

HAVANT BOROUGH COUNCIL

At a meeting of the Council held on 20 September 2023

Present

Councillor Raines (Mayor)

Councillors Rason, Blades, Briggs, Gray, Gray, Coates, Brent, Patrick, Bowdell, Bowerman, Crellin, Denton, Diamond, Fairhurst, Keast, Kennett, Linger, Lloyd, Milne, Patel, Rennie, Redsull, Robinson, Sceal, Mrs Shimbart, Stone, Turner and Wade (Deputy Mayor)

38 Apologies for Absence

Apologies for absence were received from Councillors Guest, Harris, Munday, Payter and Richardson, Tindall & Weeks.

39 Declarations of Interests

There were no declarations of interests from the members present relating to matters on the agenda.

40 Confirmation of Previous Minutes

The minutes of the last meeting of the Council held on 26 July 2023 were approved as a correct record.

41 Mayor's Report

The Mayor had nothing further to add to her published report and there were no questions from members present.

42 Public Speaking under Standing Orders 27.5 & 28

There were no public questions or requests to address Council received in accordance with the requirements of these Standing Orders.

43 Cabinet/Board/Committee Recommendations

There were 5 Cabinet / Board / Committee recommendations for Council to consider at this meeting.

(1) Purchase of Temporary Accommodation

Councillor Robinson introduced the item and recommendations to Council arising from the meeting of Cabinet held on 06 September, seeking the agreement of full council to implement a temporary accommodation purchase programme and delegated authority which would result in the Council being able to work in a more agile and commercial manner to purchase temporary accommodation.

It was proposed by Councillor Robinson and seconded by Councillor Bowerman that the recommendations made by Cabinet be approved.

The members considered the options set out in the Cabinet report and following a vote, Council

RESOLVED to

- a) borrow through the Public Works Loan Board as is required to purchase property for use as temporary accommodation up to a limit of £2m.
- b) authorise the use of Section 106 Affordable Housing contributions to fund the purchase, adaptation and fit out, of property for use as temporary accommodation.
- c) amend the Capital Programme for any purchase of property for use as temporary accommodation.
- d) delegate authority, subject to a sound Financial Business Case, to the Section 151 Officer, in consultation with the Leader, Cabinet Lead for Housing and the Cabinet Lead for Finance, to purchase property that will be used to provide temporary accommodation.

(2) Local Authority Fund (1&2)

Councillor Rennie introduced this item and recommendations to Council arising from the meeting of Cabinet held on 06 September 2023, seeking approval to amend the Capital Programme and incur borrowing to meet the aims of the Local Authority Housing Fund programme and grant conditions.

It was proposed by Councillor Rennie and seconded by Councillor Sceal that the recommendations made by Cabinet be approved.

The members considered the options set out in the Cabinet report and following a vote, Council

RESOLVED to

- a) accept and approve the spend of the additional allocation of Local Authority Housing Fund grant funding in the sum of £3.5m bringing the total sum to £4.2m.
- b) delegate authority for accepting and spending future Local Authority Housing Fund grant allocations to the Executive Head of Regeneration and Economic Development, in consultation with the Section 151 Officer and the Leader of the Council as Cabinet Member responsible for Regeneration.

- c) approve Public Works Loan Board borrowing up to £6m to provide match-funding for the Council's allocation of Local Authority Housing Fund grant subject to a satisfactory financial appraisal.
- d) delegate authority to the Section 151 Officer to amend the Council's Capital programme to reflect receipt of the additional Local Authority Housing Fund grant funding and the agreed Public Works Loan Board borrowing of up to £6m.
- e) delegate authority to the Section 151 Officer to amend the Council's Minimum Revenue Provision policy and agrees that borrowing for the purposes of acquiring residential property is expensed over a 50 year period.
- f) delegate authority to the Executive Head of Regeneration and Economic Development in consultation with the Leader of the Council to enter into a contract with a contractor to manage and maintain the Council's property portfolio purchased under this fund.
- g) delegate authority to the Monitoring Officer (or their delegate) to negotiate and agree all legal documents to give effect to the above recommendations.

