place to mitigate this risk.
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**Reply**

In the unlikely event that the Freeport tax site status was removed from Dunsbury Park, Havant Borough Council would continue to work with Portsmouth City Council (PCC) as site owner to bring forward the site for development. This would include promoting the site to prospective occupiers both nationally, regionally and locally and dealing promptly with planning applications. We would also work with PCC to secure local training and employment opportunities through the construction phase of new units developed on the site and promote local recruitment to Dunsbury Park's occupiers.