



30 OCTOBER 2000

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 30 October 2000.

- p Cllr A W Rice TD - Chairman
- p Cllr Miss P A Drake - Vice-Chairman

Councillors:

- e Mrs S M Abernethy
- p K F Ault
- p K E Austin
- p E R Bowring
- p F J Bright
- p Mrs D M Brooks
- p D S Burdle
- e W R Catt
- p J E Coles
- p D E Cracknell
- p P H Cummings
- p B D Dash
- p J J Dawson
- p W H Dow
- p T J Droogleever
- p L T Dunsdon
- p B C Earwicker
- p M H G Fidler
- p R L Frampton
- p Ms C F Gradidge
- p P C Greenfield
- e R C H Hale
- p L E Harris
- p F R Harrison
- p S A Hayes
- p J D Heron
- p Mrs M D Holding
- p Mrs A M Howe

Councillors:

- p J M Hoy
- p Mrs M Humber BA
- p J A G Hutchins JP
- p M J Kendal
- p M C Kidman
- p G N D Locock
- p Mrs B M Maynard
- p Mrs M McLean
- p G K Richardson
- p B Rickman
- p Mrs M J Robinson
- p B Rule
- p T M Russell
- p D N Scott
- p M J Shand
- p S A Shepherd
- p Mrs B Smith
- p Mrs L P Snashall
- p G Spikins
- e M H Thierry
- p D B Tipp
- e J Waddington
- p M S Wade
- p S S Wade
- p Mrs D Wood
- p C A Wise
- p P R Woods
- p Mrs P A Wyeth

Officers Attending:

N J Gibbs, K Ireland, Ms E Malcolm, C Malyon, Ms J Bateman, Ms G O'Rourke, and Mrs R Rutins.

29. MINUTES.

RESOLVED:

That the minutes of the meeting held on 9 October 2000, having been circulated, be signed by the Chairman as a correct record.

30. CHAIRMAN'S ANNOUNCEMENTS.

(a) Cllr Michael Thierry

The Chairman reported with regret that Cllr Michael Thierry had suffered a major heart attack. He was responding to treatment but was likely to be hospitalised for some while.

Members joined the Chairman in sending their best wishes to Cllr Thierry for a full and speedy recovery.

(b) Round the Houses Gardening Competition

The Chairman had great pleasure in presenting the first prize for the garden section to Mr Taylor of 80 Plantation Drive, Walkford.

Mr Taylor had been unable to attend the official prize giving and the presentation at the last Council meeting.

(c) New Forest/Christchurch Golf Match

The Chairman was pleased to report that the Annual New Forest District versus Christchurch Borough Council Golf Match had been won by the New Forest team.

The match had been held on Friday, 20 October 2000 at Highcliffe Castle Golf Club and the Chairman thanked members and officers who played in the team.

The Chairman also reported that the Council had also won the annual match against Wellow Golf Club. This match was played in memory of Mr L Hemmings who had been employed in the Council's Legal Section.

(d) Examination Congratulations

The Chairman was delighted to announce the names of the following 14 employees who had recently been successful in their examinations:-

Stephenie Smith – HNC with Commendation in Business Studies

Sian Barber – HNC with Commendation in Business Studies

Madeline Aversa – Papers 9, 10 and 11 of the Association of Chartered Certified Accountants

Lucinda Higgins – Intermediate Level of the Association of Accounting Technicians

Manjit Sandhu – Diploma in Management Studies

Karen Martin – Diploma in Personnel Management

Pauline Longworth – Certificate in Personnel Practice

Angie Livermore – Graduate Foundation Course in Housing

Debbie Briers – HNC in Landscape Conservation

Leigh Nash – HNC in Civil Engineering Year 1

Martin Hill – BSC – Hons Construction

Fiona Hughes – MSC in Information Systems (2nd Year)

Sharon Hutchings – HNC in Business Information Technology

Jo Willfratt – Diploma of the Institute of Occupational Safety and Health

Members joined the Chairman in congratulating all the employees who had worked so hard and achieved so much.

(e) Severe Weather Conditions

The Chairman reported on the severe weather conditions across the south of England.

The Council had received a huge number of incident reports and the Emergency Control Centre had been set up at the Town Hall. Incidents were primarily localised flooding, wind damage to trees and consequentially effect on some power lines.