(3) Review of Statement of Licensing Policy, Licensing Act 2003

Councillor Lloyd introduced this item and recommendations to Council arising from the meeting of the Licensing Committee held on 16 August 2023, seeking approval of the reviewed Statement of Licensing Policy under the Licensing Act 2003.

It was proposed by Councillor Lloyd and seconded by Councillor Shimbart that the submitted Statement of Licensing Policy be approved as recommended by the Licensing Committee.

The members considered the options set out in the Licensing Committee report and following a vote, Council

RESOLVED that the submitted Statement of Licensing Policy under the Licensing Act 2003 be approved.

(4) Review of Statement of Principles, Gambling Act 2005

Councillor Lloyd introduced this item and recommendations to Council arising from the meeting of the Licensing Committee held on 16 August 2023, seeking approval of the reviewed Statement of Principals under the Gambling Act 2005.

It was proposed by Councillor Lloyd and seconded by Councillor Shimbart that the submitted Statement of Principles under the Gambling Act 2005 Policy be approved as recommended by the Licensing Committee.

The members considered the options set out in the Licensing Committee report and following a vote, Council

RESOLVED that submitted Statement of Principles under the Gambling Act 2005 be approved.

(5) Review of Hackney Carriage and Private Hire Licensing Policy

Councillor Lloyd introduced this item and proposed the recommendations to Council arising from the meeting of the Licensing Committee held on 16 August 2023, seeking approval of the review of the Hackney Carriage and Private Hire Licensing Policy.

It was proposed by Councillor Lloyd and seconded by Councillor Shimbart that the submitted Hackney Carriage and Private Hire Licensing Policy be approved as recommended by the Licensing Committee.

The members considered the options set out in the Licensing Committee report and following a vote, Council

RESOLVED that submitted Hackney Carriage and Private Hire Licensing Policy be approved.

44 Leader's Report

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

The Mayor provided Councillors an opportunity to ask questions of the Leader on his report, which were duly responded to within the meeting.

45 Cabinet Lead Reports

In addition to her published report, Councillor Lloyd:

1. advised that the Council had been given the RSPCA Pawprint Stray Dog Services Silver Award;
2. informed members that concerns in relation to dangerous dog breeds were being dealt with locally by officers; and
3. highlighted the often difficult work that was being undertaken by our officers.

The Mayor provided Councillors an opportunity to ask questions of the Cabinet Leads on their reports, which were duly responded to within the meeting.

46 Questions Under Standing Order 27.4.1

There were 4 questions received from Councillors under the provision of this standing order, which were duly responded to within the meeting by the relevant Cabinet Leads.

A summary of the questions and responses is attached as an appendix to the minutes of this meeting.

47 Urgent Questions Under Standing Order 27.4.2

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

48 Notice of Motions under Standing Order 14.1

Council considered 4 notices of motion.

(1) Making Space

Prior to consideration of this motion, the Mayor, in accordance with standing order 14.12, invited Council to decide, by way of a vote, whether it should refer this motion to Cabinet in view of the potential budget implications.

Following a vote, in which there were 5 against and 1 abstention, Council

RESOLVED that the motion relating to Making Space be referred to Cabinet for consideration.

(2) The Borough of Havant stands together with our friends in Ukraine

In accordance with standing order 14.9, the motion was withdrawn by the proposer of the motion, Councillor Rennie.

(3) Motion for the Ocean

The Council considered the published motion proposed by Councillor Lloyd and seconded by Councillor Fairhurst.

An amendment proposed by Councillor Rason and seconded by Councillor Paul Gray that pledges 1,3 & 6 be amended to read as follows:

- 1 ensure that the Climate and Environment Panel receives updates at least every six months on any actions and projects that will assist ocean recovery around the Borough including that the

Panel provides, as part of its updates to Cabinet, progress on the matter;

- 3 promote closer working between Havant Borough Council and local marine organisations by creating clear channels of communication so the Council is fully informed and updated on evidence of pollution and damage to the harbours and embed interventions in the Local Plan to support ocean recovery.
- 6 Create opportunities to grow ocean literacy and marine citizenship in Havant Brough with schools, local colleges and adults.

was lost following a debate and vote.

