

## HAVANT BOROUGH COUNCIL

At a meeting of the Council held on 13 November 2019

Present

Councillor Patrick (Mayor)

Councillors Jenner, Inkster, Patel, Thain-Smith, Robinson, Bains, P Bains (Deputy Mayor), Bowerman, Briggs, Branson, Carpenter, Crellin, Davis, Francis, Guest, Hart, Howard, Hughes, Keast, Lowe, Lloyd, Pike, Rennie, Mrs Robinson, Satchwell, Seal, Scott, Mrs Shimbart, Turner, Wade, Weeks and Wilson

### **26 Apologies for Absence**

Apologies were received from Councillors, Kennett, Milne, Raines, Smith and Thomas.

### **27 Declarations of Interests**

There were no declarations of interest.

### **28 Minutes**

Proposed by Cllr Francis and seconded by Cllr Satchwell, the minutes of the previous meeting held on 25 September 2019 were confirmed and signed as an accurate record, subject to the inclusion of the below answer to Question 5 on page 4, which had been omitted:

‘The Council is always looking for opportunities to reduce our carbon footprint that are also financially sustainable. It is exciting times as many new technologies emerge to address the very pressing issue of climate change. An example is HERU (<https://www.myheru.com/>) which create energy from waste to heat individual homes. Havant Council will use its limited land holdings for carbon reduction alongside development wherever possible. One Council owned site that is currently being considered is Brockhampton West where a solar farm could be a short/medium term use until a longer term solution becomes viable. The emerging Local Plan policy E12 seeks a reduction in carbon dioxide emissions in all new homes and non residential developments.’

### **29 Mayor's Report**

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

### **30 Appointments**

Council noted the following casual changes to committee appointments made by the Leader since the last meeting of Council:

- (i) Licensing Committee – Councillor Weeks appointed to the vacant Conservative seat;
- (ii) Five Councils Corporate Services Joint Committee – Councillor Briggs appointed to the vacant seat;
- (iii) Governance, Audit & Finance Board – Councillor Briggs to replace Councillor Kennett as both a board member and Chairman; and
- (iv) Cllr Thomas appointed as a Standing Deputy to the Development Management Committee.

### **31 Public Questions under Standing Order 13.4(f)**

There were no public questions.

### **32 Cabinet/Board/Committee Recommendations**

Proposed by Cllr Bowerman and seconded by Cllr Hughes it was RESOLVED that the following changes to Polling Districts, Polling Places and Polling Stations within Havant be agreed:

- (i) Emsworth – Havant Road – No's 1 – 19, 33 – 41 odds, 12 – 16, and 30 evens – move from EC to EE;
- (ii) Emsworth – Convent Lane – No's 1, 2, 3, 4, 7, 10 and 12 – move from EC to EE;
- (iii) Emsworth – Hollybank Lane – move all properties to EB; and
- (iv) All other Polling districts and Polling places will remain the same as 2019 elections.

### **33 Note the approach and Timetable for the Constitutional Review**

Proposed by Cllr Bowerman and seconded by Cllr Turner, Council NOTED:

- (i) the draft contents page at appendix 1;
- (ii) the draft timetable for delivery at appendix 2; and
- (iii) the approach to the drafting of the Havant Borough Council Constitution as set out in appendix 3.

### **34 Appointment of the S151 Officer**

The Director of Corporate Services left the meeting during consideration of this item.

Proposed by Councillor Wilson and seconded by Councillor Satchwell, it was

RESOLVED that:

- (i) the appointment of Lydia Morrison (Director – Corporate Services and Chief Finance Officer) to the statutory post of S151 Officer be ratified; and
- (ii) the post of Chief Finance Officer (S151) be linked to the Director of Corporate Services post.

### **35 Leader's Report**

The Leader had nothing to add to his published report.

### **36 Cabinet Lead Reports**

Cllr Bains updated Council on the caseload for Planning Enforcement and advised that an article outlining their work and how it was prioritised would be included within the next Councillors' Newsletter.

Cllr Hughes thanked officers and NORSE SE for their work in successfully delivering the new waste contract to East Hampshire District Council and introduced Robert Guy who had joined NORSE SE as Operations Director on 4 November 2019.

After having the honour of being the Council's Armed Forces Champion for four years, he confirmed that Cllr Thain-Smith had agreed to take on the role going forward.

### **37 Cabinet Leads and Chairmen's Question Time**

At the invitation of the Mayor, the Cabinet Leads took questions from members of the Council in relation to their published reports.

There were no questions for the Committee Chairmen.

