

# Public Document Pack

## **Executive Decision Records**

Please find set out below a number of Executive Decisions taken at the HAMPSHIRE COUNTY COUNCIL Executive Member for Policy, Resources and Economic Development Decision Day held remotely on Thursday, 8th December, 2022

1. **REGULATION OF INVESTIGATORY POWERS ACT 2000 – ANNUAL REVIEW AND CONFIRMATION OF EXISTING POLICY WITH REGARDS TO SURVEILLANCE ACTIVITY**
2. **TITCHFIELD HAVEN NATIONAL NATURE RESERVE - FUTURE PROPOSALS (LESS EXEMPT APPENDIX)**

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# Item 1

## HAMPSHIRE COUNTY COUNCIL

### Executive Decision Record

<b>Decision Maker:</b>	Executive Member for Policy, Resources and Economic Development
<b>Date:</b>	8 December 2022
<b>Title:</b>	Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of updated policy with regards to surveillance activity
<b>Report From:</b>	Director of Culture, Communities and Business Services / Head of Law and Governance– Corporate Services

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#### 1. The decision:

1.1. That the County Council's proposed Policy in relation to the use of covert investigative techniques, attached as appendix 1 to the report, be approved.

#### 2. Reason(s) for the decision:

2.1. The decisions made will ensure that Hampshire County Council continues to comply with the Regulation of Investigatory Powers Act 2000, as amended by the Protections of Freedoms Act 2012 and Investigative Powers Act 2016, in such a manner that supports the County Council's Strategic Plan.

#### 3. Other options considered and rejected:

3.1. None

#### 4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None

4.2. Conflicts of interest declared by other Executive Members consulted: None

5. Dispensation granted by the Conduct Advisory Panel: None.

**6. Reason(s) for the matter being dealt with if urgent: Not applicable.**

**7. Statement from the Decision Maker:**

**Approved by:**

**Date:**

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8 December 2022

**Executive Member for Policy, Resources and  
Economic Development  
Councillor Rob Humby**

# Item 2

## HAMPSHIRE COUNTY COUNCIL

### Executive Decision Record

<b>Decision Maker:</b>	Executive Member for Policy, Resources and Economic Development
<b>Date:</b>	8 December 2022
<b>Title:</b>	Titchfield Haven National Nature Reserve - Future Proposals
<b>Report From:</b>	Director of Culture, Communities and Business Services

Jo Heath

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#### 1. The decision:

That the Executive Member for Policy, Resources and Economic Development:

- 1.1 Approves the disposal of Haven House at Titchfield Haven National Nature Reserve, following the decision made by the Executive Member for Countryside, Culture and Communities to declare Haven House surplus to service requirements.
- 1.2 Agrees that the full value of the capital receipt from the sale of Haven House and Haven Cottage be invested in Titchfield Haven National Nature Reserve with any funds that are surplus to the immediate needs held by the County Council for the sole purpose of benefitting the Nature Reserve in the future.
- 1.3 Approves the phased investment programme set out in the report, subject to Cabinet approval.
- 1.4 Notes that work will not commence until a capital receipt has been agreed and that Haven House has been listed as an Asset of Community Value which may delay any disposal by up to 6 months.

1.5 Agrees that if Haven House and the Titchfield Haven National Nature Reserve are transferred to another party as a result of a proposal made under paragraph 5 of the report then that transfer should include Haven Cottage or the net proceeds of sale of Haven Cottage, subject to negotiations with the parties involved.

**2. Reason(s) for the decision:**

2.1 Titchfield Haven National Nature Reserve (THNNR) has been owned and managed by Hampshire County Council since 1972. It is an internationally important site for wildlife and along with the National Nature Reserve status it is designated a Site of Special Scientific Interest and is part of the Solent and Southampton Water Special Protection Area.

2.2 The reserve includes Haven House which serves as a visitor centre with a café, shop and toilets and Haven Cottage, a Grade II listed building which has been vacant for many years.

2.3 The current operating model at THNNR is financially unsustainable with increasing net costs to run and manage the site. The current running costs are £641,000. These costs are met through income (£505,000) and an annual cash limit of £136,000 from the Hampshire County Council Countryside Service budget.

2.4 An analysis of the site's financial position has identified that over the next 3 years the site would cost the County Council an estimated additional £1.8m if no changes are made. This includes increased running costs, the projected investment required for the ageing buildings, and funding required for investment in the nature reserve itself.

2.5 Haven House requires significant investment to maintain it for the future. The costs of bringing it up to acceptable modern standards alongside ongoing maintenance are estimated to be £411,000. The residential Haven Cottage requires an investment of £263,000.

