

ALTON Town Council



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Town Clerk: Leah Coney

Town Hall
Market Square
Alton
Hampshire
GU34 1HD

11th January 2023

Dear Councillor

You are hereby summoned to an **EXTRAORDINARY** meeting of the **FULL COUNCIL** on **Wednesday 18th January at Alton Maltings, Maltings Close, Alton GU34 1DT at 7.00pm** when the under mentioned business will be transacted.

Yours faithfully

GBoxall

Councillor Ginny Boxall
Town Mayor

To: All Town Councillors

Councillor Matthew Bayliss
Councillor Ginny Boxall
Councillor Suzie Burns
Councillor Paul Crossley
Councillor Sharon Cullen
Councillor Graham Hill
Councillor Annie Lancaster
Councillor Pam Jones
Councillor Lewis Jones
Councillor Richard Platt
Councillor Graham Titterington

ALTON TOWN COUNCIL – WEDNESDAY 18th JANUARY 2023
ALTON MALTINGS – AGENDA

- 1 Apologies for absence
- 2 Town Mayor's announcements
- 3 Leader's announcements
- 4 Minutes of the last meeting held on the 9th November 2022
- 5 Declaration of Interest and Requests for Dispensations - Councillors are reminded of their responsibility to declare any disclosable pecuniary interest which they may have in any item of business on the agenda no later than when that item is reached. Unless dispensation has been granted, you may not participate in any discussion of, or vote on any matter in which you have a pecuniary interest. You must withdraw when the meeting discusses and votes on the matter
- 6 Presentation on the King's Pond Draft Management Plan review public consultation results.
- 7 Questions to the Council. Members of the public are invited to make representations (extended period)
- 8 King's Pond Draft Management Plan. Review of consultation, next steps and funding.

**ALTON TOWN COUNCIL
EXTRAORDINARY FULL COUNCIL – 18TH JANUARY 2023**

REPORTS BY THE TOWN CLERK

**ITEM 6 PRESENTATION OF THE RESULTS OF THE KING'S POND
DRAFT MANAGEMENT PLAN CONSULTATION RESULTS**

FOR INFORMATION

The Town Clerk will make a short PowerPoint presentation on the results of the public consultation for the draft King's Pond Management Plan which ran from 17th October to 27th November 2022.

ITEM 7 PUBLIC REPRESENTATIONS

There will be an extended period for public representations during which members of the public may make a representation, contribution, suggestion or ask a question and will be called by the Chair when it is their turn to speak.

The Chair will encourage people not to repeat comments made by earlier speakers to ensure there is sufficient time for all representations to be given.

Please ensure that everyone is respectful of each other's views; the session is designed to promote an atmosphere of positive communication and understanding. Please refrain from making any questions, representations or contributions which contain offensive expressions or are personal or are verbally abusive toward other speakers, members of the audience, councillors or officers.

Representations received in writing will be considered first. For ease of reference they are detailed below. This will be followed by representations made in person.

Representations received in writing:

1) Tim Pinchen - Chair , Watercress and Winterbournes Steering Group

Amongst my other responsibilities for Foodbank etc I have been a Trustee of the Hants and Isle of Wight Wildlife Trust for 9 years. Although I reached the end of my 3 x 3 yr tenure a couple of years ago I was been asked by the Trustees to remain as an advisor, in particular because on "retirement" I was asked to chair the steering group for a 3 yr National Lottery £1.6 million project involving the upper reaches of the Test and Itchen. The steering group comprises NE, TVBC , Wessex Rivers Trust, HIWWT, Vitacress, SDNP and various fisheries groups and is run by HIWWT. The project entails chalk stream restoration works and access arrangements, various social projects and hopes to leave a legacy of local groups encouraged to look after and maintain their sections of these world status headwaters. Our work is visible through web pages on the HIWWT web site. We have already carried out other river restoration works in the area to reintroduce bends and meanders in straightened section of river, fish runs and heritage building repairs.

But the main point of this email is to say that as part of this year's capital works we are intending to "restream" a section of the river in Andover that was widened to create a lake a few years ago. The inevitable happened, the lake silted up, the river flow slowed and biodiversity reduced. The project is to rebuild the stream so that it is self scouring and again supports the normal fish and other species by separating the stream from the lake.