Following a debate and vote, Council approved the published motion.

Council therefore:

RESOLVED that Council pledges to

1. ensure that the Climate & Environment Panel receives regular updates on any actions and projects that will assist ocean recovery around the Borough, including that the Panel provides, as part of its updates to Cabinet, progress on the matter.
2. add ocean recovery to the work the Council is doing as part of its Climate Change Strategy and Action Plan.
3. promote closer working between the Havant Borough Council and local marine organisations and embed interventions in the Local Plan to support ocean recovery.
4. influence the Local Nature Recovery Strategy to support ocean recovery.
5. work with partners locally and nationally to deliver increased sustainability in marine industries and develop a sustainable and equitable “blue economy” that delivers ocean recovery and local prosperity.
6. where opportunity allows grow ocean literacy and marine citizenship in the Havant borough with our schools and local colleges.
7. write to the Government asking them to put the ocean into net recovery by 2030 by:
 - a) ensuring Inshore Fisheries and Conservation Authorities and Natural England have the resources they need to effectively research and monitor our growing number of marine protected areas, and to set and enforce appropriate fishing levels that support local economies and deliver environmental sustainability.

- b) ensuring coastal communities have a meaningful say in the development of marine policy which can deliver equitable and sustainable outcomes.
- c) appoint a dedicated Minister for Coastal Communities.
- d) and by listening to marine scientific advice, including marine social science, to update the Marine Policy Statement and produce a national Ocean Recovery Strategy which will:
 - i. enable the recovery of marine ecosystems rather than managing degraded or altered habitats in their reduced state.
 - ii. consider levelling up marine conservation, energy, industrial growth, flood and coastal erosion risk management, climate adaptation and fisheries policy holistically rather than as competing interests.
 - iii. develop a smarter approach to managing the health of the entire ocean that moves beyond Marine Protected Areas and enables links to be made across sectors towards sustainability.
 - iv. establish improved processes for understanding the benefits of ocean recovery, leaving no doubt about the links between this and human lives, livelihoods, and wellbeing.
 - v. stop plastic pollution at source by strengthening the regulations around single-use plastics; set standards for microfibre-catching filters to ensure that all new domestic and commercial washing machines are fitted with a filter that captures a high percentage of microfibres produced in the wash cycle.

(4) Puppy Farming

The Council considered the published motion proposed by Councillor Paul Gray and seconded by Councillor Rason.

An amendment to the motion proposed by Councillor Rennie and seconded by Councillor Robinson that the published motion be amended to read:

- a) welcome the Government's continued efforts to eradicate the appalling practice of puppy farming and the announcement that it will prosecute individuals who sells puppies without a licence which could result in an unlimited fine or being sent to prison for up to six months.
- b) subject to advice from the Council's data protection officer, publish an up-to-date list of licensed dog breeders on its website and provide

contact details for the Animal Welfare Team so that licence details can be verified by customers if desired.

- c) undertake a publicity campaign, at no additional cost to the council, to raise awareness of illegal puppy breeding and signs to look for when buying a puppy that suggest it might come from a puppy farm, and how to report suspicious activity.
- d) instruct the Leader of the Council to write to the Secretary of State for Environment, Food and Rural Affairs reiterating the Council's support for the eradication of puppy farming.

was carried following a debate and vote.

(During the debate on the amendment, the meeting adjourned at 7.44 pm and resumed at 7.55 pm)

Council debated the substantive motion. During this debate, Councillor Rennie clarified for members that the term "licensed dog breeders" in the substantive motion referred to licensed dog breeders in the Borough.

Following a vote, the substantive motion was carried. It was therefore,

RESOLVED that Council:

- a) welcome the Government's continued efforts to eradicate the appalling practice of puppy farming and the announcement that it will prosecute individuals who sells puppies without a licence which could result in an unlimited fine or being sent to prison for up to six months;
- b) subject to advice from the Council's data protection officer, publish an up-to-date list of licensed dog breeders on its website and provide contact details for the Animal Welfare Team so that licence details can be verified by customers if desired;
- c) undertake a publicity campaign, at no additional cost to the council, to raise awareness of illegal puppy breeding and signs to look for when buying a puppy that suggest it might come from a puppy farm, and how to report suspicious activity; and
- d) instruct the Leader of the Council to write to the Secretary of State for Environment, Food and Rural Affairs reiterating the Council's support for the eradication of puppy farming.

