

Officer notes for administration of Handling Arrangement Protocols:

All significant development proposals that require planning permission should be subject to Planning Performance Agreements ('PPA'), which would be published on the LPAs public website, to ensure transparent and efficient decision making. That PPA will include the necessary steps to agree and publish appropriate Handling Arrangements in line with the following model drafting.

Portsmouth City Council
Handling Arrangements for PCC site allocation for development at
Tipner West

1. Introduction and context

- 1.1 Portsmouth City Council (PCC) approved a new Local Development Scheme (LDS) at the Cabinet meeting of 29th April 2025, which included further Regulation 19 Consultation of the Pre-Submission Portsmouth Local Plan together with a Local Plan Addendum. This additional round of consultation and Addendum stems from significant amendments to the emerging allocation proposals for the PCC-owned Tipner West and Horsea Island East sites (draft policy PLP3) and the negative IROPI Opinion (Imperative Reasons of Overriding Public Interest) received from the Secretary of State in February 2025.
- 1.2 The amended draft policy PLP3 is now specific to the Tipner West site only, to deliver *inter alia* approximately 1,000 dwellings (comprising at least 30% affordable housing), 25,000sqm of employment floorspace (Class E(g)(ii)(iii), B2/B8), flood protection, essential infrastructure, convenience retail and community uses, parking and landscaping.
- 1.2 PCC has three key roles in relation to the Tipner West site:
 - (i) PCC is the primary landowner¹ of the site and is the promoter of the site's allocation in the Local Plan ("**the Promoter**");
 - (ii) PCC is the local planning authority ("**the LPA**") for the purposes of Plan-making and development management;
 - (iii) PCC is **the Competent Authority** under the Habitats Regulations (2017).
- 1.3 The LPA has also taken into account the decision in *London Historic Parks and Gardens Trust v Secretary of State for Housing, Communities and Local Government* when drafting this handling note.
- 1.4 The LPA has put these handling arrangements in place to ensure:
 - (i) Functional separation between the Promoter's team ("**the Promoter Team**") and the LPA's team ("**the LPA Team**") for the purposes of compliance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("**the EIA Regulations**") (as amended); and
 - (ii) Transparent, fair and proper provision of advice and, where applicable, decision making; and
 - (iii) the avoidance of any conflicts of interests
- 1.5 This Protocol applies to officers and members in both the LPA Team (see Table 1) and the Promoter Team (see Table 2).
- 1.6 Officers and members acting for the LPA or the Promoter must read and adhere to this Protocol.
- 1.7 At all times, efforts are made to ensure a functional separation between the Promoter Team and the LPA Team. However, it is acknowledged under this Protocol that it is necessary for there to be on-going dialogue between the LPA and Promoter, as there would be with any other third-party landowner/site promoter.

¹ The Council owns most of the Tipner West and Horsea Island East sites with the exception of some isolated areas where other freehold title exists, including for the MoD and The Crown.

- 1.8 The proposed development at Tipner West is considered to be 'EIA development' because it is development likely to have significant effects on the environment as set out through **the EIA Regulations**. Regulation 64(2) of the Regulations has effect where, as here, the relevant local planning authority is also the same legal person "bringing forward the (relevant) proposal for development". In these circumstances, the authority is required to "make appropriate administrative arrangements to ensure that there is a functional separation, when performing any duty under these Regulations, between the persons bringing forward a proposal for development and the persons responsible for determining that proposal".

2. The LPA Team

2.1 The LPA's Team Representative is Nick Lloyd-Davies.

2.2 The team of officers who will provide advice for, or alongside, the LPA, are:

Table 1

Name	Position and role	Contact details
Ian Maguire	Assistant Director of Planning and Economic Growth and LPA Chief Planner	ian.maguire@portsmouthcc.gov.uk
David Hodges	Head of Development Management (Deputy Chief Planner)	David.hodges@portsmouthcc.gov.uk
Nick Lloyd-Davies	New Neighbourhoods Team Leader (Lead Officer)	Nick.lloyd-davies@portsmouthcc.gov.uk
Lucy Howard	Head of Planning Policy	Lucy.howard@portsmouthcc.gov.uk
Tom Bell	Principal Planning Policy Officer	Tom.bell@portsmouthcc.gov.uk
Chloe Rawlings	Planning Policy Officer	Email: Chloe.rawlings@portsmouthcc.gov.uk
Andrew Barnett	Design and Consultation Officer, Planning	Email: andrew.barnett@portsmouthcc.gov.uk
Ben Cracknell	Principal Conservation and Design Officer	Ben.cracknell@portsmouthcc.gov.uk
Robert Neave	Principal Development Control Engineer (highway authority)	Robert.neave@portsmouthcc.gov.uk
Jeff Downing	Contaminated Land Team Leader	Jeff.downing@portsmouthcc.gov.uk
Andrew Knight	Arboricultural Officer	Andrew.knight@portsmouth.gov.uk
Redouan Sadak	Environmental Protection Officer - Air Quality	Redouan.sadak@portsmouthcc.gov.uk
Lorraine Astill	Environmental Protection Officer – Noise	Lorraine.astill@portsmouthcc.gov.uk
Harvey Cable	Senior Coastal and Drainage Engineer and Lead Local Flood Authority	Harvey.cable@portsmouthcc.gov.uk
Dan Williams	Public Health Principal	Dan.williams@portsmouthcc.gov.uk
Juliet Gill	Principal Solicitor	Juliet.gill@portsmouthcc.gov.uk