2.6 The Nature Reserve also requires investment - two of the most popular bird hides on the site have been closed recently due to their declining state. The projected investment needed for the reserve's infrastructure such as boardwalks and bird hides for the next 3 years are £670,000.

2.7 A detailed business case with an options analysis for alternative operating models proposed that the management of the National Nature Reserve should be prioritised, that the visitor centre with the café and shop should close, and that Haven House be sold to reduce revenue and capital liabilities and to generate a capital receipt to support the future of the

Nature Reserve. The redacted version of the business case can be found in Appendix E of the Titchfield Haven National Nature Reserve – Future Proposals Decision Day report, and an unredacted version of the business case is attached as Appendix F which is an exempt appendix and is therefore not publicly available.

- 2.8 In addition, the business case proposed that Haven Cottage (which had been empty for some years) be declared as surplus to requirements and that it be sold in order to reinvest in the Nature Reserve. The decision to declare Haven Cottage as surplus to service requirements and to market for sale was taken by the Director of Culture, Communities and Business Services.
- 2.9 The affected staff were formally consulted between 27 September 2022 and 27 October 2022. Some adjustments were made to the proposals following the initial feedback and the period of consultation was extended to 14 November 2022.
- 2.10 The proposals were made public to seek views and understand the potential impact of the proposed changes on visitors, annual membership holders of the Nature Reserve and the local community. This five-week public engagement exercise commenced on 27 September 2022 and concluded on 1 November 2022. There was a high level of interest and concern expressed by the respondents which is evident from the 2,997 responses that were received, the majority from the local community. These are detailed, with responses, in Appendix D(i) of the Titchfield Haven National Nature Reserve – Future Proposals Decision Day report.
- 2.11 Following the publication of the proposals, the County Council’s Executive Member for Countryside, Culture and Communities, and senior County Council officers, have directly and extensively engaged with all interested parties to listen to their views, respond to questions and provide further information as requested. The two Executive Member decision makers have been provided with all emails and letters received since the launch of the engagement process and also all written comments included in the survey response forms.
- 2.12 It is clear, and was acknowledged in the original business case, that the visitor centre, café and garden at Haven House are highly valued by local residents specifically in the Titchfield area and the proposals have generated significant interest from people keen to preserve the facilities for the future. The level of response clearly shows the strength of feeling and sense of importance of these facilities within Haven House to the local community and its wellbeing. However, provision of these facilities is not a statutory duty for the County Council, with the community of users not reaching the thresholds relating to the County Council’s social care responsibilities. The costs of maintaining this provision for the local

community, subsidised by the County Council, have to be balanced with consideration of the financial sustainability of the National Nature Reserve and the prioritisation of the County Council's statutory responsibilities therein. It also needs to be considered within the context of the extremely challenging financial position for the County Council overall.

**3. Other options considered and rejected:**

**Option 1 - Do nothing.** No change to current management of visitor offer. This does not address the increasing financial pressures.

**Option 2 - Develop the Offer.** Invest in the current visitor centre at Haven House or a new visitor centre. This would require significant additional investment with limited revenue return and would not provide investment for the Nature Reserve.

**Option 3 - Transfer to a third party.** This would be considered if a competent organisation could meet the objectives set out in paragraph 35 of the Titchfield Haven National Nature Reserve – Future Proposals Decision Day report and remove the financial liability for Haven House and THNNR from the County Council. During the investigation and engagement stages, discussions took place with Hampshire and Isle of Wight Wildlife Trust (HIWWT), National Trust and Royal Society for the Protection of Birds (RSPB), but no viable and fully costed proposals have been received to date.

**Option 4 - Change Focus.** Prioritise the reserve and manage it without the café and shop. This is currently the only viable costed option and now forms the approach recommended in the Titchfield Haven National Nature Reserve – Future Proposals Decision Day report. It is closely aligned with the four key objectives set out in paragraph 35 of the report.

**4. Conflicts of interest:**

4.1 Conflicts of interest declared by the decision-maker: None.

4.2 Conflicts of interest declared by other Executive Members consulted: None.

**5. Dispensation granted by the Conduct Advisory Panel:** None.

**6. Reason(s) for the matter being dealt with if urgent:** Not Applicable.

**7. Statement from the Decision Maker:**

In considering this item, I have noted the Countryside, Culture and Communities Select Committee's unanimous support of the proposals, when it met yesterday, including an additional recommendation outlined in section 1.5 above.



**Approved by:**

**8 December 2022**

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**Councillor Rob Humby**

Executive Member for Policy, Resources and Economic  
Development

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