49 Special Urgency Decisions / Special Urgency Quarterly Report

There were no special urgency decisions for consideration by Council for this meeting.

50 Acceptance of Minutes

Proposed by Councillor Sceal and seconded by Councillor Denton, it was

RESOLVED that the minutes of the Committees held since the last meeting of Council be received.

The meeting commenced at 5.30 pm and concluded at 8.03 pm

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Chairman

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Item 9 – Questions Received under Standing Order 27.4.1

	Question From	Question to	Question
1	Councillor Coates	Councillor Rennie	<p>'Some Members may already be aware of the large-scale 80th Anniversary D-Day event being planned on Hayling Island on Thursday 6th June 2024. The Royal Marine Concert Band are now confirmed and a Spitfire and Red Arrows flyover planned, along with combined displays from the emergency services and military, with open-top buses taking visitors to and from Ferry Point. Hayling's beacon will be the second to be lit, after our neighbours on Portsea Island, and various VIPs will be in attendance.</p> <p>I'd be grateful if the Leader could publicly confirm the support he has given the event to date and, moving forwards, will the Council be doing their best to highlight the important role our Borough played during World War Two in the build up to the 80th Anniversary of D-Day, so residents and young people in particular are aware of the role our Borough played in defeating fascism and reinstalling democratic freedom and tolerance?'</p>
<p>Reply:</p> <p>Thank you very much to Councillor Coates for highlighting this event, and the important anniversary it commemorates. As the Councillor is aware, I am meeting parties involved in this matter soon, and will be pleased to discuss matters with them, at that time, as I would with any group that wished to plan an event to mark a key occasion.</p> <p>The efforts being made by so many to recognise both the 80th Anniversary of D-Day, and the role of Hayling Island are very important and I'm sure will supplement the national events taking place in Portsmouth.</p> <p>We would continue discussion on any necessary actions on road closures, licencing, risk assessments, insurance, clean up and any other logistical matters. We have a good track record of helping events in the community, and supporting those who want to hold them, and will here. We would only encourage early engagement, to ensure it goes smoothly. And, yes, we would be very pleased to support promotion of such events, and communication of the very rich history which surround them.</p>			

	Question From	Question to	Question
			<p>We would emphasise that, the Council is very proud to recognise and celebrate the contribution made by the people in all parts of the Borough, both in regards to the significant events on and around D-Day, and in all conflicts before and since. We have strong traditions in regards to making such contributions, which continue to this very day, with our overt support for the people of Ukraine, Syria and Afghanistan. In that vein, this support and recognition, extends across the whole of the Borough, both for the 80th Anniversary of D-Day, and commemorative events which follow.</p> <p>I and other Councillors look forward to discussing this event, and others planned, in the coming months.</p>
2	Councillor Munday	Councillor Fairhurst	<p>With regard to the essential repairs to Langstone sea wall, we appear to have reached something of an impasse with Natural England. They are currently refusing to allow us to make repairs to the sea wall because it contradicts their policy of 'managed retreat' allowing the sea to take over coastline in Chichester harbour in order to protect the biodiversity of the Harbour.</p> <p>In order to strengthen our case that Langstone Millpond has a particular value to wildlife and our residents, could we please ask our legal team to investigate any precedents where Natural England have made special allowances?</p>
			<p>Reply: Natural England (NE) have stated that they would not be likely to assent a public body, or consent an owner / occupier, to make repairs to the sea wall from Langstone Mill Pond to Wade Lane. NE assent / consent would be required for any maintenance repairs at this location, given its proximity to the Chichester Harbour Site of Special Scientific Interest (SSSI). In addition, a Flood Risk Activity Permit, and Harbour Works Licence would be required from the Environment Agency and the Chichester Harbour Conservancy respectively. Our webpages here have further details: https://coastalpartners.org.uk/langstone-coastal-path-consenting-guide</p> <p>Natural England have strongly advised the Council that they believe it to be much better to work collectively to agree longer term solutions such as roll-back of the footpath, and do not see a necessity for costly and potentially environmentally damaging repairs, either in the short or long term, to the sea wall. Similar strong views supporting the adaptation of the harbour, rolling back the footpath, have been expressed by the Environment Agency, Chichester Harbour Conservancy, and Rebecca Pow MP, Minister for Environment, Quality and Resilience. Reasoning for this advice is that Natural England published their Condition Review of the Chichester Harbour intertidal, subtidal and bird features in February 2021, which were assessed as unfavourable declining condition.</p>

