
NOTICE OF MEETING

CABINET MEMBER FOR PLANNING, REGENERATION & ECONOMIC DEVELOPMENT

TUESDAY, 10 MARCH 2015 AT 5.00 PM

CONFERENCE ROOM A - 2ND FLOOR, CIVIC OFFICES

Telephone enquiries to Vicki Plytas 02392 834058
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CABINET MEMBER FOR PLANNING, REGENERATION & ECONOMIC DEVELOPMENT
Councillor Luke Stubbs (Conservative)

Group Spokespersons

Councillor Ben Dowling, Liberal Democrat
Councillor Aiden Gray, Labour
Councillor Steve Hastings, UK Independence Party

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Members' Interests**
- 3 Communication and Engagement with Small and Medium Enterprises in Portsmouth (Pages 1 - 10)**

Purpose of report

To update the Cabinet Member for Planning, Regeneration and Economic Development on the latest economic profile for Portsmouth, outline the SME business support activities currently undertaken and how it is planned that these could be developed to improve start up support and SME growth in the city.

RECOMMENDED

- (1) That the collaborative and coordinated partnership approach that is being taken to support economic growth and encourage enterprise and innovation continues.
- (2) That work be progressed to explore development of an updated Portsmouth Business Directory to support SME growth and business communication.
- (3) That proposals to deliver an enhanced programme of integrated support for start-up and growth of SMEs are progressed with the aim of improving the city's ranking in terms of SME survival and growth.

4 Candidate Local Wildlife Sites 2015 update (Pages 11 - 24)

Purpose of report

To seek the Cabinet Member's approval to treat six identified sites with nature conservation interest as 'candidate local wildlife sites'.

RECOMMENDED

That the following sites are treated as 'candidate local wildlife sites' for planning policy and development management purposes:

- i. East and west of Gillman Road
- ii. Fort Cumberland
- iii. James Callaghan Drive
- iv. Kings Bastion Moat
- v. Paulsgrove Chalk Pit
- vi. Foreshore tot the west of Tipner Ranges

5 Community Infrastructure Levy - Exceptional circumstances relief (Pages 25 - 28)

Purpose of report

To set out the need to withdraw CIL Exceptional Circumstances Relief

RECOMMENDED

That the Cabinet Member authorises the City Development Manager to publicise the Council's intention to withdraw CIL Exceptional Circumstances Relief.

6 Proposed Developers Consultation Forum (Pages 29 - 32)

Purpose of the report

This report seeks approval to set up a Development Consultation Forum and

introduce an associated charging schedule. The Forum would be set and operationally would become effective from June 2015.

RECOMMENDED

- (1) That the Cabinet Member for Planning, Regeneration and Economic Development authorises the City Development Manager to finalise working arrangements for the introduction of a Development Consultation Forum to commence in June 2015.**
- (2) To introduce a charging schedule at a rate set out in the report.**

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

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Title of meeting: Planning, Regeneration and Economic Development

Date of meeting: 10 March 2015

Subject: Communication and Engagement with Small and Medium Enterprises in Portsmouth

Report by: City Development Manager

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

To update the Cabinet Member for Planning, Regeneration and Economic Development on the latest economic profile for Portsmouth, outline the SME business support activities currently undertaken and how it is planned that these could be developed to improve start up support and SME growth in the city.

2. Recommendations

- 2.1 That the collaborative and coordinated partnership approach that is being taken to support economic growth and encourage enterprise and innovation continues.**
- 2.2 That work be progressed to explore development of an updated Portsmouth Business Directory to support SME growth and business communication.**
- 2.3 That proposals to deliver an enhanced programme of integrated support for start-up and growth of SMEs are progressed with the aim of improving the city's ranking in terms of SME survival and growth.**

3. Background

- 3.1 The Economic Development function sits within City Development within City Development and Cultural Services and is responsible for the development and implementation of programmes of support to help SMEs to start up and grow.**
- 3.2 Programmes of support are developed by the service in partnership with external delivery partners, both locally (University and business groups across the Solent) and regionally (Solent Growth Hub, Federation for Small Businesses and Hampshire Chamber of Commerce) to keep abreast of new funding and economic development opportunities and to identify what SMEs need to develop and grow.**

3.3 The Portsmouth Plan and 'Shaping the future of Portsmouth' regeneration strategy aim to support economic growth, innovation and enterprise and to enhance the city's competitiveness. The Business Growth and Skills Plan aims to reflect the opportunities that the physical regeneration and City Deal will create and specifically to:

1. Secure greater inward investment and ensure business retention
2. Improve new business start-up and survival rates
3. Encourage business growth by supporting SMEs to increase their productivity and developing overseas trade
4. Foster entrepreneurship and innovation

4. Co-ordinated partnership approach to business support

The city council is one of the avenues of support that Businesses look to for information both to starting-up or growing their business and also to check how to do business with the council. The SME Development Officer, in the Economic Development team, is their first point of contact and works with external partners to reach as many businesses as possible, engaging and supporting SMEs via a broad range of methods, including :

- a) Business support and funding advice via PCC web pages.
- b) A dedicated support line and signposting service and email Business Support in-box supporting on average 30 business enquires per month
- c) Social media, including regular dissemination of the latest business advice and information to over 1800 followers on Twitter, and an email business bulletin sent bi-monthly to over 1000 businesses.
- d) Weekly advice sessions at PCC Enterprise Centres, delivered by our partner, Enterprise First.
- e) Delivery of specific discreet projects for start-ups and business growth with partners in the private sector and the University of Portsmouth.
- f) Regular engagement with regional and local business support providers to develop business intelligence and add value to business support activity through sharing of resources and avoiding duplication.
- g) Building intelligence on SMEs through management and attendance at business-promotional and networking events (see programme of PCC-managed events in Appendix B)
- h) Encouraging overseas trade through partnership working with UKTI, UK Export Finance and Hampshire Chamber of Commerce, and the development of an export support tool for SMEs with European partners.

5 Measures of business confidence in Portsmouth

Online data on business formation and survival figures is available from various sources but specifically Office for National Statistics (ONS), Duport, Centre for

Cities etc. and these sources are useful to show trends and comparisons and to help shape service interventions.

However, the data available can often be contradictory, may not be specific to the Portsmouth local authority area and is often derived from datasets such as registrations with Companies House and tax returns, which gives an incomplete picture. Extracts of some of these reports are included in Appendix A.