Crews from the Council had worked all night in partnership with the electricity company where appropriate to clear the incidents.

Members joined the Chairman in thanking the employees once again for their excellent response in supporting the people of the New Forest.

(f) Local Government Improvement Programme – Review Team

As part of the Local Government Improvement Programme, Cllr David Scott had been a member of the IDeA Review Team for Uttlesford District Council.

The review had taken place over one week from 9 to 13 October 2000. Following the review, Cllr Scott had received letters of thanks from the Leader of Uttlesford District Council and their Chief Executive. The Leader of that Council commented that he had been very impressed with the professional way in which the duties of the Review Team had been carried out. The Chief Executive added her thanks for the good humoured and informed work of the Team.

31. PETITION.

In accordance with Standing Order 38, Mr Horsefield presented a petition on behalf of Bramshott Hill Golf Club in response to proposed changes to the policy relating to club match green fees.

Mr Horsefield commented that after a 26 year verbal agreement between the Council and the Club, the Leisure Services Committee had decided to impose a green fee for each visitor, playing in club matches, against Bramshott Hill Golf Club. The Council had viewed the non-payment of fees as a strain on taxpayers even though no money had actually been lost. It appeared that the Golf Centre's administrative section had been unaware of the non-payment of fees over the 26 year period.

The revenue that these matches would have generated over the previous season would have been approximately £2,900 in green fees. Mr Horsefield suggested that the actual revenue gained in respect of catering, bar takings, pro-shop sales and some green fees paid by home team players would have greatly outweighed that amount. Mr Horsefield commented that in addition to the revenue cost to the club there would be a corresponding reduction in renewal of club membership amounting to lost revenue of almost £9,300.

It was suggested that in addition to the obvious decline of a well established club within a leisure facility, the loss of revenue to the centre would undoubtedly affect the subsidies enjoyed by other Council leisure centres around the New Forest District Council area.

The implications for the Council's functions were far reaching and it was suggested that the £160,000 currently generated by season ticket renewals in April would be seriously reduced. It was felt that that the Council should show loyalty to the members of the Bramshott Hill Golf Club who had been instrumental in the growth of the Dibden Golf Centre.

Mr Horsefield urged the Council to rethink their proposals and vote for the good and benefit of all parties.

In view of the urgency of the matter the Chairman of the Council agreed that the Council should consider the petition at their meeting that evening.

32. MINUTES OF COMMITTEES.

RESOLVED:

That, in view of the fact that the Committees listed below would not meet again the minutes of the following meetings, having been circulated, be signed by the Chairman of the Council as correct records:-

Committee	Date
Business Services Contracts Committee	16 June 2000
Central Services Committee	1 August 2000 26 September 2000 and 30 October 2000
Direct Services Contracts Committee	27 September 2000
Environmental Services and Licensing Committee	7 September 2000
Housing Committee	20 September 2000
Leisure Services Committee	29 August 2000
Planning and Transportation Committee	6 September 2000
Policy and Resources Committee	18 and 30 October 2000

33. CENTRAL SERVICES COMMITTEE.

The Chairman of the Committee presented the reports of the meetings held on 1 August, 26 September and 30 October 2000. On the motion that the reports be received and the recommendations adopted:-

(a) Item 5 – Organ Donations

A member expressed concern that the letter relating to organ donation had been signed by the Leader of the Council rather than the Chairman of the Council. It was noted that the initiative had cross party support. Whilst the Committee had invited the Chairman of the Council to sign the letter, time constraints had meant that this was not possible.

The Chairman of the Committee responded that there had been no question of using the initiative for political purposes. There had been a good response from the public to the request for organ donors.