Your consultants are probably not yet aware of this Andover project which has been designed and approved by the steering group partners led by HIWWT. Whilst I would not wish to prolong the debate over Kings Pond I wonder whether delaying any decision until your councillors and consultants could see the outcome at Andover (after this summer), when before and after scenarios could be available for people to see. This might defuse the local controversy and help inform the council's decision making when the local decision process is likely to run for a while any way.

Happy to supply more information if required or put your consultants in touch with my team.

Best Wishes

2) Peter Desmond Thomas

I am, personally, open minded on this issue. However, I note the letter published in today's Alton Herald commenting upon the paucity of publicity/access concerning the 'consultation' on the future of the Kings Pond; and the subsequent petition in the perceived light of this this assertion.

It seems to me that the relatively low total numbers in the consultation undertaken so far adds weight to this dissident argument; and any determination predicated upon the mandate of a small majority to divert the river Wey is not consonant with sound decision making.

Perhaps, the matter can wait, usefully, until the local government elections due in a few months time when an additional simple Yes/No voting paper on the King's Pond River Wey diversion proposal could be added, separately, to the ballot paper for the election of Alton Town Councillors for the new term.

3) Ms Sandra Hardman

My question for the Council Meeting on the 18th January is as follows: -

I have been extremely unhappy that my petition with 300 signatures has not been included in the results of the KINGS POND consultation process and I would like to know why? If they had been, the result would have been overwhelmingly against any change. Those 300 people who signed the petition must not be ignored if democracy is to mean anything in Alton.

4) Mr John Quincey

Councillors, I have attended all but two of the of the consultations on the latest KP draft plan.

From the outset I was concerned that the Council sought acceptance of a £15k commitment to a feasibility study, the reasoning for which was flawed. In the first consultation at KP I discussed this with the Town Clerk who agreed with me that all of the schemes put forward by Aquamaintain showed the re profiled Wey leaving the area of the pond via the existing sluice (not weir) mechanism. Thus unless this mechanism is changed it will in itself become a silt trap thereby negating the fundamental reason for taking the pond offline.

The Town Clerk further advised that whilst ATC owns the outlet mechanism it cannot make any changes thereto without the prior permission of the Environment Agency(EA). Given that the draft plan includes a letter from EA advising their aspiration to take the pond offline, surely it is incumbent upon them to advise that they would not object to necessary changes before ATC commits the people of Alton to this spend. Hence they should spend their money before we do on their behalf.

Fast forward to the meeting at the Assembly Rooms yesterday when the EA were represented. I spoke to the senior person (sorry didn't catch his name) and he (after some confusion where he

firstly denied knowledge of the letter included in the Draft Report) agreed with me that the EA's aspiration was to take KP offline. Naturally I then asked why the people of Alton should pay for his

Agency's wishes, to which he replied, "There's no money in the pot" He later climbed down from this by saying "Who knows, if this develops perhaps there will be"

Having reported this to the Town Clerk and (later) the Mayor I was about to rest my case when, commendably, the Mayor engaged with the senior EA rep and under informed questioning he conceded that his rank was not high enough to discuss financial aspects. I chinned him with his earlier comments to me which he couldn't offer a credible response.

In consideration of the foregoing I suggest that ATC suspends any commitment to expenditure until such time as EA offer to foot the bill for engineering studies to ascertain if their aspiration is achievable.

Finally, I request that this item should be added to the agenda of the next OSC meeting and that concerned townsfolk be allowed to join the debate rather than being confined to the opening 20-30 mins and excluded from the councillors debate. I realise that this is a tweak to standing orders but with so much antipathy being vented in the local press an affirmation of free speech within the Council forum would be a positive and concluding event.

5) Maggie Thirlway

I would like to ask the Alton Town Council if the proposal from CALA Homes to Hampshire District Council to install a silt trap has been done or not? If not, why not?