### **38 Questions Under Standing Order 23**

Questions received under Standing Order 23 and their related responses are set out below:

#### **Question 1 from Councillor Lloyd to Councillor Pike**

Would you agree with me that:

- building affordable homes for the more than 1600 Havant Borough residents who are currently on the Hampshire Homes Choice list, together with
- protecting the environment and considering what we should and should not do regarding climate change,

are the most important topics on our list of priorities as a competent Local Authority?

*Response: Yes, those are two of the most important goals of this administration. We have plans in place to address both of these, for example, our Regeneration Strategy and Local Plan 2036, which we are looking to progress as swiftly as we can. Whilst some would say that your two topics are mutually exclusive, I would suggest that we can build the new homes that this Borough needs whilst also enhancing the natural environment and that it is perfectly possible to do both at the same time. I believe that our strategies show we can do this.*

### **Question 2 from Councillor Lloyd to Councillor Pike**

And would you also agree that this Council and other neighbouring Local Planning Authorities - whose wastewater / effluent is discharged into The Solent, a Special Area of Conservation - are between a rock and a hard place, because:

- we have no option but to determine planning applications, even though in Natural England's view *there's a likely significant effect on the designated European sites due to the increase in wastewater from new developments*, because a developer can bring about a judicial review for non-determination, and this Council would find itself in special measures, meaning the government's Inspectorate would step in and we'd lose control over our Local Plan,
- that we are facilitating the building on our few remaining green fields by applying new mitigation tariffs (a sum of money payable by the developer) under the terms of the Position Statement on nutrients neutrality adopted by this Council (through delegated authority given by the Cabinet) so that we're not subject to a JR or at risk of missing our housing target numbers, and most importantly
- that the mitigation tariffs required for development of brownfield sites would be significantly higher than those for green field sites

*Response: It is certainly true that the recent European Court of Justice ruling which has led to Natural England's recent advice requiring new development at the Solent to be 'nutrient neutral' has some perverse implications. This includes making it more attractive to develop greenfield, agricultural sites compared to brownfield regeneration sites. We did not seek, nor did we invite this issue.*

*It should be noted that looking to development to address the issue of eutrophication on its own ignores the impact from other sources, which far outweigh the impact from waste water treatment works. This means we are in danger of the issue not being addressed holistically*

*if we only look at the impact of new development. Councillors should be aware that we trying to work across the Partnership for South Hampshire area to deliver a common response, and also regarding lobbying government over the implications of the ruling for housing targets.*

*These reasons illustrate why we are looking to develop a pragmatic solution to this issue as swiftly as possible and I'm appreciative of the Operations and Place Shaping Board's role in that process.*

### **Question 3 from Councillor Lloyd to Councillor Pike**

Do you accept that the implications of the Position Statement mean we are enabling developers to build on sites that are currently green fields, while the likelihood of development of our brownfield sites for badly needed homes in town centres, is now even more remote?

*Response: No, in that it is not the Council's Position Statement that has created this situation, it is the ECJ ruling and Natural England's advice to local planning authorities. The position statement simply acknowledges the legal position that we find ourselves in.*

*We are working hard to put in place an updated position statement that gives developers more certainty and unlocks the regeneration of urban brownfield sites. We will publish that document as soon as we are able to.*

### **Question 4 from Councillor Lloyd to Councillor Pike**

Will you commit to the members of this Council that you will lobby central government vociferously to get our housing numbers reduced (because of our unique geographical position being adjacent to the Special Area of Conservation and Special Protection Areas) so that we can concentrate on our regeneration programme, to improve our town centres providing homes for our residents already living within the Borough, who need more suitable and affordable housing, while at the same time, protecting the few open spaces of green fields remaining in the Borough, for the good of the environment and our residents present and future?

*Response: There has already been lobbying of central government regarding this issue and I'm pleased that it is being taken extremely seriously with meetings having taken place between our officers and MHCLG as a direct result of the lobbying of this Council. This will be continuing and the Leader is in the process of writing to Government again regarding the five year supply requirements of the NPPF and seeking a relaxation of that for any Councils affected by this issue.*

*Lobbying has also taken place from the Partnership for South Hampshire. It is essential that we work together with our neighbouring authorities on cross boundary issues such as this.*

*However Government will not change the standard methodology for calculating housing need specifically for us. In seeking specific 'asks' from Government, it is essential that we*

*focus on what has any likelihood of being granted and is practical. This is what we have done and will continue to do.*

*May I conclude by saying that we have a draft Local Plan that seeks to achieve all the things Cllr Lloyd mentions, and officers and I continue to work to get that plan adopted as swiftly as possible.*

**39 Urgent Questions Under Standing Order 23**

No urgent questions had been received under Standing Order 23.

**40 Acceptance of Minutes**

Proposed by Councillor Branson and seconded by Councillor Wilson it was

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

**The meeting commenced at 5.00 pm and concluded at 5.47 pm**

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**Mayor**