(b) Item 1 (Special Meeting held 30 October) – Members' Allowances Scheme

An amendment to the recommendation was moved and seconded as follows:

"(a) That the Central Services Committee's recommendations be not adopted, and that the recommendations of the Independent Review Panel for the basic and special responsibility allowances, with the following additional Special Responsibility Allowances for:-

the Deputy Leader of the Council - £500

the Vice-Chairmen of the Portfolio Performance and Review Panels - £500

the Vice-Chairman of the Planning Development Control Committee - £500

the Vice-Chairman of the General Purposes and Licensing Committee – £200

be agreed with effect on 1 November 2000;

(b) That the scheme be reviewed after a period of 6 months;

(c) That the Standards Committee be requested to consider the pensionability of members' allowances and ways of ensuring the accountability of members;

(d) That the Chief Executive, in consultation with the Chairman of the Standards Committee, be authorised to amend the formal scheme of Members' Allowances based on the above principles;

- (e) That the existing basis for the calculation and payment of travel allowances remain, and that the payments to members for individual responsibilities set out in paragraph 6 of Report A to the meeting of the Central Services Committee on 30 October be agreed;
- (f) That a supplementary revenue estimate of £45,005 for members' allowances (£44,005 allowances and £1,000 travel) for 2000/01 be agreed; and
- (g) That an amount of £96,500 (£94,500 allowances and £2,000 travel) be included in the Expenditure Plans for 2001/02."

It was noted that, under Standing Order 46, any motion which was not in support of a recommendation and which, if carried, would materially increase expenditure on any service, should when proposed and seconded be referred without discussion to the next ordinary meeting of the most appropriate body.

It was therefore moved, seconded and agreed that in accordance with Standing Order 64 the Council's Standing Orders be suspended to enable the amendment to be considered.

Members debated the amendment.

Some members felt they had had insufficient time to consider the proposals. It was suggested that the matter should be referred back for further consideration and a special Council meeting convened in the near future to agree final proposals. Other members felt that interim arrangements could be put in place for a short period of time thus allowing more time to consider permanent proposals.

A number of members expressed concern at the increased level of the proposed allowances; the lack of consultation with group leaders and the haste with which the review process had been carried out.

It was noted that the Independent Review Panel had not recommended the full Local Government Association suggested allowances in all cases and that the proposals were only for a six month trial period. There was a need to encourage more professional people with appropriate skills into local government and a realistic level of allowances was one way of doing this.

The Chairman of the Committee commented that it was always difficult to move from "voluntary status" to "paid remuneration". However, with increased remuneration came increased responsibility and a need for members to demonstrate their worth.

Upon a vote being taken the amendment as outlined in (a) – (g) above was agreed.

Upon a further vote being taken the substantive motion was agreed.

It was then moved and seconded that the proposal should be referred back to enable the Group Leaders to consider the issues and for subsequent consideration at a special Council meeting.

Upon a vote being taken the amendment was lost.

Councillor Earwicker asked that his vote for this amendment be recorded.

RESOLVED:

That the report be received and the recommendations adopted.

34. DIRECT SERVICES CONTRACTS COMMITTEE.

The Chairman of the Committee presented the report of the meeting held on 22 September 2000. On the motion that the report be received it was:-

RESOLVED:

That the report be received.

35. ENVIRONMENTAL SERVICES AND LICENSING COMMITTEE.

The Vice-Chairman of the Committee presented the report of the meeting held on 7 September 2000. On the motion that the report be received it was:-

RESOLVED:

That the report be received.

36. HOUSING COMMITTEE.

The Chairman of the Committee presented the report of the meeting held on 20 September 2000. On the motion that the report be received :-

(a) **Item 6 – The New Forest Welfare Meals Service**

In response to a suggestion that Councillors should be required to pay £2 per meal received when attending meetings, the Chairman of the Committee commented that the provision of Welfare Meals would be considered by the Housing Portfolio Performance and Review Panel as a cross agency issue in due course.

RESOLVED:

That the report be received.

37. LEISURE SERVICES COMMITTEE.

The Chairman of the Committee presented the report of the meeting held on 29 August 2000. On the motion that the report be received:-

(a) **Item 2 – Bramshott Hill Golf Club – Match Green Fees**

Cllr Richardson declared a pecuniary interest as a member of the Bramshott Hill Golf Club. He left the meeting and took no part in the debate.

Members expressed their thanks to Mr Horsefield who had, on behalf of the Golf Club, presented a petition at the beginning of the Council meeting and who had explained the views of the Club very clearly.

A member commented that the number of match concessions allowed amounted to lost income to the Council tax payer of over £4,000 per annum. Golf should be provided on an equitable basis for all and should not be at the expense of the Council tax payer.

The Golf Club had contributed financially to the running of the course and had provided a superb facility for golfers to use. There had been no formal consultation with the Dibden Golf Centre Consultative Committee and it was felt that the matter should be referred to the appropriate Portfolio Performance and Review Panel as a matter of urgency.

