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12 June 2012

S U M M O N S

MEETING: Economic Development Board
DATE: 20 June 2012
TIME: 6.00pm
PLACE: Council Chamber
Democratic Services contact: Lisa Young

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Dickson) (ex officio)
Chairman of the Policy and Organisation Board
(Councillor Hook) (ex-officio)
Councillor Lane (Chairman)
Councillor Philpott (Vice Chairman)

Councillor Allen	Councillor Geddes
Councillor Chegwyn	Councillor Mrs Hook
Councillor Edgar	Councillor Langdon
Councillor Forder	Councillor Mrs Searle

FIRE PRECAUTIONS

(To be read from the Chair if members of the public are present)

In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

RECOMMENDED
MINUTE FORMAT

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETINGS OF THE BOARD HELD ON 27 MARCH 2012 AND 16 MAY 2012

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Monday, 18 June 2012. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Monday, 18 June 2012).

6. REVIEW OF STATEMENT OF COMMUNITY INVOLVEMENT
Following changes to the planning system it has been necessary to review and revise the Council's Statement of Community Involvement on planning matters.

PART II
Chris Payne
5216

7. PRIDDY'S HARD HERITAGE AREA AND MUSEUM AGREEMENT

To advise Members of a request from the Portsmouth Naval Base Property Trust to vary the agreement with the Council regarding Priddy's Hard heritage Area and Museum.

PART II
Ian Lycett
5201

8. ANY OTHER ITEMS

-which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

AGENDA ITEM NO. 6

Board/Committee:	Economic Development Board
Date of Meeting:	20 th June 2012
Title:	Review of Statement of Community Involvement
Author:	Borough Solicitor and Deputy Chief Executive
Status:	FOR DECISION

Purpose

Following changes to the planning system it has been necessary to review and revise the Council's Statement of Community Involvement on planning matters.

Recommendation

That the Board approves the draft Statement of Community Involvement 2012 (as shown in Appendix A) and agrees its publication for consultation purposes.

1 Background

- 1.1 Under the planning system introduced by the Planning and Compulsory Purchase Act 2004, the Borough Council is required to produce a Statement of Community Involvement (SCI). This document outlines how the Council will involve local residents, businesses and other interested parties in forthcoming planning policy documents that will be included in the Gosport Local Development Framework (LDF). It will also set out the Council's provisions for consulting on planning applications. In line with this Act the Council prepared and adopted an SCI in July 2007.
- 1.2 However, there have been several changes to the planning system since the enactment of 2004 Act notably the Localism Act 2011, the National Planning Policy Framework 2012 and specifically the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the Town and Country Planning (Local Planning) (England) Regulations 2012. As a result of these changes it is necessary to review the SCI and prepare an updated version.

2 Report

- 2.1 A review of the 2007 SCI has been undertaken by officers and as a consequence of this review a revised version has been prepared. This 2012 version has been included as Appendix A to this report.
- 2.2 The key changes between the 2007 version and the 2012 version are:

- the move to the preparation of a single local plan as opposed to a Core Strategy and a Sites Allocations Document;
- preparation of the Community Infrastructure Levy charging schedule;

(Both these items were agreed by the Economic Development Board on 22nd February 2012)

- the reduction of number of consultation stages that are required to prepare a local plan;
- greater emphasis on pre planning application consultation;
- the list of statutory consultees has changed.

2.3 It is proposed that, in line with Government regulations, consultation is undertaken on the draft Statement of Community Involvement 2012. Following consultation any representations made will be considered by the Board. As result of the new regulations there is no longer a requirement for the SCI to be examined by the Planning Inspectorate.

3 Risk Assessment

3.1 The SCI is a statutory requirement resulting from the Planning and Compulsory Purchase Act 2004. Failure to prepare an updated version of the SCI could leave the Council open to a legal challenge with regard to the preparation of its local plan.

4 Conclusion

4.1 The draft Statement of Community Involvement 2012 has been prepared in accordance with Government guidance and sets out a methodology for consulting on planning documents.

