

**A MEETING OF THE COMMUNITY BOARD
WAS HELD ON 18 MARCH 2021**

The Mayor Councillor Mrs Huggins and Councillor Hook

Councillors Beavis, Blackman, Burgess, Carter, Casey, Earle, Mrs Furlong, Hammond, Hutchison, Miss Kelly, Mrs Morgan, Pepper, Raffaelli and Westerby

71. STOKES BAY SEAWALL REPAIR

Consideration was given to a report by the Head of Streetscene updating the Board on the progress of the Phase 1 capital programme, confirming the mandate to progress with the Phase 2 Feasibility Study into sea defences in Stokes Bay and to set out funding, programme and procurement routes for Phase 1 and 2 professional services and Phase 1 construction activities.

Members acknowledged that the Head of Streetscene and the Council's contractors had undertaken work in difficult conditions over the Christmas period to prevent further damage from Storm Bella.

It was requested that clarification be given to the area of sea wall marked as in need of repair that would be maintained and it was clarified that it was the sea wall opposite the entrance to the Alverbank, the wall was aging and had structural issues and that running repairs would continue. It was acknowledged that unlike the Environment agency, Gosport Borough Council did not have access to Government funds for repairs. Concern was expressed at the walls continued exposure to poor weather and hoped that running repairs could be considered.

A Member advised the Board that the culvert at the entrance to the River Alver was cleared and shingle was cleared to the left, this was no longer happening and as a result a spithead had appeared in line with the sightline of Bayside Cabin. It was felt that this would have an effect on the tidal flow, and the sea wall and questioned if investigations were being carried out.

Concern was expressed that a reduced version of the clearance was being carried out and that shingle that was previously as high as that located in Browndown was now far lower, and expressed concern that this was impacting on the tidal flow of the sea.

The Board was advised that the coastline was routinely monitored with at least one inspection per year of the levels and profiles and shows that the cretations around the outfall are falling. The EA were only interested in clearing the River Alver to return the flow of water. The material wasn't necessarily in the best place, but met the EA requirements.

It was suggested that a beach management plan would be affective as it would identify material that could be relocated, for example to the sea wall, which would help both keep the Alver clear and protect the sea wall. Discussions would need to be held with the Environment Agency to progress this further. It would need careful thought and had been undertaken before.

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Members advised that there was confidence in the coastal partners, however it was felt that the Environment Agency was not taking their responsibilities seriously and that they would not move the material from the culvert and locate it near to the entrance which resulted in it building up, rather than moving it further along the bay.

It was felt that previously it was ensured that the excess spoil was moved to the left hand side of the slipway allowing the tidal flow to continue. This had not happened and as a result here had been a build up and less protection for the sea wall. It was felt therefore that pressure should be placed on the Environment Agency to move the spoil where it was needed.

In answer to a Member's question, the Board was advised that it was possible for the Coastal Partners to contact the Environment Agency for a position on the potential to move the spoil further along Stokes Bay, it was expected however that they would fall back on their responsibilities which were to clear the culvert for flood protection purposes and that if the issues affected the coast that would be for Gosport as the coast protection authority to address, but it was agreed that it shouldn't be so disjointed but it was agreed to address the Environment Agency with concerns and report back with the outcome.

The Head of Streetscene advised a number of discussions had been held over the years with the Environment Agency with regard to the management of the culvert and the shingle and it was advised that the aspiration was for the Environment Agency to outsource the culvert cleansing to Gosport Borough Council as within the DSO to come into effect on 1st April, the Council would be clearing the adjacent slipway. The Council could therefore undertake the task much more regularly and it be cleared on a weekly basis rather than reactionary.

Members recognised that this was an important step forward not only in protecting the River Alver, but also the sea wall.

In answer to a Member's question, the Board was advised that the shingle moved over the Christmas period had largely stayed intact and that a little had washed into the structure but this was expected and routinely monitored. It was anticipated that if there was a larger storm there may be a drawdown of material but that it could be topped up, making the area much safer, although still out of bounds. The Board was advised that as waves hit the wall there would be a vibration but it was hoped that the alignment of the wall would remain as close to the existing wall as possible. It was noted that there was a heritage consideration with the D-Day landing blocks there were also environmental designations with birds. The options would be short term of 10-15 years, in the hope that there would be a permanent solution, subject to funding.

It was proposed and seconded that Gosport Borough Council enter into negotiation with the Environment Agency with a view to clearing the many thousands of tons of shingle creating the spithead opposite the Bayside Cabin.

RESOLVED: That the Board:

1. Noted the positive progress of the Stokes Bay seawall repairs and endorsed the implementation of the proposed Phase 1 capital programme repair works to avert further damage.
2. Noted the Local Levy contribution from SRFCC and contributions from GBC and HCC to undertake Phase 2 feasibility studies to investigate options to reduce wider flood and erosion risks to Stokes Bay seawall between the East and West car parks and confirmed the mandate to commence the Phase 2 feasibility studies.
3. Approved that the Head of Streetscene be given delegated authority to award and execute the contracts to deliver the Phase 1 repairs and the Phase 2 feasibility studies in accordance with procurement regulations.
4. That Streetscene and Coastal Partners enter into negotiations with the Environment Agency and all other required organisations regarding the movement of shingle from the entrance to the Alver Outfall.

72. HARDWAY PSPO

Consideration was given to a report by the Borough Solicitor and Monitoring Officer informing the Board that the Hardway Public Spaces Protection Order (Hardway PSPO) was extended by the Chief Executive on 5 March 2021 so as to prevent it lapsing and expiring on 7 March 2021.