Other members commented that match green fees had never been raised as an issue in the past and that the cost to the Council tax payer was nearer to £2,900 – an amount that was more than outweighed by the additional revenue that the Club brought in.

The decision to phase out club match green fee subsidies would cause a great deal of unrest at the Golf Club and membership would fall as a result. It was felt that the proposal should not go ahead without the Consultative Committee being involved.

The position had remained the same for a number of years and members questioned why the issue was being raised now. In terms of best value, the club had generated a considerable amount of income from bar takings and other fringe benefits.

Other Members expressed the view that whatever the actual costs were the Council was still subsidising a few people who were then having privileged access to a Council facility over and above others in the district.

Whilst it was accepted that the position in relation to match green fees had been maintained for a considerable period of time, it now needed to be corrected. It was reasonable for the Council to do this over a two year period.

It was moved and seconded that the report be referred back for further consideration. Upon a vote being taken the motion was lost.

RESOLVED:

That the report be received.

38. PLANNING AND TRANSPORTATION COMMITTEE.

The Chairman of the Committee presented the report of the meeting held on 6 September 2000. On the motion that the report be received:-

(a) **Item 1 – Public Participation**

In response to a question relating to traffic problems in Holbury the Chairman reported that she had that day received a response from the County Council which would be reported to members as soon as possible.

(b) **Item 2 – Planning and Transportation Review Sub-Committee**

A member expressed concern at the continuing delays in the development of Totton town centre. There had been continual slippage in funding and Totton was suffering as a result. A major injection of funds was needed as a matter of urgency to deal with the problems in Totton town centre.

It was noted that whilst Totton had recently qualified for funding through the Urban Regeneration Programme the area was continually disadvantaged by being on the edge of the New Forest.

The Chairman of the Committee responded that the issues relating to Totton Town Centre had been fully discussed by the Committee. Funding in the region of £600,000 was currently available for Totton Town Centre and further funding would become available in the future.

It was noted that there had been an initial meeting between the Leader of this Council and the Leader of the County Council and officers, at which the urgency of the situation had been acknowledged. The problems had gone unresolved for a number of years and work was now being done to put together a plan for members' consideration at the earliest opportunity.

(c) **Item 4 – Procedures at Meetings of the Planning and Transportation Site Visit Working Party**

A member commented that there was a need to involve Town and Parish Council's fully in consultation processes to ensure that maximum use could be made of local knowledge.

Members discussed the advantages and disadvantages of site visits.

The Chairman reminded members that legal advice was that site visits should only take place under exceptional circumstances. It was noted that Town and Parish Council representatives could speak at Committees under the Council's Public Participation Scheme.

RESOLVED:

That the report be received.

39. POLICY AND RESOURCES COMMITTEE.

The Chairman of the Committee presented the report of the meetings held on 18 and 30 October 2000. On the motion that the report be received it was:-

RESOLVED:

That, subject to the recommendation in Item 1 – (30 October 2000) Local Information Office at Fordingbridge being amended to read:-

“That subject to appropriate consultation by officers with the relevant Portfolio Holders the following capital and revenue costs associated with the relocation of the Local Information Office at Fordingbridge in the current financial year be approved:

Capital

£13,000 (£5,000 for lease assignment costs and £8,000 for alterations/fitting out costs)

Revenue

£7,730 additional running costs”

the report be received and the recommendations adopted.

40. NOTICE OF MOTION.

Cllr Maynard moved the following motion standing in her name:-

“This Council is asked to reaffirm their previous opposition to the fluoridation of our local drinking water. This must be seen as a revocation of people’s right to choice. Comprehensive scientific studies carried out in Japan and other countries was ignored. Only the York report which was quite limited was considered.”

In accordance with Standing Order No. 7, the Notice of Motion stood referred to the next meeting of the Advisory Cabinet and Policy and Resources Committee.