Nicola French	Director, Holbury Consultancy Services (LPA Ecology consultant)	Nicola.french@holburycs.co.uk
David Hopkins	HCC County Archaeologist	David.hopkins@hants.gov.uk
Hilary Ferres	Coastal Partners Team Leader - HRA and Coastal Ecology	Hilary.ferres@havant.gov.uk

- 2.3 Members of the Council that sit on Cabinet, Committees or other Member groups involved in decision-making functions relevant to the LPA roles outlined in 1.2 and as may be provided for through the Council Constitution, should be considered to part of the 'LPA team' for the purposes of these Handling Arrangements.

3. The Promoter Team

- 3.1 The Promoter Team's Representative is Kevin Hudson.
- 3.2 The team of officers who will handle the Application on behalf of the Promoter are:

Table 2

Name	Position and Role	Contact Deals
Tom Southall	Assistant Director of Property and Investment	Tom.southall@portsmouthcc.gov.uk
Kevin Hudson	Head of Development	kevin.hudson@portsmouthcc.gov.uk
Leanne Rook	Project Manager	leanne.rook@portsmouthcc.gov.uk

4. Managing the Promoter team engagement with the LPA/Competent Authority

- 4.1 PCC has put in place the following practical arrangements to maintain functional separation between the Promoter and the LPA/Competent Authority:

(1) Functional separation / structuring for The Promoter Team and LPA Teams

- 4.2 This section applies equally to The LPA Team and The Promoter Team. The LPA Team and Promoter Team must be identified as separate internal 'entities' within PCC with the necessary resources such that they are always all able to act impartially and objectively in relation to the promotion of the Tipner West site.
- 4.3 The Promoter Team and the LPA Team must have robust information barriers in place to prevent the other team having the ability to access relevant information in relation to the Tipner West site.
- 4.4 The LPA Team will store all documentation in separate filing systems (be it electronic or paper) to the Promoter Team and regard it as confidential – documentation will only be disclosed in the usual course of business between the respective teams.
- 4.5 Officers in the LPA Team will maintain functional separation with practical arrangements in place when sharing parts of the same office space with officers in the Promoter team.
- 4.6 The LPA Team and the Promoter Team will not share a 'post in/post out' box for written correspondence (be it electronic or physical in/out tray).

- 4.7 Officers on the LPA Team and the Promoter Team will not share the same administrative support staff.
- 4.8 Individuals on the Promoter Team and the LPA Team may have working relationships on other matters with officers on the other team (i.e. not relevant to the Tipner West site) and those relationships are not required to cease as result of this Protocol. This means that, for instance, in terms of PCC's internal structuring there can be a hierarchical superior in the LPA Team in relation to an individual in the Promoter Team, and vice versa.
- 4.9 Should any meetings progress on to matters that are not intended for sharing between the two teams, the relevant representatives shall be invited to leave the meeting.

(2) The LPA Team's obligations

- 4.10 LPA will keep these handing arrangements under review.
- 4.11 Officers on the LPA Team are responsible for undertaking Plan-making and development management functions within the City Council and will liaise with the Promoter Team as with any third party site promoter in accordance with relevant professional codes of conduct, including where applicable, that of the Royal Town Planning Institute². The LPA Team will disregard any financial or other benefits to PCC as landowner of the Tipner West site.
- 4.12 The LPA will undertake their planning functions in accordance with the planning legislation, EIA Regulations and the Conservation of Habitat and Species Regulations 2017 (as amended) as may be relevant.
- 4.13 The drafting and finalisation of any LPA reports for the City Council will be the responsibility of the LPA (and its advisors).
- 4.14 The LPA Team and the Promoter Team are separate entities. Officers listed in Table 1 for the LPA Team cannot be part of the Promoter Team.
- 4.15 No individual acting or assisting in the discharge of the LPA Team's functions as local planning authority shall be involved in work on behalf of the Promoter. However, it is recognised that officers in the LPA Team will provide advice or comments on documents submitted by the Promoter (and may request amendments to such documents).
- 4.16 It is recognised under this Protocol that it is necessary for there to be continued dialogue between the Promoter and the LPA. Such dialogue will be carried out as follows:
- The LPA will communicate and engage with the Promoter in the same way as it would with any other third party site promoter;
 - The LPA officer will be clear at the outset of all meetings with any officer of the Promoter as to individual officer's roles in the meeting (i.e. as LPA or Promoter). Additional meetings involving third parties, such as the Tipner West Regulatory Panel, shall also require the LPA officer to make clear these distinct roles to all present and meeting agendas will also make this clear;
 - The LPA Team will keep a record/minutes of all meetings between the LPA and Promoter relating to the Tipner West site, though the Promoter team may in some circumstances be asked to prepare these records/minutes;
 - Officers should leave a meeting if discussions move on to matters that should not be shared and having regard to these Handling Arrangements.
- 4.17 If required, the LPA team will engage consultants to advise on specific matters. The LPA shall not use the same consultants engaged by the Promoter without robust separation of functions within those consultants being approved by representatives of the LPA team and Promoter team. The consultant's name, job title and role must be added to the list of individuals in Table 1 for the LPA Team.

