

# FAREHAM

BOROUGH COUNCIL

## Minutes of the Policy and Resources Scrutiny Panel (to be confirmed at the next meeting)

**Date:** Thursday, 30 July 2020

**Venue:** Teams Virtual Meeting

**PRESENT:**

**Councillor** Mrs S M Bayford (Chairman)

**Councillor** N J Walker (Vice-Chairman)

**Councillors:** T Davies, M J Ford, JP, Mrs C L A Hockley, L Keeble and J G Kelly

**Also Present:** Councillor S Cunningham (Item 6) and Councillor R H Price, JP (Item 6)



**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. MINUTES**

RESOLVED that the minutes of the Policy and Resources Scrutiny Panel held on 3 March 2020 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that the special Policy and Resources Scrutiny Panel had been convened to consider the Officer Delegated Decision made on 17 July 2020 to approve:

That the Director of Planning and Regeneration enter the Council into a legal agreement with Hampshire and Isle of Wight Wildlife and Isle of Wight Council to secure nitrate mitigation at Little Duxmore Farm in connection with residential planning permissions granted within the Borough of Fareham.

The Chairman informed the Panel that the decision has not yet been implemented because it has been called-in by 2 separate groups of 3 non-Executive members, as per the Council's Constitutional arrangements.

The Chairman explained how the meeting would proceed. She confirmed that Councillors Cunningham and Price would be called upon to present their reasons they had given for the call-in. The Director of Planning and Regeneration would then be invited to explain how the decision on the legal agreement was reached. This would then be followed by any specific questions to officers.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTION**

There were no declarations of interest made at this meeting, however Councillor G Kelly addressed the Panel to confirm that whilst he was one of the signatories of the call-in presented by Councillor Price, he was sitting on the Panel as a member of that Panel and would consider the item with an open mind and would only make his decision when all of the facts have been presented to the Panel.

**5. DEPUTATIONS**

The Panel received the deputations listed below in the format indicated and they were thanked accordingly.

Name	ITEM	Type of Deputation

<b>Mrs P Rook (on behalf of C.H.I.P)</b>	6 – Call-in of Decision 2195	Video
<b>Mrs H Megginson (Lead Petitioner for Save Warsash and the Western Wards)</b>	-Ditto-	In Person
<b>Mrs V Wyatt</b>	-Ditto-	Video
<b>Mr T Haynes</b>	-Ditto-	Video
<b>Mr J Cullingham</b>	-Ditto-	Written
<b>Mr R Holford</b>	-Ditto-	Written
<b>Mr A Ford</b>	-Ditto-	Written
<b>Mr R Megginson</b>	-Ditto-	In Person

**6. CALL-IN OF OFFICER DELEGATED DECISION NO. 2195 - NITRATE MITIGATION - LEGAL AGREEMENT WITH HAMPSHIRE AND ISLE OF WIGHT WILDLIFE TRUST & ISLE OF WIGHT COUNCIL**

The Panel received the deputations referred to in Minute 5 above.

The Panel considered a report by the Head of Democratic Services which outlined the reasons given for the two call-in's of the Officer Delegated Decision regarding the Nitrate Mitigation Legal Agreement. A number of appendices were attached to the report to further assist the Policy and Resources Scrutiny Panel in its review of the decision. Appendix A and Appendix B provided a copy of the call-in notices which cited the grounds for the call-in. Paragraphs 12-16 of the report provides comments on the reasons for the call-in from the Head of Development Management.

The Chairman invited the Solicitor to the Council to address the Panel to clarify the situation with regard to the call-in reason given at point 3.

At the invitation of the Chairman, the Director of Planning and Regeneration joined the meeting and was called upon to advise the Scrutiny Panel of the process undertaken before making the delegated decision. The Director of Planning and Regeneration then answered questions put to him. In accordance with the Council's Code of Conduct, the Director of Planning and Regeneration left the meeting and was not present for the remainder of the meeting.

The Chairman confirmed that having considered all the reasons given for the call-in's, the Policy and Resources Scrutiny Panel now had to consider its options as set out in the report, that being either:

- (a) to accept the decision made by the Director of Planning and Regeneration, in which case the decision can implemented; or
- (b) to request that the Director of Planning and Regeneration reconsiders the decisions, giving the reasons for such a request.

A motion was proposed and seconded to accept the decision made by the Director of Planning and Regeneration and to allow the decision to be implemented which when being put to the vote was declared CARRIED. (5 members voting in favour; 2 against).

RESOLVED that the Policy and Resources Scrutiny Panel accept the decision made by the Director of Planning and Regeneration and to allow the decision to be implemented to:  
Enter the Council into a legal agreement with Hampshire and Isle of Wight Wildlife Trust and Isle of Wight Council to secure nitrate mitigation at Little Duxmore Farm in connection with residential planning permissions granted within the Borough of Fareham.

(The meeting started at 6.00 pm  
and ended at 8.18 pm).