

**Cabinet Lead for Planning, the Environment inc. Water Quality and
Environmental Health –**

Councillor Elizabeth Lloyd

1. Local Plan

- 1.1. Work is progressing on the evidence base to support the Draft Building a Better Future Plan, which will be considered by Members for consultation later this calendar year. This aligns with the Local Development Scheme which was published late in 2023 and is available at www.havant.gov.uk/planning-services/planning-policy/local-plan/local-development-scheme-lds.
- 1.2. To enhance the member oversight of this key corporate project, a cross party Local Plan Working Group has been set up. This group will provide key oversight and expertise to officers developing the plan as it moves forward. The Working Group will ensure that the Council's key priorities are reflected into the Plan alongside the latest updates from Government. The Group is to be chaired by the Chair of the Planning Policy Committee with membership made up of the members of that committee. Following a request from all members, one additional member has been requested and granted membership of the Working Group. Any further members who would wish to be on the Working Group should approach the Chair.
- 1.3. Changes were introduced in December 2023 to the National Planning Policy Framework (NPPF). The changes which were introduced are relatively minor in nature and are not considered likely to materially impact on the development of the new Local Plan. They will nonetheless be considered by officers as policies are developed. Alongside this, there was also a Written Ministerial Statement made on 13 December 2023 regarding 'Planning – Local Energy Efficiency Standards Update'. This clarified the Government's approach towards energy efficient housing through the Future Homes Standard, which has been introduced through the Building Regulations and will be further improved upon in 2025.
- 1.4. Through the statement, it was clarified that Government does not expect local plans to set local energy efficiency standards for buildings that go beyond current or planned building regulations. Any policies which propose local

standards that do go beyond the Future Homes Standard would be rejected at examination if they do not have a well-reasoned and robustly costed rationale. This will need to ensure that development remains viable and the impact on affordable housing is considered. Additionally, that the requirement is expressed in line with conventional metrics of assessing carbon emissions from buildings. The provisions of the Statement will be considered as the evidence base for the new plan is developed and policies prepared.

2. Development Management

Workloads and performance

- 2.1. The team continues to maintain a high level of application performance, with all categories of planning application (major, minor and other) being determined at rates significantly better than the Government's standards during Q1 - Q3 of 2023/24.
- 2.2. Pre-application numbers also continue to run at a high level – with over 800 enquiries of all types received by the team during Q1 - Q3 of 2023/24.
- 2.3. Following a successful recruitment drive at the end of 2023, staffing levels have returned to normal in the Business Support team, and the benefits of this are being seen with significant inroads being made into the backlog of planning application validation.

Casework

- 2.4. Whilst a large number of significant planning applications remain under consideration by the team, the start of the year has seen positive Committee resolutions and planning permissions issued in respect of a number of major developments including Land at Cowplain School, Waterlooville (64 bed care home and 6 dwellings); Southleigh Park House, Havant (41 dwellings); Former Dairy Crest Depot, Leigh Park (74 dwellings); and Land on the east side of Helmsley House, Havant (78 bed older persons care home).
- 2.5. The team is also working to roll out the new requirements for Biodiversity Net Gain legislation as set out above.
- 2.6. Dealing with 792 planning and tree works applications this year, excluding discharge of conditions.

2.7. The Council has reviewed its fees developers pay to access pre-application advice from the Council. For larger developments these have been increased and are now in line with nearby authorities. We have capped increases for householder development at 6.7% in line with other fee increases.

3. Planning Enforcement

3.1. The service continues to work through a complex caseload of planning enforcement queries.

3.2. The team updated Members of the Overview and Scrutiny Committee in January on progress that is being made to integrate the service into the Place directorate and to implement new processes and procedures that will deliver a more effective service and better outcomes for our residents. This includes our new approach to case management and training. The service has also successfully recruited a very experienced Senior Enforcement Officer to lead the team.

3.3. As reported at OSC 148 enforcement cases have been closed since September 2023 with the Council currently having 48 live investigations.

4. Climate Change and the environment

4.1. As was reported to Cabinet in November through the Climate Change and Environment Panel Update, Ashden Climate Solutions delivered a series of workshops with officers and members examining the Council's approach to climate change. This is now being progressed into a review of the Council's Climate Change and Environment Strategy by the end of 2024.

4.2. It is critical though that the review of the strategy is done in a collaborative way, working with our local communities. In the new municipal year, we will be progressing the engagement on the strategy, starting with a focussed citizen forum before a wider consultation on the strategy later in the year.

4.3. In the meantime, individual projects linked to our climate change response are being progressed. This includes the development of ten active travel projects at either feasibility or delivery stage, building on the success of the recently opened Elmleigh Road scheme.

- 4.4. Following approval of the budget at Full Council in February the Council will be recruiting into the new Climate Change Coordinator post.
- 4.5. Biodiversity Net Gain, which is a national initiative emanating from the Environment Act, came into force in on 12 February for new major planning application. From 2 April this will also come into force for smaller sites with nationally significant infrastructure from late 2025. Biodiversity Net Gain will ensure that all relevant development schemes leave the natural environment in a demonstrably better state than before – contributing to not only preventing further ecological losses but to create tangible gains.
- 4.6. We are in the process of updating our application requirements, to ensure that Biodiversity Net Gain is considered appropriately through the planning application process. We will be engaging with the development industry on this in due course. Further information is available on the Council's website at www.havant.gov.uk/node/8555/biodiversity-net-gain and this will continue to be updated as the rollout of the initiative continues.

