

**Minutes of the  
Planning and Development Scrutiny Panel  
(to be confirmed at the next meeting)**

**Date:** Thursday, 14 March 2024

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** M R Daniells (Chairman)

**Councillor** N J Walker (Vice-Chairman)

**Councillors:** Ms S Pankhurst, Mrs T L Ellis, Mrs J Needham and P Nother

**Also Present:** Councillor Ms C Bainbridge (Items 6 & 7), Councillor S D Martin, Executive Member for Planning and Development (Items 6 & 7) and Councillor Mrs L E Clubley



**1. APOLOGIES FOR ABSENCE**

An apology of absence was received from Councillor Mrs F Burgess.

**2. MINUTES**

RESOLVED that the Minutes of the Planning and Development Scrutiny Panel meeting held on the 31 January 2024 be confirmed and assigned as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements made at this meeting.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

No declarations of interest were made at this meeting.

**5. DEPUTATIONS**

The Panel received a deputation from Lesley Goddard, on behalf of Friends of the Earth, who was thanked accordingly.

**6. MOTION - CLIMATE AND ECOLOGY BILL**

The Panel considered the Motion – Climate and Ecology Bill which was referred to the Planning and Development Scrutiny Panel by Council on the 14 December 2023 for comment.

At the invitation of the Chairman, Councillor Ms C Bainbridge addressed the Panel on this item and presented her motion to the Panel.

At the invitation of the Chairman, Councillor S D Martin, Executive Member for Planning and Development addressed the Panel on this item.

The Panel received a presentation from the Policy, Research and Engagement Officer which provided an overview of the proposed Climate and Ecology Bill referenced in the Council Motion, and outlined the range of proposals relating to both climate and ecology matters which are included within this Private Members; Bill. (a copy of this presentation has been appended to these minutes).

RESOLVED that the Panel:-

- a) considered the Motion referred to the Planning and Development Scrutiny Panel; and
- b) had no comments on the Motion to report back to full Council.

## **7. ENVIRONMENT UPDATE**

The Panel received a report from the Director of Planning and Regeneration to allow Members of the Planning and Development Scrutiny Panel to consider the Environment Update Executive report and the 'Fareham's Greener Future' document before being taken to the Executive on the 18 March 2024.

At the invitation of the Chairman, Councillor S D Martin, Executive Member for Planning and Development addressed the Panel on this item.

At the invitation of the Chairman, Councillor Ms C Bainbridge addressed the Panel on this item.

Members of the Panel discussed the branding of the proposed Fareham's Greener Future publication, and questioned whether it was appropriate for the document. They felt that a separate branding for this publication (and also the Environment Strategy going forward) which focused more specifically on the environment would be more appropriate than using the same graphics as that used for the Corporate Strategy.

RESOLVED that the Planning and Development Scrutiny Panel:-

- a) note the contents of the Executive Report; and
- b) advise the Executive at their meeting in 18 March 2024 of the Panel's full support for the publication of the Fareham's Greener Future document as a comprehensive summary of the full range of work undertaken by the Council on both carbon reduction/management (principally focused on energy-related projects) and also the service delivery and projects seeking to improve the local natural environment;
- c) request the Executive to consider amending the branding for the Fareham's Greener Future document to focus more specifically on the environment;
- d) advise the Executive of the Panel's support for the preparation of an Environmental Strategy going forward.

## **8. WELBORNE DELIVERY UPDATE**

The Panel received a report from the Director of Planning and Regeneration on an Executive report detailing the progress in the delivery of the Welborne Garden Village since July 2022.

RESOLVED that the Planning and Development Scrutiny Panel:-

- a) note the content of the Executive Report and the Building Welborne Beautiful brochure attached at Appendices A to the Executive Report; and
- b) advise the Executive at their meeting on 18 March 2024 of the Panel's full support for publication of the Building Welborne Beautiful document

as a comprehensive summary of work undertaken by the Council over many years to enable the delivery of Welborne Garden Village.

**9. COMMUNITY INFRASTRUCTURE LEVY (CIL) UPDATE**

The Panel received a presentation from the Head of Planning updating Members of the Panel on the progress of the new proposed charging schedule for the Community Infrastructure Levy. (A copy of this presentation has been appended to these minutes)

RESOLVED that the Planning and Development Scrutiny Panel:-

- a) note the contents of the presentation; and
- b) advise the Executive at their meeting on the 8 April 2024 that the Panel endorses the approach taken in progressing the CIL Review and the proposed CIL charging schedule.

**10. EXECUTIVE BUSINESS**

Members of the Panel were asked to consider the items of Executive Business.

**(1) Affordable Housing Supplementary Planning Document for Consultation**

No questions or comments were received.

**(2) Planning Obligations Supplementary Planning Document**

No questions or comments were received.