Financial Services comments:	None
Legal Services comments:	Contained in the report
Crime and Disorder:	The SCI will ensure that the police authority is consulted on relevant planning documents.
Equality and Diversity:	The preparation of the SCI will ensure that all sectors of the community are involved in the preparation of the local plan.
Service Improvement Plan implications:	This document is integral part of the Local Plan process.
Corporate Plan:	The SCI will ensure greater participation in the preparation of planning documents in

	line with the core values of corporate plan.
Risk Assessment:	See 3.1
Background papers:	none
Appendices/Enclosures:	
Appendix 'A'	Draft Statement of Community Involvement 2012
Report author/ Lead Officer:	Chris Payne

Local Development Framework

Statement of Community Involvement 2012

Draft June 2012

*Delivering
for Gosport*



GOSPORT LOCAL DEVELOPMENT FRAMEWORK

STATEMENT OF COMMUNITY INVOLVEMENT: REVIEW

DRAFT FOR PUBLIC CONSULTATION

June 2012

Gosport Borough Council is committed to equal opportunities for all. If you need this document in large print, on tape, in Braille or in other languages please contact the Planning Policy Section on 02392 545461 or email on planning.policy@gosport.gov.uk.

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1.0 INTRODUCTION

- 1.1 The Borough Council's Statement of Community Involvement (SCI) sets out the consultation arrangements for both planning documents prepared by the Council and planning applications received by the Council.
- 1.2 The 2007 SCI had a commitment to review it if necessary. Since the SCI was adopted in 2007, there have been changes to the procedures and Government advice and this necessitates a review to be undertaken.
- 1.3 The Localism Act 2011 places close working with local communities to shape the places where they want to live, work and play at the heart of the new planning system. The National Planning Policy Framework (NPPF) published in March 2012 provides the framework for local authorities and their local communities to prepare local and neighbourhood plans that reflect each area's own needs and priorities through the Local Development Framework process. The Local Development Framework is a suite of documents that comprise the statutory development plan documents (DPDs), this also includes preparing a Statement of Community Involvement for an area. In addition to DPDs, non statutory local development documents can be prepared to support the development plan.
- 1.4 This document sets out how the Borough Council can involve the local community and other key stakeholders in local planning issues. It describes how consultation can be carried out and when, what methods of consultation can be used and how comments received will be dealt with. It also identifies management, resource and monitoring issues relating to consultation.
- 1.5 Locally, Gosport Borough Council is responsible for preparing planning policies and proposals for the Borough. These are currently contained in the adopted Gosport Borough Local Plan Review (2006) but will eventually be superseded by the Gosport Borough Local Plan 2011-2029 (Local Plan).
- 1.6 The Borough Council is also responsible for determining most planning applications within its area. Community involvement is essential to this process and has been further strengthened through the provisions in the Localism Act. Section 4 contains further details of the Council's consultation arrangements for planning applications.
- 1.7 The SCI will be kept under review and the process is explained in Section 5.

2.0 PRINCIPLES OF COMMUNITY INVOLVEMENT

2.1 One of the aims of the planning system is to strengthen community involvement. Local planning authorities should improve opportunities to encourage public involvement in drafting planning documents and informing decisions on planning applications.

2.2 The key aims of the Statement of Community Involvement are:

- Within the resources available, the Borough Council will offer a wide range of opportunities to stakeholders and the local community to participate in the preparation of local planning documents; and
- The Borough Council will comply with, and where appropriate exceed, the minimum legal requirements for consultation and publicity for planning applications.

2.3 The key principles of how the Borough Council will involve the community are set out below:

- Present information in a clear and effective way;
- Value the opinions and expertise of stakeholders, groups and individual members of the community;
- Provide different opportunities for people to contribute their ideas and suggestions through the use of a variety of appropriate consultation techniques;
- Ensure fair and equal treatment for all and recognise the value of diversity;
- Try to ensure that its consultation methods encourage the involvement of people that do not normally become involved in the planning process;
- Involve the public at an early stage in the process;
- Ensure information is accessible and available in a variety of formats to encourage a wide readership and encourage views from all parts of the community;
- Analyse consultation responses and report them in a clear and understandable way; and
- Provide feedback about progress and outcomes.

2.4 This review of the SCI has been produced taking into account the Council's Corporate Consultation Policy and will have future regard to this Policy and its associated best practice toolkits.

3.0 INVOLVEMENT IN THE GOSPORT LOCAL DEVELOPMENT FRAMEWORK

Who will be involved?