5. Environmental Health

- 5.1. At Cabinet on 6 March 2023 we presented a summary of the findings of the Langstone Harbour water quality testing that was carried out by the Council during June to October 2023. The results have been independently verified and are to be published.
- 5.2. As Cabinet Lead for Planning, Environment and Water Quality I will be writing to partner agencies calling for further action to protect water quality in Langstone Harbour including calling on Southern Water to provide additional investment in infrastructure and on the Environment Agency to expand their current testing regime to sample recreational waters as well as designated bathing waters. Portsmouth City Council has confirmed that they will be supporting our approach.
- 5.3. I like to thank Les Glass, who works in the Private sector housing Team, for his 46.5 years of service with the Council. I wish him a long and happy retirement.
- 5.4. Other achievements that have achieved are the following:

Private Sector Housing

- Investigated 226 housing complaints in the past 12 months
- Served 17 housing notices in the last 12 months.
- Issued 4 fines amounting to £12,750.00 relating to concerns about Electrical Safety.
- We have approved 126 Disabled Facilities grants this financial year and spent £1.658 million

Pollution Team

- Investigated 674 complaints and queries in the past 12 months.
- Submitted and had approved the Air Quality report for 2022 and 2023.
- Dealt with 17 Public welfare burials cases in the past 12 months.
- Reviewed and commented on 201 Planning applications, in the last 12 months, (these will look at issues of noise, excessive light and contaminated land concerns).
- Reviewed and commented on 199 Licensing consultations, in the last 12 months,

Pest control

- In the past 12 months 359 rat treatments have been completed.
- The service continues to bring income from commercial contracts and investigation on PCC blocks or flats and houses (communal areas).

Food and Safety

- Completed inspections in line with the FSA (Food Standards Agency) local recovery plan (post Covid).
- Since April 2023 to present day 259 premises received an inspection – both programmed and new premises/businesses.
- Since April 2023 118 New Premises Registered
- 58 food and food premises complaints dealt with.
- 17 Health & Safety premises complaints and accident cases that received investigation.

Animal Welfare

- Awarded with a Silver RSPCA Paw Prints Award for our stray dog service.
- Reunited 18 stray dogs with their owners.
- Successfully found rescue places for 12 stray dogs.
- Provided our customers with up-to-date advice and guidance on compliance with the Government's ban on XL Bully type dogs, and responded to several abandoned or straying XL bully types.
- Employed a full time Senior Animal Welfare Officer.
- Undertaken a comprehensive review of the customer journey for applicants and licensees, including a full review of the website, application forms and guidance documents for licensees.
- The service has caught up on all overdue licence inspections.

6. Licensing

6.1. Reviewing the items Licensing have achieved this recently, these include the following:

- Undertaken a comprehensive review of our key policies, including the Hackney Carriage and Private Hire Licensing Policy, Statement of Licensing Policy (LA2003), Statement of Principles (GA3005), and Street Trading Policy.
- Successfully implemented 6-monthly DBS checks and mandatory safeguarding training for all taxi and private hire drivers.
- Completed two successful taxi enforcement operations in partnership with Hampshire Constabulary and Portsmouth City Council, proactively stopping licensed vehicles to inspect for defects.
- Completely revitalised the process for applying for street trading consent, including adopting the relevant legislation, adopting a new policy, revising application forms and working with Public Relations to improve our messaging to the public.
- Supported community groups and a community centre with obtaining relevant licences for their events.

7. Building Control

- 7.1. The Council continues to work to implement new legal requirements coming into force in April 2024 that will make Building Control a regulated profession. Only Building Control staff who are registered at the appropriate class will be able to carry out Building Control work.
- 7.2. This core work is defined as 'restricted activities' (checking Building Regulation applications and carrying out site inspections) and 'restricted functions' (which includes advising the Council on enforcement and the issuing of all legal documents such as Building Regulation approvals, rejections and completion certificates). Carrying out this work without the appropriate registration will become a criminal activity.
- 7.3. The new register for Building Control Surveyors has been open since October 2023, but prior to being able to register Surveyors must validate their competence through a new process that includes a detailed submission of evidence followed by an interview or exam. Existing professional qualifications such as being a Chartered Surveyor are not adequate for registration.
- 7.4. Because of the significant numbers of Surveyors (there are approximately 4,500 Building Control Surveyors in the country) going through this new process in a short space of time there is a bottleneck in getting competence validated. Of the nine Surveyors within the Building Control partnership who need to undertake validation, one has been through the whole process and is awaiting results, five have had their submissions accepted and are being examined or interviewed towards the end of the month, two await acceptance of their submissions and one is off long-term sick and has not started the process. There is a risk to the Council that if no Surveyor has validated competence and registered by the 6 April the Council would not be able to carry out its statutory functions of enforcing the Building Regulations without breaking the law and would therefore need to buy in support by way of a registered Surveyor from another Building Control body. This assumes however that other Building Control bodies have enough registered Building Control Surveyors and capacity to support.
- 7.5. Whilst this risk exists it is considered to be reasonably low. Nearly all Councils across the country are in a similar position. The current pass rate for

the validation exam is approximately 70%. Therefore, it is likely that by April 6 sufficient numbers in the team will have passed and be able to register to ensure the service can continue to operate. The service may even be in a position where it can use this situation as a commercial opportunity and sell support to other Councils who do not have sufficient numbers of registered Surveyors. However, this will be dependent on the number of Surveyors that have been able to successfully complete the process.

- 7.6. On a day-to-day operational basis the service continues to perform well, hitting all targets and key performance indicators. It has also reduced the number of complaints it receives, with no complaints to Havant Borough Council in the last 6 months.