	Question From	Question to	Question
			<p>This was largely attributed to the continued loss of the extent of the saltmarsh and poor-quality saltmarsh and mudflat habitat, partly attributable to coastal defences causing coastal squeeze. HBC has also found from stakeholder responses that all our partners support the need for a Chichester Harbour Investment and Adaptation Plan to take a harbour wide approach to coastal management in the Harbour. https://issuu.com/coastalpartners/docs/letters?fr=xKAE9_zU1NQ .</p> <p>Given this level of strong advice from our regulatory partners, officers consider it unwise for HBC to seek ascent, a works licences, and flood risk activity permit for maintenance works, which would have a high probability of being refused. (A good comparison of a similar situation would be a planning applicant receiving pre-app advise and not taking the advice into account.) Furthermore, we are not aware that Natural England have a “policy of managed retreat”. What is clear from their reply to the leader is that they have a position of not supporting works that continue to extend the loss and decline of the saltmarsh and support longer term solutions such as “roll-back”.</p> <p>Considering the above it is not considered a good use of legal resources to ask them to investigate Natural England’s position. In addition, it is expected that any investigation would conclude with the latest local case in Chichester Harbour at Colner Creek, whereby the Secretary of State upheld Natural England’s decision to not grant consent to sea wall repairs, over which a public footpath also ran.</p> <p>Chichester Harbour Conservancy have now appointed an independent consultant to produce a technical report into the sea defences from Langstone Mill Pond to Wade Lane and this is expected to be published in the Autumn.</p>
3	Councillor Philippa Gray	Councillor Robinson	<p>It is concerning to see so much time and effort spent dealing with travellers who choose to stop at undesignated places around the Borough. The situation is untenable because it creates problems for residents, officers and Travellers and local businesses. I’m told that each “eviction” takes 10-14 hours of officer time, plus that of police and councillors and so far this summer there have been 12 such incidents.</p> <p>In addition to the actual number of incidents, residents say that it is the possibility of travellers stopping on undesignated land that creates anxiety – as much, if not more than when an actual encampment takes place.</p>

	Question From	Question to	Question
			<p>It is also the case that most traveller groups only want to stay for very short periods as they are passing through the area.</p> <p>Can we look for better ways to manage encampments?</p>
<p>Reply:</p> <p>The Council has commissioned an updated Gypsy, Traveller and Travelling show people accommodation assessment as part of the new Local Plan – Building a better future. This assessment will show the need for any permanent and/or transit sites in the borough and if so, what size they should be. The Local Plan will then respond to this robust, up to date evidence base when allocating sites. That is the approach way to determine if and where an authorised transit site should be set up in the borough.</p> <p>If the Council has an authorised encampment site, then potentially the need to carry out the current eviction process could be streamlined, but not eradicated completely. If following the local plan process it is shown that there is a need for transit sites, it doesn't always follow that travellers would use this site exclusively.</p> <p>It does take a significant amount of time to currently service each encampment, however the provision of an authorised encampment site is likely to be more expensive to manage and maintain than the current process. As well as visiting the encampments to carry out evictions the Council also carry out welfare checks, particularly where children are involved, and offer advise about how to dispose of their waste.</p> <p>The Councils current process in dealing with encampments is as quick and efficient as the law currently allows. At a recent briefing on Crime and Anti-Social Behaviour in the Borough, Chief Inspector Rahman commented, and I quote “the way things are done in Havant is gold standard.”</p> <p>For this reason, we have been approached by neighbouring authorities to understand how we deal with the issue and if we could provide our services on their land.</p>			