

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Council

**Date:** Thursday, 28 July 2022

**Venue:** Council Chamber - Civic Offices

**PRESENT:**

M J Ford, JP  
(Mayor)

F Birkett  
(Deputy Mayor)

**Councillors:** Ms C Bainbridge, I Bastable, Mrs S M Bayford, R Bird,  
Mrs P M Bryant, Miss J Bull, Ms F Burgess, Mrs L E Clubley,  
M R Daniells, S Dugan, Mrs T L Ellis, D G Foot,  
D J Hamilton, Miss T G Harper, Mrs P Hayre,  
Mrs C L A Hockley, S Ingram, Mrs K Mandry,  
Mrs J Needham, P Nother, Ms S Pankhurst, Mrs K K Trott,  
N J Walker, Mrs S M Walker and S D T Woodward



**1. PRAYERS**

The meeting commenced with a short service of prayer led by lay preacher, June Ward.

**2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J M Englefield, N R Gregory, Mrs J Kelly and S D Martin.

**3. MINUTES**

RESOLVED that the Mayor be authorised to sign, as a correct record, the minutes of the meeting held on 16 June 2022, subject to the correction of the start and finish time of the meeting being 6:00pm and 6:27pm respectively.

**4. MAYOR'S ANNOUNCEMENTS**

The Mayor announced that the first Tea Party of the municipal year would be held in the parlour on Thursday 15 September with the speakers being from GAFIRS (Gosport and Fareham Inshore Rescue Service), one of the Mayor's chosen charities.

**5. EXECUTIVE LEADER'S ANNOUNCEMENTS****CIPR Excellence Awards**

The Executive Leader was delighted to confirm that the Council has received another award.

The Executive Leader stated that the Chartered Institute for Public Relations is the only Royal Chartered body for public relations professionals in the world. The CIPR Excellence Awards have been running for almost 40 years and are firmly established as the most prestigious awards in the public relations industry. They not only reflect best practice in communications but also the phenomenal work of public relations practitioners around the globe.

The Executive Leader announced that the CIPR Excellence Award for Best Public Sector Campaign, was presented to Fareham Borough Council for its Clip and Collect campaign, promoting the garden waste subscription service. The judging panel recognised the significant results delivered against a set of smart and clear objectives, proving that it is possible to make a traditional campaign extremely impactful. They were also impressed with how the Communications Team used Council data underpinned by the right creative treatment to reach our target audiences. The campaign also leveraged existing partnerships and local organisations, including local students from Fareham College, to demonstrate excellent value for money and return on investment.

The Executive Leader expressed thanks to the Communications Team for delivering this campaign as he presented this prestigious award to the Mayor on behalf of Fareham Borough Council.

### Solent Freeport

The Executive Leader advised that he has written to the Solent LEP regarding the work on the Solent Freeport pointing out that the Council would value a discussion about the potential for Solent Airport to be considered as a Solent Freeport Customs site. The £4.7m future investment programme recently identified at Solent Airport (in addition to the £34m that this Council has already invested) will provide many of the facilities that could enable international freight movement over the next couple of years. In addition, Solent Airport can offer a key competitive advantage as it has no aircraft slot constraints compared to other major cargo airport operations in the South of England and across the UK.

In particular, there are two undeniable elements to the proposition:

- First is the opportunity to offer the region a competitive advantage in international freight movements from Solent Airport
- Second is the strategic employment development on the wider Enterprise Zone which together will deliver c. 100,000 square metres of employment floorspace over the next 10-15 years. Given the economic activity and jobs that this will generate in this coastal community, we feel its importance to the Solent Freeport should be recognised.

The noticeable gap on the map of the Freeport could be neatly filled by recognition and inclusion of Solent Airport and wider Solent Enterprise Zone at Daedalus in between the two cities. Moreover, in the context of the Government's Levelling Up agenda, the site's cross-border location into Gosport can equally not go unnoticed.

### Additional CAT Meeting

The Executive Leader announced that he would be holding an additional CAT meeting in early September on the subject of Solent Airport, to be held in the Bridge Conference suite at the Innovation Centre.

This follows on from the pre-planning consultation on Aeronautical Ground Lighting at the airfield and is prior to the planning application being made.