CHAIRMAN

9 NOVEMBER 2000

NEW FOREST DISTRICT COUNCIL

Minutes of a Special meeting of the New Forest District Council held at the Waterside Theatre, Esso (Fawley) Recreation Club, Long Lane, Holbury on Thursday, 9 November 2000.

p Cllr A W Rice TD - Chairman
p Cllr Miss P A Drake - Vice-Chairman

Councillors:

p Mrs S M Abernethy
p K F Ault
e K E Austin
p E R Bowring
p F J Bright
p Mrs D M Brooks
p D S Burdle
e W R Catt
p J E Coles
p D E Cracknell
p P H Cummings
e B D Dash
J J Dawson
p W H Dow
p T J Droogleever
e L T Dunsdon
p B C Earwicker
p M H G Fidler
p R L Frampton
p Ms C F Gradidge
e P C Greenfield
e R C H Hale
e L E Harris
e F R Harrison
p S A Hayes
p J D Heron
p Mrs M D Holding
p Mrs A M Howe

Councillors:

e J M Hoy
p Mrs M Humber BA
p J A G Hutchins JP
p M J Kendal
p M C Kidman
e G N D Locock
p Mrs B M Maynard
p Mrs M McLean
e G K Richardson
e B Rickman
p Mrs M J Robinson
e B Rule
e T M Russell
e D N Scott
e M J Shand
p S A Shepherd
p Mrs B Smith
p Mrs L P Snashall
p G Spikins
e M H Thierry
p D B Tipp
e J Waddington
p M S Wade
e S S Wade
e Mrs D Wood
p C A Wise
p P R Woods
p Mrs P A Wyeth

Officers Attending:

D Yates, Ms E Malcolm, Miss J Debnam, Miss G O'Rourke, S Trueick, D Atwill and J Ward.

41. SPECIAL PLANNING DEVELOPMENT CONTROL COMMITTEE.

The Chairman of the Committee presented the report of the special meeting which had been held earlier during the day, 9 November 2000.

On the motion that the report be received:-

Cllr I P Brooks disclosed a non-pecuniary interest in the subject matter of this item and having left the meeting took no part in the consideration or voting.

Cllr Kendall disclosed a non-pecuniary interest in the subject matter of this item and having left the meeting took no part in the consideration or voting.

Cllr M S Wade disclosed a non-pecuniary interest in the subject matter of this item but did not consider that such interest was clear or substantial and remained in the meeting to speak and to vote.

Members noted that a number of other Members had disclosed interests in this subject and had not attended the meeting. These included Cllrs Dash, Harris, Harrison, Richardson and Waddington.

RESOLVED:

That subject to the deletion of the words 'low density' from sub-paragraph ii on page 3 of the report:

- (a) In view of the substantial list of concerns identified in the preliminary consideration of Associated British Port's development proposals for Dibden Bay, this Council registers its objection to the proposed development;
- (b) The initial list of areas of concern, as contained within Appendix 1 to these minutes, with the addition of "impact on existing businesses" to section 3.16 on economic impact, be sent to the Department of the Environment, Transport and The Regions;
- (c) The Secretary of State for the Environment, Transport and The Regions, be formally requested by this Council to "call in" Planning Applications Ref.: 70243 and 70255 which relate to the Dibden Bay development, for his consideration in conjunction with the other aspects of the port development proposals;
- (d) Officers continue to assess the development proposals in detail and to report to members further as appropriate;
- (e) That Hampshire County Council be informed of this resolution; and
- (f) That all Parish Councils within the District and the Hampshire Association of Local Councils be informed of this resolution.

CHAIRMAN

Attachment: Minute 41 - Appendix 1

**PORT DEVELOPMENT PROPOSALS AT DIBDEN BAY AS SUBMITTED BY
ASSOCIATED BRITISH PORTS ON 2ND OCTOBER 2000.
INITIAL RESPONSE OF NEW FOREST DISTRICT COUNCIL.**

1 GENERAL

- 1.1 This response represents the initial comments of New Forest District Council on the proposals by Associated British Ports for port development at Dibden Bay, and submitted on October 2nd 2000.
- 1.2 The Council's response covers a range of issues relating to the port development submitted under the Harbour Revision Order and Transport & Works Act Order, upon which the 42-day consultation period depends. The response also covers notices served as part of the Harbour Revision Order in respect of Compulsory Purchase, Exchange Land Certificates, and Stopping Up Orders for Public Footpaths. Comments on these latter consents are set out in a separate section of this response, but are also linked to the Council's preliminary consideration of the proposals.
- 1.3 This response does not cover issues relating specifically to the two planning applications submitted to the Council on 2nd October 2000. You will be aware that the Council has a minimum of 16 weeks in which to determine these applications. The Council's response does however include a formal request that the Secretary of State for the Environment, Transport and the Regions calls in these two planning applications for determination alongside the other main elements of the development proposals.