**11. PLANNING AND DEVELOPMENT SCRUTINY PANEL PRIORITIES**

The Chairman invited Members of the Panel to consider the Scrutiny Priorities for the Planning and Development Scrutiny Panel.

No suggestions were put forward from the Members on this occasion.

(The meeting started at 6.00 pm  
and ended at 8.04 pm).

..... Chairman

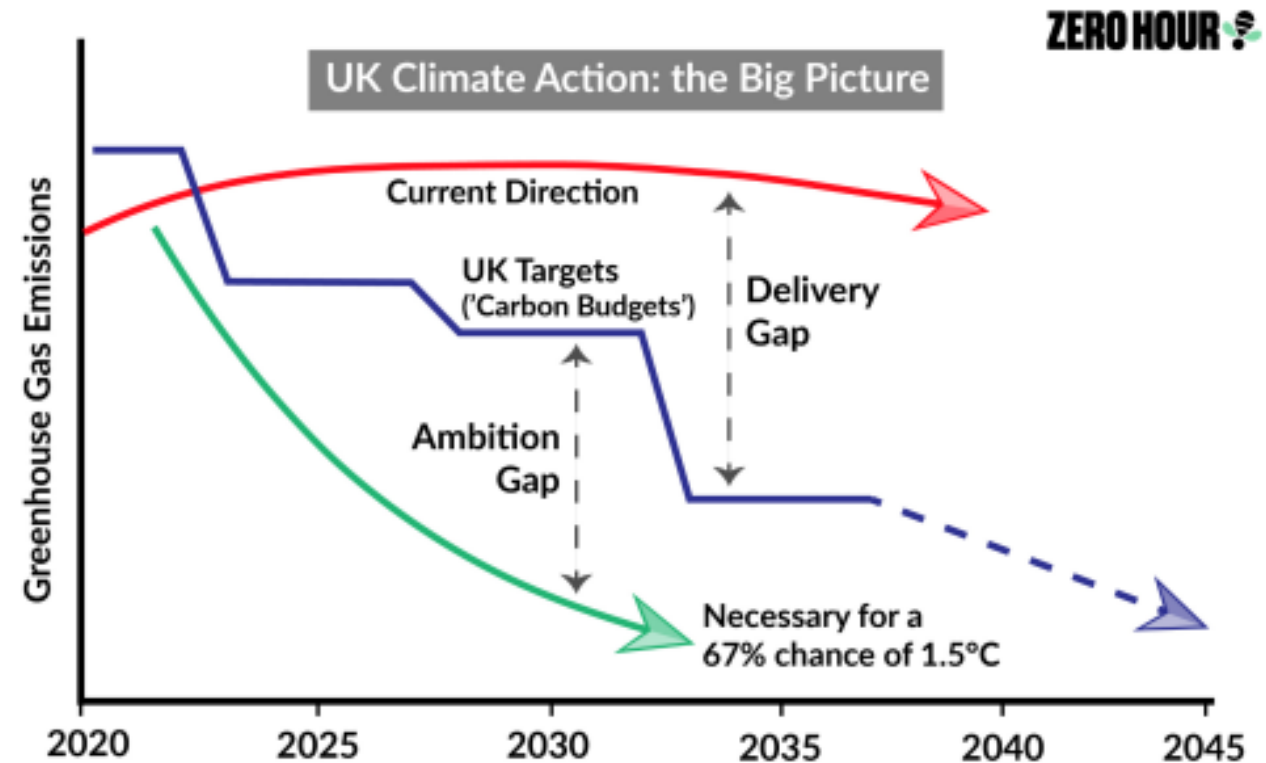
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# Climate and Ecology Bill

# Overview of the Private Members Bill

- Proposes a joined-up plan considering both climate and nature
- Proposes that policy and action on the climate and nature crisis should be science-led and people-orientated
- Proposes that current national legislation is in line with science-led targets for:
  - Climate
  - Ecology

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# Climate proposals

## Update and strengthen current UK targets:

- Bill proposes to update targets to reflect updated scientific evidence (over last 10 years)
- Seeks an immediate focus on international aviation, shipping, and 'blue carbon' from activities such as industrial fishing
- Proposes consideration of all UK 'imported emissions'

## Targets for other greenhouse gases:

Proposes specific targets for methane and other non-CO2 warming gases

## Increasing focus on reducing emissions now:

- Current strategy is centred around the 2050 Net Zero date
- Bill proposes that the concept of a 'finite carbon budget' is embedded into law

# Ecology proposals

## Create a joined-up approach:

- Climate change and nature are intertwined – one accelerates the loss of the other and vice versa
- Bill seeks to address both elements in an integrated approach