It is therefore important that the Economic Development team has access to alternative sources of business data as an indicator of business confidence in Portsmouth, in order that limited resources can be most effectively focused to deliver the best outcome for the business community.

In the main, reports based on Government data indicate that Portsmouth performs poorly compared to the South East region with regard to the number of start-ups and their survival. The measure of productivity, GVA per head, is lower in Portsmouth than the wider SE region.

The Cities Outlook Report 2015 shows that, from 2013 to 2014, Portsmouth PUA (Portsmouth, Havant, Fareham and Gosport) moved up in ranking for business start-ups per 10,000 population from 42nd (out of 64 cities) to 36th and was also 5th highest in the %growth in private sector jobs between 2004 and 2013, with growth of 12.3% (after Cambridge, Brighton, Milton Keynes and London).

Conversely the same report notes that Portsmouth PUA performs quite poorly in terms of SMEs having high growth strategies (compared with Brighton, Bournemouth and Cambridge). 21% of SMEs in Portsmouth shrunk between 2010-13, performing poorly when compared with other cities in the South East.

Hence, whilst the data obtained via ONS and Companies House is a useful indicator of trends, other sources of business intelligence and informal feedback is critical to actually understanding the structure of the business community and its strengths and weaknesses. This can be achieved through active and effective engagement with the business community to help shape the support that business need in the city to start up and grow

6. Business Directory

As Government statistics do not provide the full picture, it is apparent that an improved and current understanding of the local business landscape, key sectors and specific needs, is crucial to inform a programme of targeted support and to enable better communication with local SMEs.

The current business database comprises a 2012 Portsmouth Business Directory and 2011 Industrial Estates and Business Parks register, both are out-dated, fragmented and not integrated with other council systems.

With limited in-house resources to maintain a business database, there is a need to work with our partners to develop a co-ordinated Business Directory which can be utilised by all partners and would be a sustainable model of business intelligence

The Economic Development team is in discussions with our key partners, including Hampshire Chamber of Commerce, Hampshire County Council, FSB and the University of Portsmouth. Options are also being discussed with the in-house Information Systems team to progress ideas for the development of a new Portsmouth Business Directory, which could potentially incorporate an on-line system where businesses could trade.

It is proposed that these options be brought back to PRED for future endorsement.

7. Future programme of business support

The key frustrations and concerns of SMEs in Portsmouth, highlighted by current business intelligence and external support providers, are

- i. Lack of time and finance to develop and deliver their plans for growth
- ii. Lack of skills to prepare robust business plans to ensure their survival and growth and attract finance.
- iii. Lack of skilled and work-ready workforce
- iv. Difficulty in finding incubator and accelerator units and larger industrial premises within the city.

The role of the SME Development Officer is to develop a co-ordinated and cohesive programme of future support, working with external partners to share resources and avoid duplication wherever possible.

The following programme is being considered for further development, all deliverable within current budgets:

- a) The SME officer will continue to work collaboratively with external partner organisations, such as Hampshire Chamber of Commerce, UKTI, University of Portsmouth, Portsmouth Partnership Foundation and the Business and Enterprise work stream of Shaping, and internally with PCC service teams, to address the four areas above and engage more effectively with businesses.
- b) The concept of a 'Business Bank', a pool of business advice hours, donated by philanthropic business partners, will be developed to supplement business support.
- c) 'Face to Face' support in Portsmouth Central Library. Discussions are underway with regional business support providers to continue to provide this service, possibly to include a regular 'business advice clinic' at the library or other locations. One option, which would maximise current assets, would be to use the mobile library or community vehicles to go out to SMEs with a 'Business Start Up and Grow Roadshow'. This would be in partnership with other providers in the city
- d) A Retail Campaign - a joined-up approach to a series of events to support local retailers in the city and encourage residents to 'Shop Local' through a strongly branded and well-planned programme.
- e) Supply Chain opportunities - to maximise benefits for SMEs in Portsmouth and to support SMEs to win contracts and take up supply chain opportunities

both internally, through close working with the council's Procurement Advice team, and externally, through the promotion of opportunities, including major events that come to the city - ACWS Portsmouth , BAR and Navitus Bay Wind Park as examples

- f) Development of an online Business Directory that could also be a market place for Business to Business activity as explained in paragraph 6.
- g) Improve connectivity and collaborative working between innovation centres in Portsmouth to enhance business support between centres and to encourage the development of a wider network of innovation centres, linked to opportunities emerging from the physical regeneration programme.

8. Equality impact assessment (EIA)

An equality impact assessment is not required as the recommendations do not have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

9. Legal Implications

This is a discretionary function provided by the Council. However it must be carried out in accordance with the relevant regulatory frameworks. Advice should therefore only be given on topics which do not require relevant authorisation. In any event suitable disclaimers should accompany any advice given to avoid or limit any liability of the Council. Appropriate notices should also be inserted in all documents which may be used to collect data identifying the use to which that data may be put to ensure compliance with Data Protection legislation.

10. Head of Finance comments

- 10.1 In order to maximise limited resources business support activities are delivered via a collaborative and coordinated partnership approach. This report recommends that this continues.
- 10.2 The development of a Business Directory has been highlighted as a priority and this report recommends that this work is further explored. Any financial implications of the development of the Portsmouth Business Directory will be brought back to PRED in a future report.
- 10.3 The report contains a recommendation to provide an enhanced programme of integrated support for SMEs within the city. The report contains details of the proposed programme. All these activities can be met from existing cash limited budgets.