2 THE COUNCIL'S POSITION

- 2.1 The sheer volume of information submitted with the applications has made it impossible for the Council to provide a full, detailed assessment of the proposals within such a short timescale. Accordingly, this response sets out an initial list of the Council's concerns which have been identified following the preliminary consideration undertaken thus far. It is anticipated that these will form the basis for a continuing, detailed assessment which the Council will continue to undertake. The Council would welcome the advice of the Department as to how such a more detailed assessment might be made available at a later stage.
- 2.2 The general reaction of this Council to the proposals as submitted is one of concern across a very broad range of areas ranging from the need case being made for the development, to its impacts on nature conservation habitats, the New Forest, and local communities.
- 2.3 **In view of the scale and range of concerns, this Council formally objects to the development proposals.**

3 AREAS OF CONCERN IDENTIFIED BY NEW FOREST DISTRICT COUNCIL

- 3.1 This section of the response sets out, in brief, the areas of concern which have been identified by New Forest District Council following its preliminary consideration of the development proposals. The concerns are grouped into specific topic areas.
- 3.2 The Council considered its response at meetings of the Planning Development Control Committee and Council on 9th November. A copy of the Committee report and resolution is appended to this response in order to provide context and background to the concerns expressed. The report also provides the formal Council resolution to make comments.
- 3.3 Generally, the Council has considerable concern regarding the description of the port development, as set out in both the Order and Environmental Statement. In order for the Environmental Statement to properly assess the main environmental effects of the proposed development, there needs to be an adequate description of the proposed development. There must also be a means of ensuring that the development is carried out in accordance with the proposals that have been assessed during the decision making process. Both the Harbour Revision Order and the Environmental Statement (paragraph 4.5) raise significant concerns in this regard.
- 3.4 The Council is therefore concerned that the Orders and supporting documents do not appear to provide an adequate way of assessing the proposals, nor that they provide any certainty that the development described in the applications, represents that which will actually be built. This is considered a wholly unacceptable situation.
- 3.5 The Council is also concerned at the process undertaken by the applicants in respect of the Appropriate Assessment required under the Conservation (Natural Habitats &c.) Regulations. This concern is expressed in more detail in paragraph 3.9 of this response.
- 3.6 The Council's initial areas of concern are as follows:

THE NEED CASE AND THE BUSINESS CASE FOR THE DEVELOPMENT

- 3.7 The Council is concerned about both the depth and scope of the applicant's case for need for the development. The Council wishes to examine in more detail the following concerns:

- a) The need for the development in terms of the national and regional economy;
- b) The potential use of alternative sites to meet the needs that have been identified, including the potential for more intensive use of land and resources within the existing port of Southampton;
- c) How the development of Dibden Bay will impact upon the long-term future use of the existing port of Southampton.
- d) The overall costing and business case made for the development.
- e) That the case made overrides the damage/destruction/adverse impact upon sites of national and international nature conservation value;
- f) That the case made overrides the adverse impacts on the New Forest and on local communities.

IMPACT ON THE STRATEGIC GAP

- 3.8 The Council is concerned at the impact of the development upon the designated Strategic Gap between Hythe and Marchwood, and wishes to examine in detail the significance of this issue in relation to the need case being made for the development and the range of impacts associated with it.

LANDSCAPE IMPACTS

- 3.9 The Council's preliminary consideration of the landscape impacts of the development proposals has highlighted several areas of potential impact. The Council has concerns in the following areas which it wishes to examine in more detail:

- a) Impacts on the New Forest Character Area
- b) Impacts on the New Forest Heritage Area and proposed National Park.
- c) Impacts on the coastal landscape.
- d) Impacts on the landscape setting of the City of Southampton.
- e) Landscape impacts associated with the Hythe-Marchwood Strategic Gap.
- f) Impact on other coastal settlements.
- g) Impact of lighting.
- h) Impacts on landscape associated with road and rail proposals; and
- i) Impacts associated with construction.