The Executive Leader advised that there would be a public exhibition from 4pm covering all subjects concerning Daedalus and Solent Airport with the CAT meeting commencing at 6pm.

## **6. EXECUTIVE MEMBERS' ANNOUNCEMENTS**

### **Executive Member for Planning and Development**

In the absence of the Executive Member for Planning and Development, at his request, an announcement regarding Nutrient Neutrality was tabled at the meeting, as follows:

### Nutrient Neutrality

In February 2019, Natural England highlighted the impacts of increased levels of nitrates (carried in wastewater from new dwellings) entering The Solent. Natural England further advised that where new residential development results in increased levels of nitrates leaving a site, mitigation should be secured by the applicant/ developer before planning permission is granted. This is often referred to as achieving nitrate or nutrient neutrality.

As a result of Natural England's advice, the Council is required to undertake an Assessment (known as a Habitat Regulations Assessment) on all applications for new housing within the Borough. Where the Assessment shows there would be an increased in nitrates leaving a site, the Council requires applicants to provide or secure mitigation before planning permission is granted. When a developer doesn't provide or secure mitigation, the Council is required to refuse the application.

When Natural England first issued its advice on nitrates, it had a major impact upon the ability of this Council to grant planning permission for new residential development. For approximately 18 months, this Council was unable to permit most planning applications for new residential development.

One of the ways in which the impact of nitrates arising from new housing can be mitigated, is by taking land out of agricultural use and putting the land to alternative uses including re-wilding and tree planting. This Council's Officers worked closely with a number of landowners to enable their land to be used for nitrate mitigation and maintained for this purpose in perpetuity.

The Council takes its responsibility to safeguard The Solent, which has international importance for wildlife, extremely seriously. It has gone to great lengths to develop a strategy, which includes putting land to alternative uses to achieve nitrate neutrality. This protects the wildlife habitats in The Solent, whilst enabling the homes to be built that the Government has required the Borough to accommodate.

Members will be further aware that Brook Avenue Residents Against Development (BARAD) have challenged the Council's decision to grant planning permission to build 8 dwellings at Egmont Nurseries site in Brook Avenue, Warsash, through the Courts. BARAD challenged the granting of the planning permission on the grounds that the Council had not complied with relevant planning and habitats legislation.

BARAD's first challenge was dismissed by the High Court on the 28<sup>th</sup> May 2021. Having considered extensive evidence from those bringing the legal challenge, the Council and Natural England, the High Court concluded that the approach taken by the Council to mitigating the effects of nitrates on The Solent was legally sound.

BARAD continued to challenge the Council's decision to grant planning permission through the Court of Appeal. On the 15<sup>th</sup> July, 2022, the Court of Appeal handed down its judgment unanimously dismissing BARAD's appeal. The Court was again satisfied that the Council's decision making had been legally sound.

BARAD have been ordered to pay the Council £10,000 towards its costs within 56 days of the Court's decision.

### **Executive Member for Health and Public Protection**

The Executive Member for Health and Public Protection announced that she was sure most Members were aware of the recent traveler invasion with over 22 caravans and vehicles arriving at Wicor rec in Portchester, at a time when AFC Portchester were due to hold a tournament with an expected attendance of over 10 thousand people coming from far and wide.

After a meeting with Fareham's District Commander, the police agreed to use their section 61 powers and the situation was turned around within 24 hours with the site cleared and she was pleased to say the tournament went ahead.

The Executive Member for Health and Public Protection acknowledged the efforts and teamwork of the Council, the Police and support from Donna Jones, the Police and Crime Commissioner.

The Executive Member for Health and Public Protection stated that, for once, she had enjoyed reading social media comments filled with gratitude to the Council and the local Councillors and that it goes to show, anything is possible with teamwork!

### **Executive Member for Housing**

The Executive Member for Housing had pleasure in advising that the full planning application for the redevelopment of Assheton Court has been submitted to the Local Planning Authority for their consideration. As Members will be aware, this proposal seeks to replace the existing 33 sheltered flats with a larger, modern, and more accessible 60 unit sheltered scheme. Through the planning process the public are now able to submit representations on the proposal.

## **7. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

## **8. PRESENTATION OF PETITIONS**

There were no petitions presented at this meeting.