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Signed by:

Appendix A - Economic profile for Portsmouth
 Appendix B - programme of PCC managed events

Background list of documents: Section 100D of the Local Government Act 1972

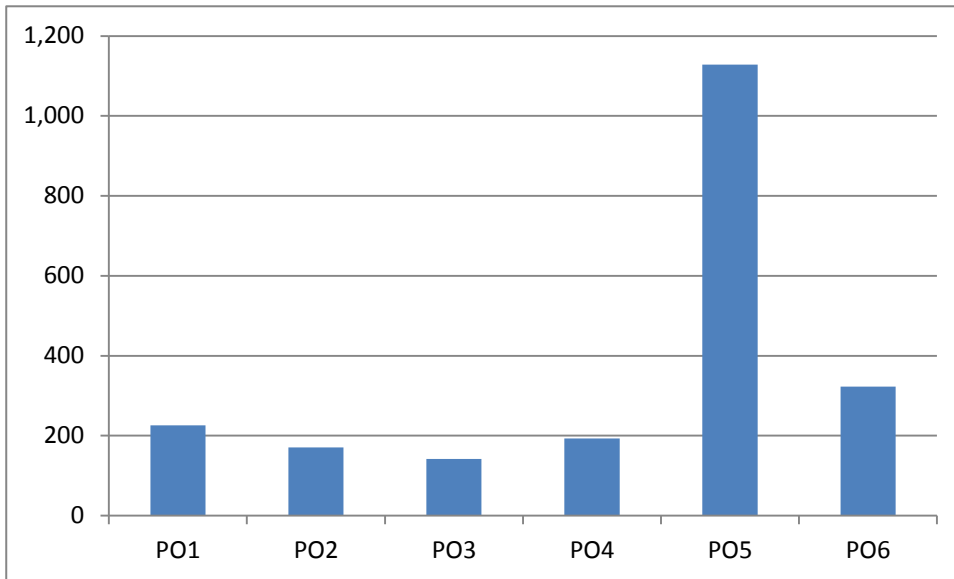
The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Business case for channel shift/customer service savings	Cabinet briefing paper 20 th November 2014
Business Growth and Skills Plan	https://www.portsmouth.gov.uk/ext/documents-external/pln-businessgrowthandskillsplan.pdf
Cities Outlook 2015	http://www.centreforcities.org/publication/cities-outlook-2015/
Small Business Outlook 2014	http://www.centreforcities.org/publication/small-business-outlook-2014/
StartUp Britain	http://www.startupbritain.co/news/2015-01-04/new-figures-reveal-record-breaking-year-for-start-ups

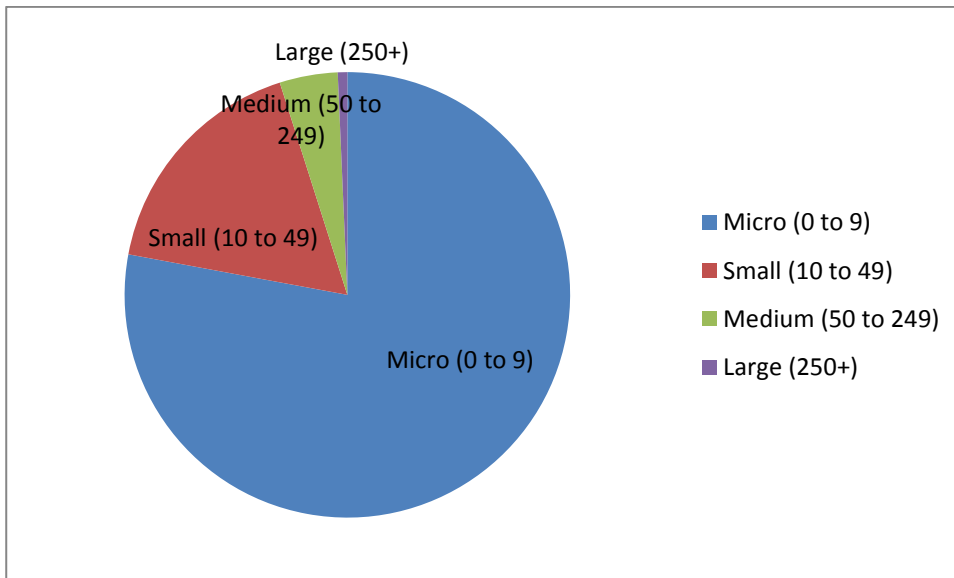
The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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 Signed by:

Appendix A - Economic profile for Portsmouth

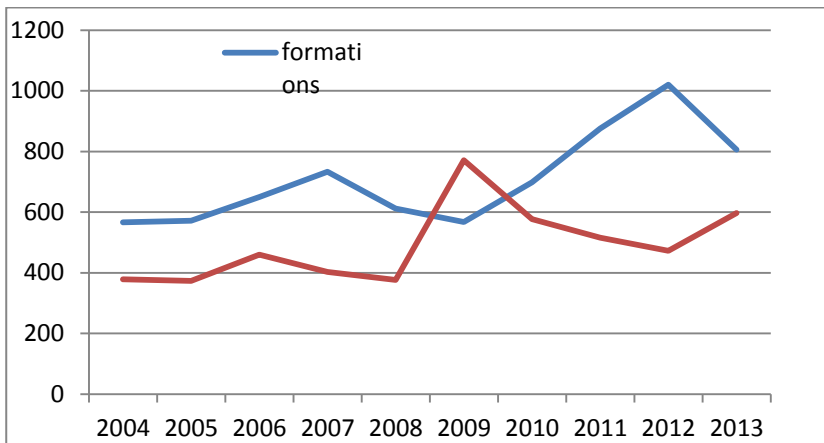


Business registrations in Portsmouth in 2014 by postcode

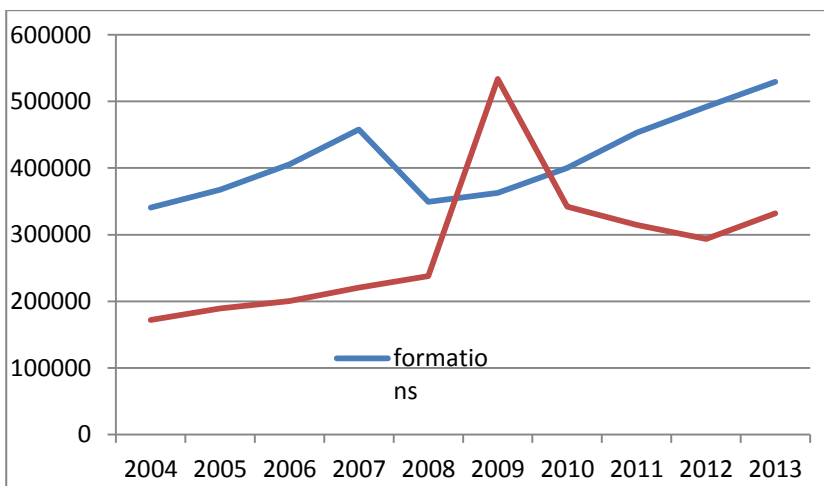


Local business units in Portsmouth 2014
Source: Inter Departmental Business Register (ONS)

Micro (0 to 9)	5,080
Small (10 to 49)	1,120
Medium (50 to 249)	275
Large (250+)	45
Total	6,525



Portsmouth net company growth



UK net company growth

There have been a number of reports released recently relating to the performance of cities, including Portsmouth. These are:

1. **Centre for Cities - Cities Outlook 2015** reports on cities using the Primary Urban Area (PUA) method - for Portsmouth PUA, this includes Portsmouth, Havant, Fareham and Gosport. From 2013 to 2014, Portsmouth PUA moved up in ranking for Business Start-ups per 10,000 population from 42nd (out of 64 cities) to 36th.