IMPACT ON NATURE CONSERVATION DESIGNATIONS

- 3.10 The Council's preliminary consideration of the impacts on the various nature conservation designations likely to be affected by the development can be related to the following areas:

- a) Habitat loss and creation;
- b) Process modelling;
- c) Mitigation and compensation.

- 3.11 The Council's concerns are sufficiently fundamental however as to require a much more detailed analysis of all aspects of the submissions.

- 3.12 As a competent authority under the Conservation (Natural Habitats &c.) Regulations 1994, ABP has undertaken an appropriate assessment of the development proposals. ABP has concluded that the proposals would not adversely affect the integrity of any European nature conservation

designations, taking into account the manner of development proposed including proposed mitigation and compensation measures.

- 3.13 The Council is concerned about the way in which that ABP has carried out the appropriate assessment, and that the assessment is not in accordance with English Nature advice. The implications of this are extremely important and this matter will need further consideration, including taking specialist legal advice.

TRANSPORT IMPACTS

- 3.14 This Council's preliminary consideration of the development proposals has raised concerns regarding the impacts of road and rail traffic, the road and rail infrastructure proposed, and the relationship between traffic forecasts and mitigation and infrastructure proposed.
- 3.15 The Council wishes to examine the following areas of concern in more detail:
- a) The methodology of prediction of road and rail traffic forecasts;
 - b) The impact of the predicted road and traffic on the A326 road in terms of the capacity and safety of the road, the impact on local communities along the A326, and the potential impacts on the road network within New Forest District beyond the A326;
 - c) The impact of the predicted rail traffic on the Fawley Branch railway line in terms of the capacity of the line, and of its junction with the main lines at Totton; the impact on local communities along the line; the impact on Totton of capacity impacts at Junction Road level crossing;
 - d) The appropriateness, acceptability and impact of road and rail infrastructure proposals, and other transport mitigation measures proposed as part of the development.

ECONOMIC IMPACTS

- 3.16 The Council has made a preliminary consideration of the Economic and Employment Impact Assessment submitted as part of the development proposals. The information provided has raised the following areas of concern which the Council wishes to investigate in more detail:
- a) The estimates made of direct employment;
 - b) The value of the indirect and induced employment multipliers;
 - c) Direct construction estimates;
 - d) Indirect and induced employment supported through construction activity;
 - e) Net employment impacts;
 - f) Local regeneration impacts;
 - g) Sourcing of local workers;
 - h) Linkages to other port activities and marine industries, and its significance to the future of these industries;
 - i) The relationship to other transport and logistics industries.

POLLUTION IMPACTS GENERALLY AND ON LOCAL COMMUNITIES

- 3.17 The Council has considered the development proposals against a wide range of possible impacts in terms of pollution and its impacts on local communities, which has raised a range of concerns. These are divided into the two distinct phases of operation and construction.
- 3.18 In terms of the operational phase, the following areas of concern will need to be assessed in more detail:
- a) Surface Water Drainage – an assessment of the impact of the proposals on the process of controlling pollution discharges to Southampton Water.
 - b) Contaminated Land – an assessment of land contamination on the site and the potential impacts of any contamination.
 - c) Air Pollution – an assessment potential discharges associated with the development as part of the Council's air quality review and assessment.
 - d) Noise – an assessment of noise levels associated with the development and associated infrastructure on the amenities of local communities.
 - e) Light Pollution – an assessment of lighting levels associated with the development and associated infrastructure on the amenities of local communities.
 - f) Dust - an assessment of dust emissions associated with the development and associated infrastructure on the amenities of local communities.
 - g) Fisheries – an assessment of the impacts of the development, including dredging activity, on fisheries.
- 3.19 In terms of the construction phase of the development, the following areas of concern will need to be assessed in more detail:
- a) Noise – an assessment of noise levels associated with construction of the development and associated infrastructure on the amenities of local communities.

- b) Air Pollution – an assessment potential discharges associated with the construction of the development and associated infrastructure as part of the Council's air quality review and assessment.
- c) Light – an assessment of lighting levels associated with construction of the development and associated infrastructure on the amenities of local communities.
- d) Dust – an assessment of dust emissions associated with construction of the development and associated infrastructure on the amenities of local communities.
- e) Construction Materials – an examination of the traffic, noise, dust and visual amenity impacts associated with the transport and use of aggregates and other construction materials.
- f) Oil Pollution – an assessment of the risk of oil pollution associated with increased shipping movements.
- g) Recharge Material – an assessment of the chemical composition of the material to be used for the recharge, along with any waste arisings.
- h) Chemical Contamination – an assessment of the potential of the development to remobilise chemical contamination in to the water column.