## **9. DEPUTATIONS**

There were no deputations given at this meeting.

## **10. REPORTS OF THE EXECUTIVE**

(1) Minutes of meeting Monday, 4 July 2022 of Executive

RESOLVED that the minutes of the meeting of the Executive held on Monday 04 July 2022 be received.

## **11. REPORTS OF OTHER COMMITTEES**

- (1) Minutes of meeting Wednesday, 15 June 2022 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday 15 June 2022 be received.

- (2) Minutes of meeting Wednesday, 6 July 2022 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on 06 July 2022 be received.

- (3) Minutes of meeting Wednesday, 13 July 2022 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday 13 July 2022 be received.

- (4) Minutes of meeting Monday, 27 June 2022 of Licensing and Regulatory Affairs Committee

RESOLVED that the minutes of the meeting of the Licensing and Regulatory Affairs Committee held on Monday 27 June 2022 be received.

- (5) Minutes of meeting Thursday, 7 July 2022 of Audit and Governance Committee

RESOLVED that:

- (a) the minutes of the meeting of the Audit and Governance Committee held on Thursday 07 July 2022 be received; and
- (b) the Council approves the updates to the Constitution as set out in Part Two.

## **12. REPORTS OF THE SCRUTINY PANELS**

- (1) Minutes of meeting Tuesday, 7 June 2022 of Leisure and Community Scrutiny Panel

RESOLVED that the minutes of the meeting of the Leisure and Community Scrutiny Panel held on Tuesday 07 June 2022 be received.

- (2) Minutes of meeting Wednesday, 8 June 2022 of Planning and Development Scrutiny Panel

RESOLVED that the minutes of the meeting of the Planning and Development Scrutiny Panel held on Wednesday 08 June 2022 be received.

- (3) Minutes of meeting Tuesday, 21 June 2022 of Health and Public Protection Scrutiny Panel

RESOLVED that the minutes of the meeting of the Health and Public Protection Scrutiny Panel held Tuesday 21 June 2022 be received.

(4) Minutes of meeting Thursday, 23 June 2022 of Daedalus Scrutiny Panel

RESOLVED that the minutes of the meeting of the Daedalus Scrutiny Panel held on Thursday 23 June 2022 be received.

(5) Minutes of meeting Wednesday, 6 July 2022 of Streetscene Scrutiny Panel

RESOLVED that the minutes of the meeting of the Streetscene Scrutiny Panel held on Wednesday 06 July 2022 be received.

(6) Minutes of meeting Monday, 11 July 2022 of Policy and Resources Scrutiny Panel

RESOLVED that the minutes of the meeting of the Policy and Resources Scrutiny Panel held on Monday 11 July 2022 be received.

(7) Minutes of meeting Tuesday, 12 July 2022 of Climate Change Scrutiny Panel

RESOLVED that the minutes of the meeting of the Climate Change Scrutiny Panel held on Tuesday 12 July 2022 be received.

**13. QUESTIONS UNDER STANDING ORDER 2.12**

There were no questions submitted for this meeting.

**14. MOTIONS UNDER STANDING ORDER 2.6**

There were no motions submitted for this meeting.

**15. CHANGES TO SCHEDULE OF COMMITTEE MEETINGS 2022/23**

RESOLVED that the Council notes the following changes to the Schedule of Committee meetings for the 2022/23 municipal year:

- (a) that the meeting of the Licensing and Regulatory Affairs Committee scheduled to take place on Tuesday 04 October 2022 will move to Tuesday 11 October 2022;
- (b) that the Council meeting scheduled to take place on Thursday 13 October 2022 will move to Thursday 27 October 2022; and
- (c) that the meeting of the Planning Committee scheduled to take place on Wednesday 16 November 2022 will move to Wednesday 09 November 2022.

**16. APPOINTMENTS TO OUTSIDE BODIES**

RESOLVED that Mrs Frances Knight and Councillor Mrs Connie Hockley be reappointed to the Earl of Southampton Board of Trustees for a further 4 year term of office, effective from the end of the current terms of office which are due to expire in September.

**17. APPOINTMENTS TO COMMITTEES**

There were no changes to the appointments to Committees.

(The meeting started at 6.00 pm  
and ended at 6.26 pm).