Some highlights

- Portsmouth PUA was 6th in the ranking for high achievement of Superfast broadband (82.3%).
- It was 5th highest in the %growth in private sector jobs between 2004 and 2013, with growth of 12.3% (after Cambridge, Brighton, Milton Keynes and London).
- Portsmouth was one of seven cities that reported a real terms increase in their workers' weekly wages of more than £20.

2. **Small Business Outlook 2014 report (Centre for Cities)** Recognises that 'small businesses are the lifeblood of our economy'. Indicates that Portsmouth PUA preforms quite poorly in terms of SMEs having high growth strategies (e.g. adoption of new

technologies, investment in their workforce and performance tracking) compared with Brighton, Bournemouth and Cambridge. SMEs are more likely to adopt high-growth strategies if they operate in

- i. international markets
- ii. cities with a high proportion of university graduates
- iii. cities that are attractive places to live, work and do business

The report shows that about 21% of SMEs in Portsmouth shrunk between 2010-13, performing poorly compared with Brighton, Reading, Southampton and Bournemouth.

3. **Delivering Change report (Centre for Cities)** Highlights interventions that help create strong city centre economies:
 1. Relocating employment to the city centre where possible
 2. Creating an attractive and functional physical environment
 3. Providing good transport and infrastructure
 4. Attracting firms through incentives to stimulate business activity
 5. Making better use of temporary space
4. **Startup Britain** Portsmouth region (PO1 to PO41) is 19th highest 'entrepreneurial hotspot', based on Companies House registration data so will not include start-ups that choose not to register and 'Portsmouth' includes PO 1 to 41, so includes loW and the wider Portsmouth area to the North and East. The report takes no cognizance of population size. London is top and Brighton & Hove 4th.
5. **Duport site** <http://www.duport.co.uk/southsea/2014/Q2> - again, this is based on Companies House registrations

The first half of 2014 saw a new record in net growth in Southsea of 525 businesses, with 728 new companies registered, a 14.2% increase on the first half of 2013 However, in the same period, 203 were dissolved, a 39% increase on 2013.

For Portsmouth (PO1,2,3,6) there were 456 new registrations, a 6.3% increase on 2013 (compares poorly with a UK average increase of 11.6%) 315 companies were dissolved, a 18.8% increase on 2013, so the net growth was 141

Appendix B - PCC-managed events 2015

CALENDAR OF EVENTS 2015			
MONTH	DATE	EVENT TITLE	PURPOSE
FEBRUARY	12th	Apprenticeship Event	Skills & Training
	25th	Partnership Foundation launch of grant	Social Enterprise support
	26th	Americas Cup World Series Business Breakfast	Business growth
MARCH	6th Friday	Future Portsmouth	Skills and Apprenticeships
	26th	Portsmouth Expo	Business support
APRIL	9th & 10th	Export and Growth tool development meeting	UKTI / European Chambers of Commerce
MAY	tbc	Start Up Portsmouth launch event	Business support
	16th	Commercial Road Shop Local event	Retail event
	29th TBC	Hotel Event	Inward Investment
JUNE	1st	Inward Investment breakfast tbc	Inward Investment
	25/26	Export and Growth tool development meeting	UKTI / European Chambers of Commerce
	TBC	Business Growth event	Business growth
JULY	Sat 4 July	Independents Day	Retail event
	23-26th	BAR World Series Events	Economic Development
SEPTEMBER	19-22	Shopping Festival	Retail event
	end	Meet the Buyer	Business growth
OCTOBER	21 to 23	MIPI London	Inward Investment
	17th	Opps Fair	Skills and Apprenticeships
NOVEMBER	13th	Shaping Portsmouth Conference	Economic Development
DECEMBER	5th	Small Business Saturday	Retail event



Title of meeting:	Cabinet Member for Planning, Regeneration and Economic Development
Date of meeting:	10 March 2015
Subject:	Candidate Local Wildlife Sites 2015 update
Report by:	City Development Manager
Wards affected:	Drayton & Farlington, Paulsgrove, Cosham, Eastney & Craneswater, St Thomas, Nelson
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1 To seek the Cabinet Member's approval to treat six identified sites with nature conservation interest as 'candidate local wildlife sites'.

