



# Council Meeting

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**Wednesday, 22nd  
November, 2023**

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## HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held at the Council Chamber, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY. Please enter the building through the Contact Centre entrance via the seafront., on Wednesday, 22nd November, 2023 at 6.00 pm at which meeting the business specified below is proposed to be transacted.

Yours sincerely,

Chief Legal Officer

Muriel Matters House  
Breeds Place  
Hastings

15 November 2023

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### **AGENDA**

5. Questions (if any) from:
- a) Members of the public under Rule 11
  - b) Councillors under Rule 12

Note: Nothing contained in this agenda or in the attached reports and minutes of committees constitutes an offer or acceptance of an offer or an undertaking or contract by the Borough Council

**Questions from the Public under Rule 11**

Questioner	Question	Answer
Max Hewitt	<p>Please will the cabinet confirm which party (Sea Change / ESCC / HBC) is currently actioning the next step of the opening of the queensway/whitworth road junction? In other words, which body is currently undertaking work on the project (with the assumption that other bodies are waiting for it to do so), and what is the completion date for that action?</p>	<p>Councillor Barnett:</p> <p>As the lead agencies for this project, I refer you to East Sussex County Council and Sea Change for the latest update. I am aware that the project was recently discussed at the South East Local Enterprise Partnership Accountability Board and you can view the minutes of the discussion <a href="#">here</a>.</p> <p>We have not been given a timetable for completion.</p>
Chris Hurrell	<p>Old Roar Gill has deteriorated since being granted Local Nature Reserve status some 20 years ago. Years of neglect and pollution culminating in the large scale sewage pollution incident in May this year have left the ecology of the gill at great risk. The current ecological status of the gill is unknown. Campaigners have been calling for a new ecological survey of the gill.</p> <p>At Cabinet on the 6th November Cllr Roark stated that an agreement had been reached with Southern Water to carry out an ecological survey of the gill:</p> <p>“the ecological survey of the gill– we now have that commitment from Southern Water as of a high level meeting” ..... “....we have now got that commitment from SW which we’ve been asking for since May. They say yes we will do that Environmental Impact Assessment”</p> <p>The survey needs to be comprehensive and cover all forms of wildlife and plantlife both in the gill stream and the surrounding</p>	<p>Councillor Roark:</p> <p>The council has no information to substantiate the questioner’s claim that Old Roar Gill has deteriorated since it was declared a Local Nature Reserve. As he rightly states, the current biodiversity of the gill is unknown.</p> <p>We have received a verbal commitment from Southern Water to fund an ecological survey in Old Roar Gill. This was one of the asks in the <a href="#">Cabinet Report</a> on 2<sup>nd</sup> October and Southern Water have until the end of December to formally respond to the requests in that report. At that time details will be confirmed.</p> <p>We will continue to press SW to appoint independent specialist ecologists or provide the council with appropriate funds to appoint independent ecologists ourselves.</p>

valley. It is critical that the survey is carried out by an independent body from Southern Water. The independent body should be nominated by HBC and Southern Water's only involvement should be to finance the survey as they seem to have agreed.

What is the scope and timescale for the ecological survey and is the survey to be carried out by an independent body nominated by HBC?

The scope for an independent study would be to survey the gill stream and assess the ecological impact and of the sewerage outpourings on the biodiversity of Old Roar Gill.

A survey should assess how the contamination has impacted on aquatic invertebrate species and other flora and fauna, any adverse impacts that have resulted, and recommendations on how those adverse impacts can be remediated.

Survey and analysis are key to understanding this. All surveys will be undertaken at the most appropriate and optimal time of year, which is likely to be March/April and September/October for stream invertebrates. Gill stream flora surveys would be undertaken in spring/early summer.

In addition, the council will be seeking a detailed impact assessment of the water bodies and naturalised water habitats downstream from the sewage incidents and their continuing ability to act as filters for water leaving the park.

Myriam Lengline

We've had several storms and loads of torrential rain for over two weeks now, with flooding all over town and many roads in Hastings turning into rivers (one reason being blocked drains, among other things.) A lot of that water gushing down roads is full of mud coming from the building sites around Harrow Lane (we have photos and videos to prove it), that muddy water has also been flowing into Old Roar Gill, which, as everybody knows now, has been polluted for years. The amount of gushing water in the Gill, the last few weeks, has been quite scary, with residents saying they've never seen it like this before (the stream turned into rapids!) – and the water has turned a disgusting yellow brown colour. I've recently come across an article from an American organisation called CEDS (Community and Environmental Defense Services), titled 'How to stop mud pollution in rivers and lakes', mentioning that "Exposed soil = pollution and that construction

Councillor Rogers:

Thank you for your question.

There are four housing developments off or adjacent to Harrow Lane, and the approved development for each site includes a satisfactory drainage scheme considered acceptable to East Sussex County Council Sustainable Urban Drainage (Suds) team and Southern Water.

Recent very heavy rains have led to run off from some of these sites, and HBC are pressing each developer for action to prevent this. Reassurances have now been given that schemes are progressing fast enough to make any repeat far less likely.