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WWW.CALA.CO.UK

Dear Councillors,

Planning Application 25050/059 – Former Molson Coors Brewery, Alton

Ahead of the Planning Committee scheduled for 26th November, CALA Homes wanted to provide an update following the issue of the Members Briefing which gave an overview of the many benefits associated with the proposed Alton Brewery development. CALA has proactively listened and responded to feedback received throughout the preparation and determination of the planning application, working positively with stakeholders involved in the redevelopment of this important town centre site. We can provide the following update:

- Following confirmation from Hampshire County Council regarding the ownership of Footpath 42 which runs to the east of the site adjacent to the Watercress Line, CALA are happy to include an additional planning obligation within the S106 legal agreement to secure a financial contribution to improve this important public right of way linking Lower Turk Street to the railway station via the proposed development;
- CALA is committed to working alongside the Council and key stakeholders to establish a Community Liaison Group which would ensure clear and consistent communication throughout the demolition and build, as well as playing a key role in ensuring the integration of the new community with existing neighbourhoods;
- If planning permission is granted, demolition will commence in Spring 2021 for a period of 12 months;
- None of the site is at risk of flooding with all water contained within the channel of the River Wey, as confirmed by the consultation response received from the Environment Agency;
- A silt trap is provided to the River Wey as part of the development;
- A new Condition will be included should planning permission be granted to ensure hedgehog friendly fencing is provided between gardens.

6) Anthony Furnival

Whilst I remain sceptical about the consultation process, if the council have concluded that this represents a mandate to conduct a feasibility study, it is imperative that the work is undertaken by a fully independent and suitably skilled specialist who can assess not only the pond but also the river from its source and the immediate area downstream from Kings Pond to determine where and how nutrient ingress occurs, the impact it has and whether the proposals by AquaMaintain represent the best solution to a perceived problem.

Given the irreversible and permanent nature of the proposed works we cannot be in a position where an inappropriate contractor is appointed as has too often been the case before. I appreciate that this may require more money to be spent at this stage but would remind councillors that a bad decision now may result in a quarter of a million pounds mistake later on, as such it is essential that things are done the right way now, even if that means more money being spent on the feasibility study.

My questions therefore are:

- 1) To ensure the independence and integrity of a feasibility study, will the council publicly commit to appointing a company who has no vested interest in the proposals nor is otherwise associated to Alton Town Council, AquaMaintain or any other individual or organisation associated with the proposals?
- 2) Will the council publicly commit to putting out to tender the contract for a feasibility to several companies, with a full discussion at a public meeting being undertaken on the merits of each company who responded along with a guarantee that councillors will be permitted a free vote without direction or recommendations being made in the agenda? (I.e a vote on merit of the discussions held)
- 3) If the council are committed to improving water quality as alleged, will they publicly commit to increasing the scope of the study to include the river from its source at the bottom of Alton through to its point of entry at Kings Pond to determine the causes and locations of nutrient and pollution ingress and allow those undertaking the study the freedom to determine whether these can be resolved through alternative measures other than that which has been included in the proposals?
- 4) Given that it will likely fall outside of the scope and professional skill set of a company appointed to conduct a feasibility study, will Alton Town Council first commit to having a full and thorough wildlife survey and impact assessment conducted by a specialist which will be made available to the public and the contractor conducting a feasibility study?
- 5) Given there is also a strong voice to keep the pond, will the council agree to allowing a feasibility study to assess alternatives to the proposals in order that the best solution for the space is found, even if that goes against the proposals which the council favour? (For example but not limited to the use of dredging and installation of a silt trap)
- 6) Finally will Alton Town Council confirm that members, officers and employees alike will be instructed to allow specialists to complete their work without undue pressure to support proposals and will not be obstructed or otherwise limited in the scope of the work simply to produced the favoured outcome for the council?

Members are invited to consider the outcomes of the consultation and the next steps.

In advance of this meeting a workshop session was held for Members and officers on the 20th December 2022 where the results of the consultation were circulated, including the on-line survey responses, the petition submitted to the Town Hall and all other correspondence relating to the King's Pond draft management plan which had been received.

In reviewing the responses and comments, the following observations were noted at the session.