A Members advised that they supported the proposals as it offered comfort and reassurance to residents that had suffered

The Board was advised that the intention had been for the PSPO to be returned to the Board following public consultation, however the timeframe was such that to ensure the PSPO continued the extension needed to be approved by the Chief Executive using existing powers. It was initially proposed to do this for two weeks only, but upon review the extension could only be for 3 years.

On conclusion the PSPO had already been extended, the purpose of the Board was ensure it was satisfied with the actions taken and the emergency approval of the PSPO and the actions could be rejected if not.

A Members advised that they supported the proposals as it offered comfort and reassurance to residents that had suffered.

Members also welcomed the cross agency approach to dealing with anti-social behaviour and welcomed the successful programme of diversionary activities and welcomed that they would continue this year.

The PSPO allowed for Gosport Council officers to take greater enforcement action or work with the Police to do so. Members felt the extension was essential and would be most welcome and welcomed the community engagement that it brought.

RESOLVED:

That the Board noted that the Hardway PSPO was extended using emergency powers on 5 March 2021, such extension to take effect from 7 March 2021.

That the Board regarded:

- (i) The Hardway PSPO as extended
- (ii) The informal intervention work the Council and its partner agencies undertake with young people to prevent the behavior escalating
- (iii) Existing anti-social behavior powers and other enforcement tools at the disposal of the Council and police
- (iv) Comments received from stakeholders and figures.

That the Board concluded that notwithstanding the paragraph above, it is still appropriate and proportionate to approve the extension of the Hardway PSPO at the Green and immediate locality.

73. SEASHORE BYELAW

Consideration was given to a report by the Borough Solicitor and Monitoring Officer updating the Board as to the Seashore Byelaws following the first public consultation, seeking Board approval as to the proposed Seashore Byelaws, to task the Borough Solicitor with submitting the proposed Seashore Byelaws to the Secretary of State for approval, and to determine whether any amendments should be made to the proposed Seashore Byelaws.

Members welcomed the proposals and it was acknowledged that the original byelaws were set in 1958.

In answer to a Member's question, the Board was advised that the removal of shingle was not permitted and was illegal under existing laws, in this instance the Coastal Protection Act 1949 with £1000 fine. The as byelaws were designed to cover issues not covered by existing legislation.

Members particularly welcomed the prohibition of motor vehicles on the sea shore and authority to address where jet skis could launch from.

It was recognised that the byelaws needed to be approved by the Secretary of State but it was welcomed that they were being addressed.

It was confirmed that the byelaws extended to cover the whole of Stoke Lake and Jackie Spencer Bridge. It was acknowledged that if the map was zoomed in that this would be shown and that any area covered as seashore as per the definition, would be covered by the byelaws and where the seashore touched.

It was acknowledged that some land it was not possible to enforce on as it was owned by the MOD.

It was confirmed that the entirety of Stoke Lake was covered. It was also clarified that signage would be erected covering the sites.

In answer to a Member's question, the Board was advised that parking would be prohibited on the lake side of Little Anglesey Road, as would BBQ's. The Board was advised that confirmation would need to be sought on whether the islands in Stoke Lake would be covered by the byelaws.

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The Board was advised that the byelaws would be presented to the Secretary of State following consultation, and then would be taken to full Council. It was hoped that these would be in place by the summer.

Members thanked the Officers for the work on the proposals.

Members expressed concern that no BBQ's and cycling signs were being ignored. Concern was expressed at controlling the use of BBQs. There was particular concerns as BBQ's were buried under the shingle, and in the bins damaging them. It was felt important that the byelaws were published widely to ensure that the public were aware of the proposed byelaws.

It was reiterated that the level of the high water mark covered the areas covered by the byelaws.

In answer to a Member's question, the Board was advised that those that engaged with the survey would be acknowledged following the conclusion of the meeting. The specific questions raised that were not included were either covered by alternative legislation, or they had been considered and were not appropriate with for the byelaws. The Board was advised that there was a model byelaw to work from and that this could be deviated from to a certain degree, however, the Board was advised that too much deviation from the model increased the change of the Secretary of State rejecting them. The byelaws should be workable and tailored to the area being worked with.

There had been a dedicated inbox for an open consultation. The byelaws would apply to the whole area covered by the byelaws unless specific permission was given to undertake an activity. BBQ's, for example, would be designated to a specific area, any breach of that would be in breach of the byelaws. The Board was advised that motor boats could only be issued in dedicated areas.

The Board was advised that consideration needed to be given to the byelaws as presented in draft, were there any specific amendments to be made and the Senior Solicitor would consider their inclusion. Members needed to consider whether any amendments were fundamental to the byelaws. It was felt that the bylaws as presented were acceptable and should be passed to the secretary of state for consideration.

It was confirmed that no motorboats could be launched into Stoke Lake, with regards to the islands in Stoke Lake it was confirmed that it was tricky to define the islands as part of the byelaws as they were located in the lake. It was suggested that further consideration be given to the islands once the bylaws have returned from the Secretary of State as it was not easy to define them as access was via the water. . The Board was advised that there was authority on jet skis launching from the slipway, but once they were in the water any enforcement was the responsibility of other agencies.

RESOLVED:

That the board determined that no further amendments be made to the proposed Seashore Byelaws in light of the issues identified by the public consultation.

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That the Board approved the proposed Seashore Byelaws and the sending to the Secretary of State after any necessary amendments.

74. ANY OTHER ITEMS

CHAIRMAN

Concluded at 7.21 pm