	<p>sites impact severely on watercourses by muddy inflow... in fact, a single construction site can account for much of the muddiness in even a large river or lake.” It will also damage the ecosystem. Here, in the Harrow Lane area alone, there are currently 3 or 4 development sites, one of them being the now abandoned former recreation ground, which is just bare soil/mud.</p> <p>Question: What is Hastings Borough Council planning on doing to prevent more pollution coming from those building sites, as it is not only Old Roar Gill and the surrounding streams being polluted by them, but also the streets/roads and gardens, where residents live?</p>	
<p>Richard Price</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 3</p>	<p>The underlying principle of People and Wildlife (Sussex Urban BAP) is that a healthy environment is an essential requirement for both our quality of life and for wildlife. We can achieve this through changing our attitudes and actions towards the natural environment within our everyday lives by:</p> <ul style="list-style-type: none"> <li>• Encouraging everyone to make environmentally informed decisions as our actions can and do affect the environment;</li> <li>• Looking at actions we can take as individuals or as members of a community based group, part of a school or college, employer or employee of a business or as decision-makers who help shape local policies;</li> <li>• Recognising that biodiversity is an essential indicator of the health of the environment and hence our quality of life.”</li> </ul> <p>The above text is quoted here from <a href="https://crawley.gov.uk/sites/default/files/documents/PUB228561.pdf">https://crawley.gov.uk/sites/default/files/documents/PUB228561.pdf</a></p> <p>Is the Local Nature Reserve which is owned and managed by Hastings Borough Council at Old Roar Gill and Coronation Wood still designated as an Urban BAP Priority habitat and what does the council consider this to mean?</p>	<p>Councillor Roark:</p> <p>Biodiversity Action Plan (BAP) habitats are a UK habitat classification that classifies terrestrial and freshwater habitats into a number of broad habitat types. There are a range of semi-natural habitat types that were identified as part of the UK Biodiversity Action Plan process in the early 1990’s as being the most threatened and requiring conservation action. Due to devolution and the creation of country-level biodiversity strategies, much of the work previously carried out under the UK BAP process is now focused on a country level.</p> <p>Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act) lists habitats and species of principal importance in England. The list is of for:</p> <ul style="list-style-type: none"> <li>• public bodies to help them meet their biodiversity duty to be aware of biodiversity conservation in their policy or decision making.</li> <li>• landowners to inform their nature recovery planning, action and funding applications.</li> <li>• funding bodies to support suitable nature recovery.</li> </ul> <p>Old Roar gill would likely be identified under the broad classification of Broadleaved, Mixed and Yew Woodland</p>

		<p>within the UK Biodiversity Action Plan, or Habitats of Principle Importance under the NERC Act.</p> <p>The habitats listed under Section 41 of the NERC Act are identified and classified by the Joint Nature Conservation Committee who are a public body that advises the UK government and devolved administrations on UK-wide and international nature conservation. They are not classified by local authorities.</p> <p>Hastings Borough Council published its own Biodiversity Action Plan in 2007 in which Old Roar Gill was identified under its appropriate UK classification. The woodland would remain part of that national classification.</p>
<p>Andrew Cordle Page 4</p>	<p>As a resident of St Helens Road, I have witnessed the last few weeks the amount of water gushing down our road with all the torrential rain. Our gardens are also very very wet and muddy and we know we have underground streams in the area, with many drainage issues for neighbouring properties.</p> <p>I recently found out, totally accidentally, thanks to a neighbour warning the neighbourhood, that there is a very worrying planning application on our road, that no one in the area was aware of, as we also found out that Hastings Borough Council, 5 years ago, decided to stop informing residents in writing about developments directly impacting their properties.</p> <p>That particular planning application, I am referring to, is for the demolition of one detached house to be replaced by 4 large new builds and a car park for 10 vehicles on the existing back garden - garden/land which is at flood risk, as confirmed by the Environment Agency.</p> <p>Question: Seeing the flood disaster Hastings residents and businesses have had to face since January 2023, how can HBC's planning department and planning committee still potentially allow</p>	<p>Councillor Rogers:</p> <p>Thank you for your question. Each planning application is considered on its own merits in line with local and national planning policy. Site notices are always displayed near the site of the planning application, and this meets national guidance for notifying members of public about applications.</p> <p>In addition to site notices you can view the details of planning applications in your area through the interactive map in My Hastings (<a href="https://my.hastings.gov.uk/">https://my.hastings.gov.uk/</a>) and use the Council's online planning portal to search for and track planning applications (<a href="https://www.hastings.gov.uk/planning/searching/">https://www.hastings.gov.uk/planning/searching/</a>).</p> <p>Our weekly 'My Hastings Matters' newsletter with a reach of c.33,000 subscribers also links to both of these online services.</p> <p>All new developments are required to provide detailed drainage plans for approval, and if sufficient objections are</p>

	<p>developments which go against the issues already affecting this town, especially taking into account the situation will get worse with climate change?</p>	<p>made by residents, officers or councillors, these would then be discussed at the planning committee.</p> <p>The new Local Plan, currently being drafted for final consultation next year, will contain updated sections on tackling the climate emergency as clearly, as you say, future development needs to take climate change into account in all sorts of ways.</p>
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