2. Recommendation

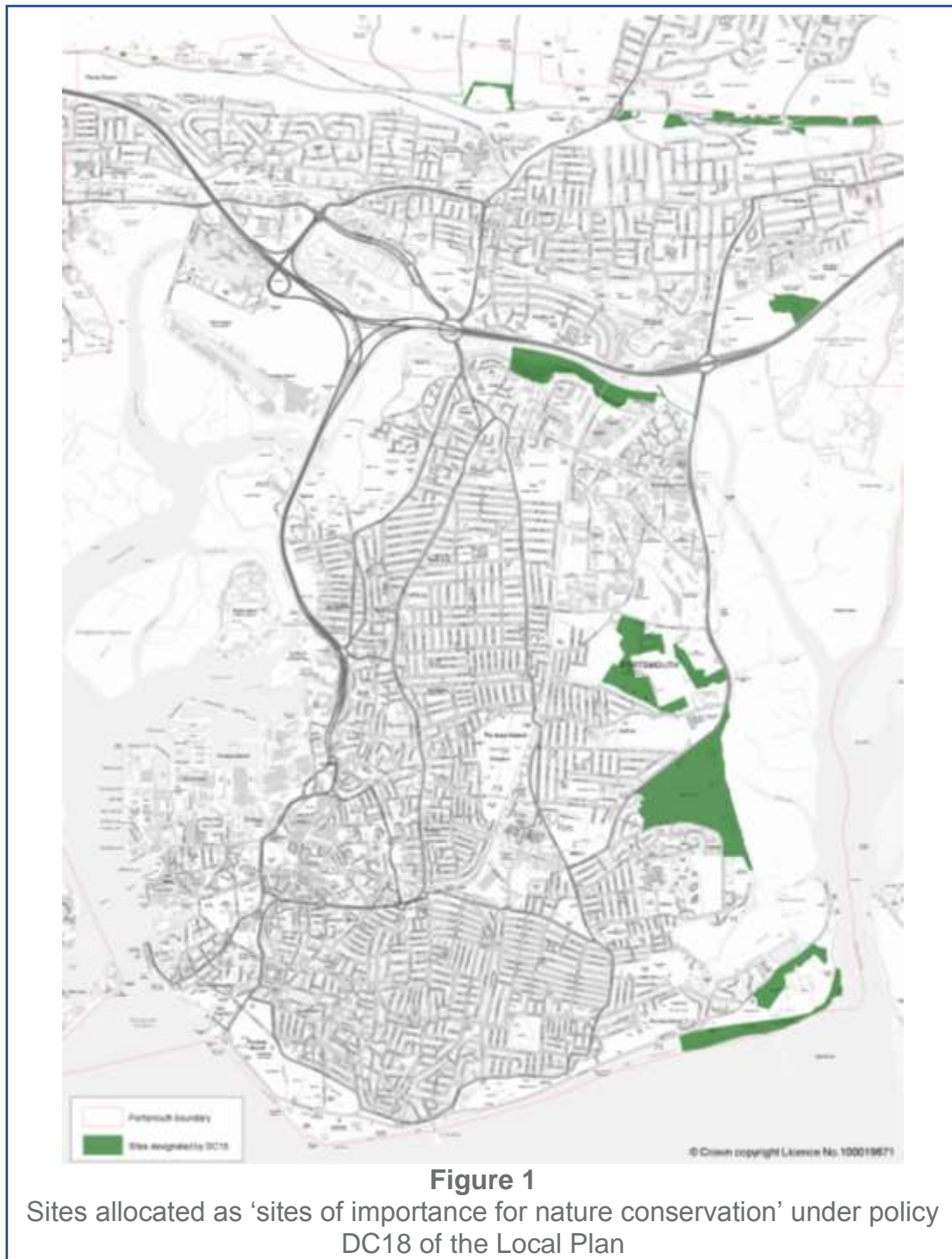
That the following sites being treated as 'candidate local wildlife sites' for planning policy and development management purposes:

- i. **East and west of Gillman Road**
- ii. **Fort Cumberland**
- iii. **James Callaghan Drive**
- iv. **Kings Bastion Moat**
- v. **Paulsgrove Chalk Pit**
- vi. **Foreshore to the west of Tipner Ranges**

3. Background

- 3.1 The network of nationally and internationally significant nature conservation sites makes up 30% of Portsmouth's administrative area. Langstone and Portsmouth Harbours are Sites of Special Scientific Interest (SSSIs), Ramsar Sites and Special Protection Areas. In addition, Langstone Harbour forms part of the Solent Maritime Special Area of Conservation and sections of Portsdown Hill are a designated SSSI. Whilst extensive, this network leaves out many sites that are of significant value for both the conservation of wildlife and its enjoyment by the city's residents and visitors.

3.2 As a result, Portsmouth also has a network of locally valued, non-statutory nature conservation sites. In the past these were referred to as 'sites of importance for nature conservation' and 12 were designated as part of the Local Plan¹ (figure 1).



¹ <http://www.portsmouth.gov.uk/living/7472.html>

- 3.3 The city council's criteria for assessing potential sites are based on those used by Hampshire County Council in the designation of sites on a county-wide basis, adjusted to reflect local circumstances, as some of the habitats designated by Hampshire County Council do not occur in Portsmouth.

Ongoing survey work

- 3.4 The Portsmouth Plan² acknowledges the importance of up to date ecological data on local wildlife sites. Through policy PCS13, the city council pledges to *“resurvey designated sites periodically as well as others which could meet the criteria for selection”*. Since 2007 the Hampshire Biodiversity Information Centre (HBIC) has been conducting such surveys on behalf of the city council.
- 3.5 The survey work has already highlighted a number of new sites which meet the criteria and some changes to existing sites boundaries. These were agreed by the city council in 2010³ and 2011⁴. Following this, the review of site boundaries and new sites would have been included as part of the Site Allocations Plan. However the Portsmouth Plan is now being reviewed, which will include site allocations and the designation of local wildlife sites. This is timetabled to be adopted in 2017.
- 3.6 Prior to being recommended to the city council as local wildlife sites, each site, boundary change or criteria change is assessed by a panel comprised of Hampshire County Council's ecology group, Natural England and the Hampshire and Isle of Wight Wildlife Trust. If the site is found to meet the criteria for selection, the land owner is notified by HBIC and the site is recommended to the city council for designation.
- 3.7 Unlike internationally and nationally designated sites which are designated by the Government and protected by national and international law, local wildlife sites are only given full status if designated in an adopted development plan. However they may support legally protected species or habitats recognised as being of principal importance under the Natural Environment and Rural Communities (NREC) Act 2006. The presence of these species or habitats would be a material consideration in the determination of planning applications irrespective of any local wildlife site designation (existing or pending).
- 3.8 New local wildlife sites can only be formally allocated through the development plan. However in the interim period, in order to recognise the nature conservation value of these sites, it is proposed to treat them as 'candidate local wildlife sites' for development management purposes and assess any proposals which could affect these sites against policy PCS13 of the Portsmouth Plan. Government guidance on

² <http://www.portsmouth.gov.uk/living/7923.html>

³ <http://tinyurl.com/mmbg5td>

⁴ <http://tinyurl.com/kq3vsph>

the identification, selection and management of local wildlife sites states that all sites that meet the agreed criteria should be selected. Prior to the adoption of the revised Portsmouth Plan, their formal identification by the council as candidate local wildlife sites will offer the habitats and species which make up these sites some protection from the adverse impact which development might otherwise have on them.

3.9 Nonetheless, whilst the recognition of such sites can be treated as a material consideration in the determination of planning applications, they remain undesignated sites. It is important that site owners are given the opportunity to present alternative evidence as to the site's ecological status and to appear before an independent Inspector should they wish to. This can only be done by taking the sites through the designation process, including an Examination in Public.