3.20 The Southampton and South West Hampshire Health Authority is preparing a health impact assessment of the Dibden Bay development proposals. The Council will wish to carefully examine its conclusions when published.

LAND DRAINAGE IMPACTS

3.21 The Council's preliminary consideration of the development proposals has raised a number of concerns in respect of land drainage issues. These can be summarised as follows:

- a) Impacts on existing watercourses;
- b) Effect on groundwater levels;
- c) Long term maintenance provision for off site works;
- d) Risk minimisation of flooding and water pollution;
- e) Impacts on tidal flooding;
- f) Effects on other Riparian owners.

3.22 Once again the Council wishes to examine these areas of concern in more detail.

RECREATION, TOURISM AND LEISURE IMPACTS

3.23 The Council's preliminary consideration of the development proposals has given rise to an extensive list of concerns regarding impacts on recreation, tourism and leisure in the locality of the site and surrounding area. These areas of concern can be summarised as:

- a) Impact on the recreation potential of the Strategic Gap;
- b) Impact on the local footpath network;
- c) Landscape impacts in relation to the viability of the local leisure industry;
- d) Impacts on Hythe Marina Bund as an area of open space, including the adequacy of the replacement area proposed;
- e) Impacts on the local tourist industry, and tourism potential of the area;
- f) Impacts on marine recreation;
- g) General concerns regarding the methodology used to assess recreation and tourism impacts.

RELATED DEVELOPMENT PRESSURES

- 3.24 The Council is concerned that development of a container port of this size may give rise to development pressures associated with port related businesses such as container repair/storage, warehousing, and transportation and wishing to locate in close proximity to the port. The application submissions provide very little information regarding the scale and location of such ancillary development, nor any assessment of the likely need for land for such uses.
- 3.25 Policies in the New Forest District Local Plan would impose restrictions on the possible location of such development close to the Dibden Bay site. In view of this, the Council will wish to fully examine this issue further.

SAFEGUARDING ZONES AND PUBLIC SAFETY

- 3.26 Parts of the development site fall within defined hazard safeguarding zones associated with the Military Port and the NATO base at Hythe. The Council wishes to examine the impacts of the development on these hazard zones, in consultation with the Ministry of Defence and other bodies, to assess implications for public safety.
- 3.27 The development site also lies within the area defined by the Civil Aviation Authority in relation to Southampton Airport where consultation is required regarding structures over 90 metres in height. The Council wishes to examine the implications of crane heights, and any other relevant issues, in consultation with the CAA, to assess implications for public safety.

LOCAL PLAN POLICY

- 3.28 The Council will also wish to continue to examine the development in the context of all relevant local plan policies. The relationship with these policies will form the basis for a full, detailed assessment of the proposals.

4 RESPONSE TO OTHER RELATED CONSENTS

- 4.1 The Council has formally been served with notices, as part of the Harbour Revision Order, of applications for compulsory purchase powers, of a statement in Support of an Application for an Exchange Land Certificate, and of notices for the proposed temporary stopping up of footpaths.
- 4.2 The Council does not consider that it can make individual comments on these matters in the absence of a fully detailed assessment of the overall development proposals. In the light of the extensive list of concerns expressed in respect of the development proposals, the Council considers that it must raise a formal objection to these individual applications at this stage.

5 RESPONSE IN RESPECT OF THE PLANNING APPLICATIONS

- 5.1 As stated in paragraph 1.3 above, this response does not relate to the two planning applications submitted to the Council. The Council is considering the applications, but considers it essential that these applications are examined in association with the other aspects of the development proposals.
- 5.2 Accordingly the Council formally requests that the Secretary of State calls in the two planning applications for determination in conjunction with his consideration of the other elements of the development proposals.

6 CONCLUSION

- 6.1 **New Forest District Council has undertaken a preliminary consideration of the Dibden Bay port development proposals, which has identified wide ranging concerns. The Council will continue to work towards a full assessment of the proposals, but at this stage, wishes to state its formal objection to the development proposed.**