

Minutes of the **Overview and Scrutiny Committee**
of the **Test Valley Borough Council**
held virtually by Microsoft Teams
on 17 February 2021 at 5.30 pm

Attendance:

Councillor Z Brooks (Chairman)

Councillor N Lodge (Vice-Chairman)

Councillor G Bailey

Councillor V Harber

Councillor D Baverstock

Councillor M Hatley

Councillor C Borg-Neal

Councillor N Matthews

Councillor T Burley

Councillor K North

Councillor D Coole

Councillor J Parker

Councillor C Dowden

Councillor A Ward

Councillor N Gwynne

Councillor A Warnes

Councillor K Hamilton

Also in attendance

Councillor N Adams-King

Councillor I Andersen

383

Apologies

No apologies were received.

384

Public Participation

There was no public participation.

385

Declarations of Interest

There were no declarations of interest.

386

Urgent Items

There were no urgent items.

387

Minutes of the meeting held on 20 January 2021

Resolved:

That the minutes of the meeting held on 20 January 2021 were confirmed and signed as a true record.

388

Call in Items

There were no call in items.

389

Urgent decisions taken since last meeting

There were no urgent decisions.

390

Planning Portfolio Holder presentation

The Planning Portfolio Holder gave a presentation on nutrient neutrality including its impact on determining planning applications and managing the process of them being considered at Committee once the nutrient neutrality issue has been resolved.

Nearly all Local Authorities in Hampshire have to mitigate the additional nitrate produced in wastewater against every house that is built. Until that is resolved there are a number of dwelling houses on hold totalling 222 in the north of the borough and 247 in the south of the borough. The Council will need to find an estimated 806kg of nitrogen credit in the north and 709kg for the south in order to free up the housing currently on hold in the system. The inability to process planning applications is having an effect on the housing land supply and planning income.

The Council are currently investigating a number of land based solutions either land or nitrate credit purchase

The Council are also lobbying as widely as possible to put in place permits at waste water treatment plants away from the coast not currently having a permit limit for nitrate discharge. The Environment Agency will undertake a permit review to look at placing limits on a measurement of nitrogen released. However it may take a number of years before the outcome of the permit review is known and additional measure to reduce nitrogen discharges are in place. The Council are talking to the Ministry of Housing, Communities and Local Government, MPs and Government Ministers to explain that if planning permissions are held up there is a potential danger that Council's won't meet the 5 year housing supply.

There are 93 planning applications in system. The Council are making sure that the necessary legal and procedural processes to deal with mitigation are in place ready for when a mitigation solution can be implemented. It is anticipated that there will a small number of committees. There are also contingency resources ready to help the planning team if there is a rush of applications.

Members discussed:

- 25% of nitrate comes from households, 66% from agriculture.
- Research ongoing to see what level of nitrogen would be acceptable and what the levels are in different parts of the Solet and what is changing.
- Nitrate currently in the system was produced in the 1970s and 1980s.
- The amount of land required to offset the current 93 planning applications currently in the system would depend on what land was previously used for.
- Legislation states that unless scientific evidence is that it isn't causing a problem then we have to assume it does and therefore have to mitigate against it. Mitigation has to be within the catchment of the River Test, River Itchen or Barley Water in the New Forest.
- Nutrient neutrality does not affect past applications unless they change their planning permissions.
- Liaising nationally and talking to other Local Authorities about other challenges they are facing and what they are doing to address them.
- Hope to have a scheme in place by early summer.
- Estimate Carbon capture.
- The Environment Agency have the power to police Southern Water to ensure they put measures in place to mitigate nitrate. The Environment Agency will carry out an immediate assessment of water treatment plants that do not currently have measurements taking place. It is anticipated that this work will be completed by 2023/24.
- Have engaged with farming and land owner organisations such as the CLA and NFU and involved in discussions with DEFRA. Will look at engaging with LEAF (Linking the Environment and Farming).

The Chairman thanked the Planning Portfolio Holder for his presentation.

391 **Review of the informal process for selection of Overview and Scrutiny Chair**

Consideration was given to a report by Councillor C Dowden, Lead Member of the panel tasked with reviewing the informal process for selecting the Overview and Scrutiny Committee Chair.

The purpose of the review has been to identify if there are opportunities to refine the current informal process to select the proposed candidate for Chair of Overview and Scrutiny Committee for consideration at Annual Council. The review has focused on how the informal process can enable members to learn more about prospective candidates and how they will meet the qualities of the role description and what they will bring to the role of Chair if selected.

The panel explored options for how the informal process for the selection of Chair could be enhanced to enable members to learn more about prospective candidates and how they will meet the qualities of the role description and what they will bring to the role of Chair if selected. The rationale for this is in recognition of the important role that the Overview and Scrutiny Committee Chair fulfils in enabling the committee to meet its overview and scrutiny responsibilities. The proposals of which the recommendation refers to will provide a practical and proportionate way in which to undertake the informal process.

The panel also suggested that the term of office for the Chairman and the timing of the appointment of the Chairman during an election year be reviewed. As this will require a Constitutional change this will be looked at separately.

Resolved:

That the proposals of the panel be endorsed and requests that they be considered by the political group leaders for implementation.

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Updates on Panels

Audit Panel – the next meeting of the Audit Panel is scheduled to be held on 15 March 2021.

Budget Panel – the next meeting of the Budget Panel is scheduled to be held on 28 June 2021.

Review of Outside Bodies – Awaiting comments on the survey prior to the next meeting.

393 **Programme of Work for the Overview and Scrutiny Committee**

Members discussed the Environmental Portfolio Holder presentation in March and agreed that the presentation should be narrowed down to recycling and green waste. Members are particularly interested in the direction of travel around Government policy specifically around recycling in the Environment Bill, the impact of green waste service since the start of the pandemic and the implications for the Council and Environmental Services and any financial implications and any feedback on the service.

Councillor Lodge reported that he had received some good comments on his report regarding creating Portfolio Co-ordinators for the Overview and Scrutiny Committee to act as a point of contact between the Committee and the Portfolio Holder. He will aim to get his report to the March meeting.

Councillor C Dowden's panel review on Outside Bodies will be reported to the April Meeting

The Head of Innovation and Strategy reported that he was looking at an informal discussion for Members to talk through how Members would like their Away Day to look and what they would like to get out of it.

(The meeting terminated at 7.10 pm)