3.10 The sites which have been identified through the survey process are detailed below.


East and west of Gillman Road

The site straddles Gillman Road in Drayton and is occupied by Portsmouth Water. The site is used as a treatment works and reservoirs. It is also adjacent to another proposed local wildlife site (site ref PO0006).



Some of the grassland is found around the water treatment works and on top of the reservoirs. The rest is on the man-made slopes throughout the site. Much of the grassland is herb rich and diverse in chalk flora. In addition, a total of 24 calcareous grassland indicators were noted in the survey. The county scarce Corn Parsley (*Petroselinium segetum*) and Flattened Meadow-grass (*Poa compressa*) were also noted.

The site meets the criteria for designation due to the presence of semi-improved chalk grassland as well as the two notable species.

Proposed designation criteria	P1.2 P4.1	 <p>Proposed Local Wildlife Site</p> <p>Additional Local Wildlife Site</p> <p>NORTH</p> <p><small>© Crown Copyright and database right. Ordnance Survey License number 100019671.</small></p>
Proposed site area	18.4ha	
Last survey date	24th August 2011	
HBIC site reference	PO0019	
Geographical coverage		



Fort Cumberland

Fort Cumberland is located off of Ferry Road in Eastney. It is close to the Langstone and Chichester Harbours SPA, SAC and Ramsar sites, together with Langstone Harbour SSSI. It is also adjacent to two other local wildlife sites (PO0011 & PO0013). It is comprised of the inside of the original fort.

Grassland is found on the parade ground, old moat and verges as well as along the extensive ramparts. The majority of the grassland is semi-improved and has a mix of mesotrophic, chalk and coastal species. Some of these swards are rough. There is also some unimproved parched grassland present as well as improved grassland and scrub. The fort's walls are old and provide another habitat type on the site.



The site has an excellent range of grassland and coastal species, including four notable species. These are the county rare Wild Clary (*Salvia verbeneca*) and Nottingham Catchfly (*Silene nutlans*) and the county scarce Sea Radish (*Raphanus raphanistrum ssp. Maritimus*) and Flattened meadow-grass (*Poa compressa*).

Overall, the site supports a remarkable amount of diverse and interesting grassland habitats and several notable species, both of which mean that it meets the criteria for designation.

Proposed designation criteria	P1.1 P1.2 P4.1
Proposed site area	9.52ha
Last survey date	23rd August 2010 - 26th August 2010
HBIC site reference	PO0018
Geographical coverage	

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James Callaghan Drive

The site is a long stretch of road verge along the top of Portsdown Hill that runs between Cosham and Paulsgrove wards. The site is adjacent to the Portsdown Site of Special Scientific Interest. It is also adjacent to the proposed Fort Widley local wildlife site (ref PO0002).



The verge supports unimproved rough chalk grassland as well as areas of less diverse mesotrophic sward. There is grassland which has a good species diversity including 24 calcareous grassland indicators. The presence of chalk grassland ensures that the site meets the criteria for designation.

Proposed designation criteria	P1.1 P4.1
Proposed site area	2.28ha
Last survey date	10th August 2011

 Proposed Local Wildlife Site
 Additional Local Wildlife Site

NORTH

Geographical coverage

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Kings Bastion Moat

The site is located close to the seafront in St Thomas ward. It was previously used as a naval defence moat.

The moat is linked to the sea and so is effectively a saline lagoon. It supports a good population of Eel-grass (*Zostera marina*) which is a county rare species.

The deep stone walls of the moat support a large number of non-notable coastal species including sea mayweed (*Tripleurospermum maritimum*), sea-purslane (*Atriplex portulacoides*), rock-samphire (*Crithmum maritimum*), spear-leaved orache (*Atriplex prostrata*), sea beet (*Beta vulgaris susp. maritima*) and sea couch (*Elytrigia atherica*).

As the site contains notable species and coastal grassland, it meets the criteria for designation.



Proposed designation criteria	P2.1 P4.1
Proposed site area	0.86
Last survey date	23rd August 2011

Proposed Local Wildlife Site
 Additional Local Wildlife Site

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Geographical coverage



Paulsgrove chalk pit

The site is located on Portsdown Hill, to the north of Butterfly Drive. The site is an old chalk pit and is directly adjacent to the Portsdown Site of Special Scientific Interest.

At the northern edge of the site there is extensive exposed chalk along the sides of the quarry. At their base is a mix of scrub and unimproved chalk grassland. The site is rich in chalk grassland species as well as some chalk ruderal species. The floor of the pit is mostly amenity sward but there is some chalk grassland present here as well. Overall, the site has a good diversity of chalk species. This includes 22 calcareous grassland indicators and Autumn Lady's-tresses (*Spiranthes spiralis*), which is noted by the International Union for the Conservation of Nature as 'near threatened'.



As the site supports unimproved chalk grassland together with notable species, it qualifies for local wildlife site designation.

Proposed designation criteria	P1.1 P4.1
Proposed site area	1.54
Last survey date	7th August 2009
HBIC site reference	PO0006



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Geographical coverage



Foreshore to the west of Tipner Ranges

The site is an area of coastal grassland located on the Tipner coast. It is part of the Portsmouth Harbour Site of Special Scientific Interest. The site supports semi-improved grassland and saltmarsh vegetation. The grassland has a fair species diversity though there are some areas of more improved and rough sward present. The edge of the site is a strip of grassy saltmarsh and shingle which has some maritime species including golden-samphire (*Inula crithmoides*) which is nationally scarce.



The presence of saltmarsh habitat on the site means that it meets the criteria for designation.

Proposed designation criteria	P2.1
Proposed site area	1.54
Last survey date	13th April 2011
HBIC site reference	PO00023

 Proposed Local Wildlife Site
 Additional Local Wildlife Site

NORTH

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Geographical coverage



3.12 The total area which would be covered by PCS13 as a result of the proposals in the table above is shown in figure 2.