² <https://www.rtpi.org.uk/membership/professional-standards/code-of-professional-conduct/>

- 4.18 If required the LPA will establish project management arrangements in accordance with the agreed and published Planning Performance Agreement which will be kept under regular review.

(3) Promoter Team's obligations

- 4.19 The Promoter's role is as landowner and promoter of the Tipner West site. No individual involved in the promotion of the site on behalf of the Promoter shall act or assist in the discharge of the LPA Team's functions as local planning authority.
- 4.20 The Promoter Team and the LPA Team are separate entities. Officers listed in Table 2 for the Promoter Team cannot be part of the LPA Team.
- 4.21 The Promoter shall provide information to the LPA Team, as would any other third party site promoter, through established formal channels as necessary (which may be by way of letter or email). This might include PlanningPolicy@portsmouthcc.gov.uk or PlanningPreApp@portsmouthcc.gov.uk
- 4.22 Officers on the Promoter Team must not give any instructions to any individual on the LPA Team discharging its local planning authority functions.
- 4.23 The Promoter Team will not share information (such as commercial agreements and or other confidential bidder/developer information) with the LPA Team unless it is of a nature a third party landowner/developer would normally expect to share with a local planning authority (such as project financial viability information) and where it is clear any necessary agreement between the parties has been obtained.
- 4.24 Any presentations to, meetings or discussion with Council Members who are members of the Planning Committee or standing deputies who may be called to sit on that committee, by the Promoter must be arranged by the LPA Lead Officer or other representative of the LPA Team, who must be present at any such events and ensure minutes are taken and retained.
- 4.25 The Promoter Team, like other third-party applicants, should not attend the Members' agenda briefing for Planning Committee.
- 4.26 The Promoter, like other third party promoters, may in due course wish to make a deputation to the Planning Committee in respect of any third party developer planning application and this will need to be in full accordance with PCC's standing orders in the Council's Constitution.

(4) Governance and Best Practice

- 4.27 This Protocol recognises that the PCC's Constitution sets out PCC's governance arrangements and best practice measures. Officers on the Promoter Team and the LPA Team must act in accordance with them in particular:

- the Code of Conduct in respect of Councillors and Planning Applications,
- the Employee Code of Conduct and
- Protocol on Councillors - Officer Relations

and required standards of practice and ethics relevant to their profession, eg. RTPI Code of Professional Conduct.

5. Responsibility for administering the Protocol

- 5.1 Tim Ratledge, the Economy, Transport and Planning Business Manager within PCC, known as "the Administrator", will have responsibility for administering the Protocol and ensuring that each member of the PCC Promoter Team and the LPA Team is issued with a copy of the Protocol.
- 5.2 The Administrator will ensure that the lists of names in Table 1 and Table 2 is updated on an ongoing basis and following notification from the Representatives of the Promoter Team and the LPA Team.
- 5.3 If any additional individuals are required to be added, the Representatives will ensure that they are provided with a copy of the Protocol such that they can comply with paragraph 5.5.

5.4 The Administrator will re-circulate the Protocol to the Promoter Team and LPA Team on a quarterly basis for the duration of the Protocol for information and as a reminder that officer must comply with it.

5.5 Statement of acknowledgement of the Protocol – Each member of the Promoter Team and the LPA Team (and any additional members – see paragraph 5.3) must read the Protocol and then send an email to the Administrator with the following statement:

“I have read and understood the Protocol and will abide by the relevant terms of the Protocol and the PCC Promoter Team’s / PCC LPA Team’s [delete as appropriate] obligations”.

6. **Amendments to the Protocol**

6.1 It may necessary from time to time for amendments to be made to the Protocol. Amendments can only be made if the Representatives agree.

6.2 If there is a material amendment to the Protocol, the Administrator will issue the revised version of the Protocol to each member of the Promoter Team and the LPA Team, all of whom must comply once more with paragraph 5.5.

7. **Duration**

7.1 The Protocol will be in place for as long as the Promoter is promoting the Tipner West site and the LPA is the relevant local planning and competent authority.

8. **Publication**

9.1 These handling arrangements will be published on the Council's website.

Signed on behalf of Local Planning Authority:

Nick Lloyd-Davies

Name: Nick Lloyd-Davies
Position: New Neighbourhoods Team Leader
Date: 18 August 2025

Signed on behalf of the Promoter:

Kevin Hudson

Name: Kevin Hudson
Position: Head of Development
Date: 18 August 2025