- With less than 3% of Alton residents responding to the consultation, the response rate was low. The consultation was widely publicised on social media, the Town Council website, the local paper, notice boards, local radio and the Altonian. Attendance at the drop-in sessions was good and totalled several hundred but was not reflected in the response rate. Did this mean that most residents were not engaged with the process or did the number of respondents reflect the number of people who take an active interest in the pond. *(The previous on-line survey conducted by Councillor Langley contained in the appendix of the draft plan had a similar number of responses)*
- The majority of respondents were over 65, which did not reflect the concerns raised over older people not being able to access the internet or the survey.
- Whilst the response rate was low, for those responding it is clear that there is a deep sense of place about the pond and an emotional as well as physical attachment.
- Members felt it was appropriate to have a dedicated Full Council meeting to enable sufficient time for Members to debate the matter in full in a public forum and to provide a further opportunity to hear views from residents on this important issue.
- Councillor Hill felt it was important to undertake a feasibility study of both the offline and dredging options and therefore wished to table this as the main resolution at Full Council for further investigation.
- The question was raised over whether, if dredging were the preferred option by Council, this would require feasibility as dredging has been undertaken previously. It was felt that whilst the pond had been dredged twice before, all silt had remained on site, which was unlikely now and therefore studies would be required to confirm the composition of the silt, how much could be reused on site on banks and river re-profiling, how much would need to be removed from site and where it could be deposited.
- Councillor Burns felt that whatever option was pursued by Members she would advocate surveying the outlet/weir to establish whether the off-line option was even feasible to ensure a future council has the answer to this important question.
- Members discussed whether any feasibility study should take the form of an options appraisal to ascertain the most environmentally sensitive manner overall to preserve the site for future generations. It was felt that data collection would be an integral next step in the process so that the next council were able to make an informed decision.
- Cllr Bayliss commented that if any information gathering exercise were pursued, this should ideally take the form of a technical and financial assessment of the options rather than an options appraisal so that what is brought back to council is an objective factual assessment and does not lead the Council towards a preferred option in the view of the consultant.

- Members felt it was appropriate to clearly convey to the meeting in January that it would not be looking to adopt a final version of the management plan as this would be premature as more work is required before it is tabled. The final version of the management plan would fall to the new council to agree, given the time it would take to undertake data collection on the options if this was the decision of the meeting on the 18th January.
- Councillor Bayliss felt there were a number of important areas of the management of Kings Pond which were either missing from or unclear, in the draft Management Plan. These should be addressed/considered prior to any final adoption.
- The question was asked as to what weight should be given to the results of the petition?
The petition submitted has been considered as part of the overall consultation evaluation process. Whilst the preferred method of response was on the prescribed form, either on-line or a paper copy in order that respondents can answer all of the questions posed in the survey, it is appreciated that some respondents may prefer to express their views in a different way.
(NB The petition itself is not published on the Town Council website as the author did not ask signatories to sign if they were happy for their details to be published (many have contact numbers or email addresses and signatures) and the Council would breach data protection regulations if it published these details without consent.)
- The wording of the petition was unclear in part and as such it was impossible to tell if respondents had also completed the on-line survey or whether the petition was in favour or against other options within the draft plan, such as dredging. On that basis Members felt it was certainly appropriate to take the petition into account, but it was for councillors to individually consider its content as part of the decision-making process rather than give it a binary weighting.
- Members felt there had been considerable misinformation over the availability of Council funding for this project and therefore, for the avoidance of doubt, asked officers to ensure the funding which had been discussed for any future project at King's Pond was clearly identified on the balance sheet for the start of the new financial year with an ear marked reserve of £250,000
- A number of comments expressed in both verbal and written representations and reported in the press had very sadly made the pond less about the views of those affected by it and more a political subject matter. Members were all agreed that whatever the outcomes of the management plan consultation process, the pond should not become a divisive subject matter in a drive for votes at the next election and should be de-escalated wherever possible.
- Officers were asked about the process for writing an invitation to tender for this work. The Town Clerk confirmed that this process would need to be outsourced to an industry expert. Organisations such as the Rivers Restoration Centre or a local Wildlife Trust may be able to assist as they have a list of consultants who may be able to Project Manager.

RECOMMENDATION: Members are requested to approve the following:

- 1) Setting aside £250,000 to create an ear marked reserve for King's Pond future works, made up of £170,000 Neighbourhood CIL, £80,000 ATC reserves.
- 2) Conducting a technical and financial assessment of the dredging option.
- 3) Conducting a technical and financial assessment of removing the outlet weir so as to enable an offline option to be considered further.
- 4) Deferring consideration of the technical and financial assessment of the offline option until the outcome of the technical and financial assessment of the removing the outlet weir is known.
- 5) Funding of up to £25,000 to be set aside to fund the approved technical and financial assessments.
- 6) Appointment of a Project Manager (fee up to £2,500) to design and run the invitation to tender process for the approved technical and financial assessments bringing the results of the tender process to the first Full Council meeting following the Annual Meeting of the (new) Council in May.