Implications of designation on site management and potential development

- 3.13 Whilst designation at a national or international level would offer significant policy and legal protection to the nature conservation interests of sites, local designation does not. Nonetheless, as described in paragraph 3.11 many of the sites in question could well support legally protected species which the HBIC surveys, given their botanical focus, have not identified. In particular, bats and reptiles are commonly found in urban areas, both of which are legally protected, whilst bats have additional protection through a licensing regime. In addition, most of the sites are also designated as open space in the local plan and as a result are afforded significant protection from development under PCS13.
- 3.14 PCS13 of the Portsmouth Plan specifically recognises *“the benefits of local sites for nature conservation and its enjoyment by residents and visitors”*. Regarding site protection, the policy states that development should ensure *“the intrinsic habitat value of the site can be retained or enhanced through development proposals”*. The policy also states that we will allow development *“only if it clearly outweighs the substantive nature conservation value of the site, an impact on the site cannot be avoided or mitigated and compensatory measures are provided”*.
- 3.15 As a result, whilst local policy offers the sites some protection from the adverse impacts which development could have, they are not seen as sacrosanct. A site’s status as a local wildlife site is not intended to be a barrier to development, more to inform and influence any development in the area whilst also recognising that wildlife should be regarded as having intrinsic value as a social and educational resource.
- 3.16 The fact that a site has sufficient value to warrant its selection as a local wildlife site generally reflects management which, whether intentional or not, has resulted in a site with value to wildlife. However unlike nationally and internationally designated sites, its identification as a local wildlife site would not impose management restrictions on the owner of the site and does not allow public access on a site where none exists already.

4. Reasons for recommendations

- 4.1 All local authorities have a statutory obligation to conserve biodiversity.

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”

Natural Environment and Rural Communities (NERC) Act 2006 s.40.

- 4.2 By identifying a site in this report as a candidate local wildlife site, the city council will be affording a degree of protection to areas which contain a species which is listed as county scarce and a nationally important habitat.

5. Equality impact assessment (EIA)

5.1 A preliminary EIA has been conducted. It concluded that a full EIA is not necessary.

6. Legal Implications

6.1 The formal identification of the sites as candidate local wildlife sites by the Council through the PRED decision will increase the weight and significance that may be afforded by the Council to their status. Until such time as the Council may adopt appropriate DPD, the recommended designation as “candidate local wildlife sites” will enable development control decisions affecting the sites referred to in this report to have due regard to such sites in compliance with the duty of the Council through the Natural Environment and Rural Communities Act 2006 to conserve biodiversity.

7. Head of Finance Comments

7.1 The recommendation in this report to treat the specified sites as 'candidate local wildlife sites' will require no additional financial resources.

7.2 There is no registration process for these sites and the protection offered is limited to consideration of the site's ecological interest when assessing planning applications.

7.3 Surveying of the sites is carried out through a service level agreement with the Biodiversity Information Centre. Some of this work is also done by PCC's Countryside Ranger service. All of this is funded from current budget resources.

7.4 Some local wildlife sites do not have any 'value' whereas others have significant development value. Local wildlife designation is intended to shape and influence a development rather than prevent it from going ahead.

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Signed by:

Appendices:

None.

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
East and West of Gillman Road HBIC survey report	City Development and Cultural Services
Fort Cumberland HBIC survey report	
James Callaghan Drive HBIC survey report	
Kings Bastion Moat HBIC survey report	
Paulsgrove Chalk Pit HBIC survey report	
Foreshore to the west of Tipner Ranges survey report	

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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 Signed by:



Title of meeting:	Cabinet Member for Planning, Regeneration and Economic Development
Date of meeting:	10 March 2015
Subject:	Community Infrastructure Levy (CIL) - Exceptional Circumstances Relief
Report by:	City Development Manager
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

1.1 To set out the need to withdraw CIL Exceptional Circumstances Relief

2. Recommendations

2.1 That the Cabinet Member authorises the City Development Manager to publicise the Council's intention to withdraw CIL Exceptional Circumstances Relief

3. Background

3.1 Exceptional Circumstances Relief is a form of relief from CIL in cases where a specific development scheme cannot afford to pay the levy. The developer may apply for this relief, giving evidence that CIL would make the scheme unviable.

3.2 It is optional for local authorities to make this form of relief from CIL available. In Portsmouth, the relief was made available at the time the CIL Charging Schedule came into force (April 2012). The regulations applicable at the time were restrictive, so that only a few schemes would be able to qualify, but they have been loosened over time, making relief possible for a greater number of schemes.

3.3 While the Council has not received many relief claims, and has not granted any, dealing with claims can be resource intensive. It is not in the public interest to grant such relief, because the city council should avoid permitting developments without ensuring that there are also infrastructure improvements provided to support it and funded by the developer.

3.4 It is therefore recommended that the Cabinet member authorises the City Development Manager to make the necessary arrangements to withdraw this relief. The prescribed process for this (Regulation 56(2) of the Community Infrastructure

Regulations 2010) is to advertise the council's intention to withdraw the relief for at least 14 days.

4. Reasons for recommendations

4.1 The CIL regulations make it optional for Local Authorities to make available Exceptional Circumstances Relief. For the reasons set out above, it is not in the public interest to grant relief from CIL for developments in the city.

5. Equality impact assessment (EIA)

5.1 An EIA is not required, as this report deals purely with financial and procedural matters.

6. Legal Implications

6.1 Regulation 56 of the Community Infrastructure Levy Regulations 2010 (as amended) makes provision for authorities, if they choose to do so, to grant relief for exceptional circumstances. In the same way as it has discretion to allow such relief, an authority may withdraw the relief (Regulation 56(2)). Such a statutory discretion must be exercised having regard to relevant considerations, and in a manner that is reasonable in all the circumstances. In exercising the discretion to withdraw relief it is proper to consider the overall impact on public resources, and how infrastructure is funded.

6.2 To implement a decision to withdraw the relief the Council must issue a statement (published on the Council's website, and in the same places as the decision to grant relief was published) that the relief will be withdrawn and stating the last date on which it will accept claims. The date of receipt of the last claim cannot be less than 14 days after the date the statement is made.

7. Head of Finance comments

7.1 The approval of the recommendation contained in this report will have no impact on the level of CIL income received as no Exceptional Circumstance Relief has been granted to date.

7.2 Applications to claim this relief can be resource intensive and therefore there will be a potential positive impact on the service as a result of withdrawing this relief.

7.3 The cost of advertising the withdrawal of this relief, as required by Regulation 56(2) will be met from existing budgets.