## Halt and reverse decline of nature:

- Bill proposes a nature target that aligns with UK's international commitment to halt and reverse the destruction of nature by 2030; signed up to target at UN Biodiversity Summit (COP 15)
- Bill proposes enforcing this agreement by placing it in national legislation

## Prioritises the protection of nature:

- Bill seeks to introduce a '*Mitigation and Conservation Hierarchy*' so that when appropriate, any development or activity would use this framework to prioritise the protection of nature
- *Mitigation Conservation Hierarchy* has four main principles:
  - 1) avoid
  - 2) minimise
  - 3) restore
  - 4) offset



# Proposed Bill - further measures

- The Bill looks to increase the level of both Emissions and Ecological footprint reporting
- Contains measures to ensure that people are supported in the transition to a green economy
- Particular focus on ensuring a positive and fair impact on local communities with high levels of deprivation
- If the Bill is passed, then a Climate and Nature Assembly would be formed made up of citizens from across the UK to help inform the development of a Strategy
- The Strategy would set out how the UK would meet the policy targets set out in the Bill

# Proposed Bill - Progress and Support

## Support:

- The Bill is being supported by a campaign called Zero Hour who currently have 1,267 supporters made up of different organisations, politicians (131 MPs), and scientists
- Around 250 Local Authorities have already passed motions in support of the Climate and Ecology Bill

## Progress:

- The Bill has been presented to parliament for debate on several occasions between 2020/21 and 2022/23
- It has not yet progressed past a second reading in the House of Commons

# Community Infrastructure Levy (CIL) update

# Introduction

- CIL is a non-negotiable planning charge on many forms of new development which generally involves a net increase in floorspace
- FBC introduced first charging schedule in 2013 with the latest schedule approved in 2021
- Following completion of the viability evidence for Local Plan Examination (March 2022) FBC committed to a CIL review
- Three Dragons were commissioned to undertake CIL Viability Assessment at strategic level to inform possible new CIL rates

# Introduction

- The 'headroom' in viability is the margin per square metre between the total value and the total cost. Where this is positive it is considered that a CIL charge is viable.
- CIL rate should not be set as the same as the total headroom available- a buffer should be incorporated in the CIL rate
- A common approach and the one applied by FBC is a 50% buffer
- This approach led to a proposed £195 per sqm rate for residential; £28 per sqm for sheltered housing on greenfield sites; and £80 sqm for retail outside centres

# CIL Update

- Independent Examination held in September 2023 with Examiner's report published 26 October 2023
- Examiner recommended that the charging schedule be approved subject to two modifications
- The first modification related to the addition of some extra wording to the standard charge within the charging schedule to clarify when care homes are exempt from CIL

# CIL Update

- The second modification recommended that the rate applied to HA55 (Land South of Longfield Avenue) be changed from £195 per sqm to £0
- Examiner recommended this modification as Section 106 negotiations are ongoing on the planning application and the total costs of these are not finalised. As CIL is non-negotiable, if scheme viability became an issue, affordable housing provision was likely to suffer.
- Examiner stated that if no CIL is charged on HA55 ‘ the Council would be in a stronger position to negotiate a Section 106 agreement based on the full range of policy requirements that apply to HA55.’

# CIL Update

- Examiner found the Council's assumptions regarding market values, benchmark land values and development costs to be robust
- Three Dragons were commissioned to test a bespoke typology for HA55 having regard for the Examiner's comments and updated Section 106 costs
- Applying the updated Section 106 costs, Three Dragons found that £195 per sqm would continue to be viable, but with a less than 50% buffer.
- Three Dragons assessed that a CIL rate of £166 sqm for HA55 would maintain a 50% buffer



# CIL Update

- A bespoke CIL Viability Review report was produced by Three Dragons proposing a CIL rate of £166 sqm for the Land South of Longfield Avenue site (HA55).
- A further focussed consultation was undertaken by FBC on the proposed new rate for HA55. The consultation ran from 8 December to the 31 January 2024.
- The Site Promoter (Hallam Land Management- HLM) for HA55 submitted comments on the consultation proposals on the 31 January.
- Three Dragons have been asked to thoroughly review HLM's comments

# CIL Update

- HLM have primarily critiqued the work undertaken by FBC/ Three Dragons rather than produce their own assessment
- HLM questions values and costs already accepted by the Examiner

# CIL Update

- It should be noted that the Longfield Avenue site is due to pay CIL on residential floorspace at £180 per sqm (approx) under the existing CIL charging schedule
- No viability case currently being progressed on the current planning application based on existing rates

# Summary

- Following conclusion of Three Dragon's review of HLM's comments, proposed charging schedule will be reported to the Executive
- The proposed charging schedule will contain a bespoke CIL charge for the HA55 site
- Current intention is for Executive to consider the proposed charging schedule on the 8 April and Council approve the proposed charging schedule on the 9 April