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Appendices:

None

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
2010 CIL Regulations (as amended)	http://www.legislation.gov.uk/uksi/2010/948/part/6/made

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:

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Title of meeting: Planning, Regeneration and Economic Development

Date of meeting: 10 March 2015

Subject: Development Consultation forum

Report by: City Development Manager

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

This report seeks approval to set up a Development Consultation Forum and introduce an associated charging schedule. The Forum would be set and operationally would become effective from June 2015.

2. Recommendations

2.1 That the Cabinet Member for Planning Regeneration and Economic Development authorises the City Development Manager, to finalise working arrangements for the introduction of a Development Consultation Forum to commence in June 2015.

2.2 To introduce a charging schedule at a rate set out in the report.

3. Background

3.1 The City Development teams provide pre-application advice as an integral part of the overall service to a host of customers wishing to carry out different types of development within the city. Although engagement / discussions prior to the submission of a planning application are not a statutory requirement, it is generally considered best practice to enable opportunity to provide such advice, as it contributes to higher quality development, reduces risk and uncertainty for developers / applicants and helps promote growth and inward investment.

3.2 The practice of pre-application engagement is now also firmly encouraged in the National Planning Policy Framework (NPPF). Pre-application engagement is considered by the government to be an essential requirement on both planning departments and developers in order to secure developments that improve the economic, social and environmental conditions of an area.

- 3.3 The provision of pre-application advice is a discretionary service and whilst the Council has always provided a pre application advice service, until May 2014 the applicant/developer had not been charged for this service. Due to the significant benefit that can be achieved from this early engagement, considerable time is currently spent on discussing pre-application advice. However following a review of the way that pre application advice has been delivered it is considered that the service could be further improved by the introduction of a Developers' Consultation forum.
- 3.4 Whilst developers have been giving pre-application presentations to Councillors for some time the Forum is a more formal, transparent and accountable process and involves the public in a structured process.
- 3.5 A similar service has been run by Havant and East Hampshire Councils and is proving to be a very useful forum for developers to explain their schemes to councillors, key stakeholders and the public prior to the submission of an application. Selection of applications to be referred to the Forum would be focused on significant development schemes, though in some cases it may be considered appropriate to introduce schemes of a smaller scale for consideration by the Forum

4. Proposal details

- 4.1 Forum dates would be set for a date each month, and the Forum would be chaired by the PRED Cabinet Portfolio holder, all Councillors would be invited to the meeting. At the meeting the City Development Manager would outline planning policies and planning history relating to the site. The developer would be given the opportunity to explain the scheme, speakers would be invited to speak and the planning case officer would present comments from other consultees. The developer would be given the opportunity to respond to any matters raised and then Councillors would be given the opportunity to ask questions. At the end of the session the planning officer would summarise the key points raised.
- 4.2 The purpose of the Forum is to allow the developer the opportunity to explain his scheme and for councillors to have the opportunity to ask questions. It would enable the developer to shape an application to address community issues.
- 4.3 The Forum would not be a place where the scheme is negotiated in public and would not commit the Council to a view. It also would not be possible to ensure that all issues are addressed and identified. It is not intended to take the place of structured pre application discussions and negotiations and could not take the role of the Planning Committee, or delegated officer decisions, which have the regulatory function of determining planning applications after submission.
- 4.4 The outcomes of a Forum consultation would be that the developer will have a list of the main points to consider, and an opportunity to address such points before formal submission of the application. Stakeholders, Councillors and the public will

have an awareness of the development proposed and will have had the opportunity to raise concerns at this early stage. Planning officers will have better understanding of the concerns of the developers, statutory consultees and the community prior to a formal application.

- 4.5 The council has the ability, through the Local Government Act 2000, to apply a charge for this service and it is considered that it would be reasonable to adopt the same charging schedule as the adjoining authorities of Havant and East Hampshire at £1500 per developer per session.
- 4.6 Further work is required on the details of how these meetings would be run and managed. Accordingly authority is sought to enable the City Development Manager to work up these details further, to identify criteria for the City Development Manager to select applications which could be referred to a Forum, and put a protocol in place prior to the introduction of the first meeting in June. The protocol would be displayed on the Council Website and all members would have a copy of the protocol prior to publication.

5. Equality impact assessment (EIA)

- 5.1 An equality impact assessment is not required as the recommendations do not have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

6. Legal Implications

- 6.1 It will be essential to have a procedural framework for setting up each Forum, and for conduct of the Forum sessions (protocols), to ensure that the Council can adhere to the standards of openness and accountability set out in the Councillors' Code of Conduct, and so that there is clarity of the purpose of the Forums for developers, residents, local businesses, consultees and other stakeholders. Having protocols established and adhered to will enable all interested parties to have assurances that all development proposals referred to the Forum are treated in the same way by the Council at the pre-application stage.
- 6.2 The opportunity for this form of pre-application discussion has been enhanced by the provisions of Section 25 (2) of the Localism Act 2011, which has provided that *"A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because—*
(a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and
(b) the matter was relevant to the decision
- 6.3 However, it should be noted that (pursuant to the Local Government Act 2000) development management is a regulatory function of the Council that must be conducted in accordance with the norms of regulatory decision making. The provisions of s.25 set out above are not a "blanket" protection, because from inclusion of the words *"just because"* it must be understood that in some

circumstances where there was an undeniable pre-determination of an application, it could still be a basis of challenge to the relevant decision (either to grant permission or refuse it when the application had to be determined).

- 6.4 It is essential to avoid any opportunity for allegations that applications have been pre-determined by the Council through pre-application discussions, by comments from individual members at the Forum, and also to demonstrate that the separation of executive (Cabinet) and regulatory functions is maintained, and that neither developers nor other stakeholders can seek to lobby to refer applications inappropriately to a Forum. Once the selection criteria for applications to be referred to the Forum (e.g. on the basis of numbers of housing units in residential development proposals) have been set out and agreed through a further consideration of draft protocols by the Cabinet Member, it is recommended that the selection of applications that are subsequently referred to a Forum should be at the absolute discretion of the City Development Manager.

7. Finance Comments

- 7.1 It is proposed that a charge of £1,500 is made to the developers of larger projects for the opportunity to present and explain their potential scheme to the Development Consultation Forum. This is comparable with the charge made by both Havant and East Hampshire local authorities for a similar opportunity and recovers the full cost of providing the service.

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Signed by:

Background list of documents: Section 100D of the Local Government Act 1972

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