Statutory Consultees

- 3.1 Current Government regulations require that the Borough Council consults particular organisations during the preparation of the Gosport Local Development Framework. A list of the statutory consultees is contained in Appendix 1.

Other Organisations and Individuals

- 3.2 Appendix 1 outlines the types of organisations that the Borough Council will consult with on various planning documents. The Council maintains a database of organisations and individuals that have registered an interest in being consulted on the Local Plan and other Development Plan Documents. The database includes a number of local groups, businesses, developers and interest groups. The database is reviewed during the different stages of plan preparation to ensure it is as up to date as possible. The inclusion of additional contacts is welcomed at all stages of the process.
- 3.3 The Borough Council is part of a partnership of voluntary, community groups and public bodies in Hampshire that have prepared a Compact agreement which sets out guidelines and develops best practice for partnership working between the voluntary and public bodies. The document is called *One Compact for Hampshire* and can be viewed at www3.hants.gov.uk/compact.
- 3.4 The Borough Council recognises the value and importance of public consultation in seeking the views of local communities, local businesses and other stakeholders in informing the decision making process. In order to achieve this, the Council may need to provide additional support to certain groups or individuals who wish to participate. For the preparation of local development documents the Council will achieve this through the different methods of consultation summarised in Appendix 2 and the consideration of different venues, consultation times and alternative formats for documentation as described in paragraphs 3.54 – 3.55 in this document.
- 3.5 Groups or individuals seeking assistance in accessing these documents should contact the Planning Policy Section on 02392 545461 or contact us by email on planning.policy@gosport.gov.uk or come to the Planning Services Reception (3rd floor) at the Town Hall in Gosport.

How will the community be involved?

- 3.6 As part of the process for the production of the 2007 SCI, the Borough Council conducted a survey with local stakeholders on which consultation methods they preferred and these were incorporated into the document. These methods have been carried forward into this review.

- 3.7 A summary of potential consultation techniques that could be used for all or various parts of the Local Plan and other associated planning documents are outlined in Appendix 2.
- 3.8 The preferred methods of consultation for each part of the preparation process will also depend on a number of factors including:
- Issues raised by a particular Development Plan Document (DPD) or Supplementary Planning Document (SPD);
 - Geographical coverage of the document;
 - The stage of preparation; and
 - Availability of resources (financial, staff, premises).

What documents will the community be consulted on?

- 3.9 The Local Development Framework (LDF) will comprise of a number of documents including the Local Plan, Area Action Plans, Neighbourhood Plans (where these are appropriate) and SPD's. A brief explanation of the purpose of these documents is set out below.
- 3.10 Development Plan Documents (DPD's) are the key planning documents that a Local Authority will produce. The primary DPD is the preparation of the Local Plan which establishes the planning policy framework to determine planning applications, allocate sites for appropriate development, protect and enhance areas of land and assets for natural and built conservation and identify infrastructure requirements. Local Plan policies normally cover a 15 year time scale. For Gosport this new plan is the Gosport Borough Local Plan 2011-2029.
- 3.11 Area Action Plans can be used where a more detailed framework is required for areas likely to experience significant change or where conservation is needed. There are currently no Area Action Plans programmed in the Council's Local Development Scheme (LDS).
- 3.12 Neighbourhood Plans are prepared by local communities through Parishes or Neighbourhood Forums with assistance from the Local Planning Authority. These plans can set planning policies to determine planning applications or grant planning permission through Neighbourhood Development Orders and Community Right to Build for specific development. However such plans must be in general conformity with the Local Plan and can not promote less development than set out in the Local Plan.
- 3.13 Supplementary Planning Documents are non statutory documents providing further detail to expand on policies contained within the Local Plan relating to particular topics or key sites.

Local Plans and other Development Plan Documents

- 3.14 The Borough Council intends to produce a Local Plan. However the same process would apply to other Development Plan Documents (DPDs) including Area Action Plans. All DPDs will be examined by an independent Inspector. When adopted they will be Statutory Documents.
- 3.15 The types of planning documents that the Borough Council will or could produce to support the Local Development Framework are:

Gosport Borough Local Plan 2011-2029

- 3.16 This provides an overall vision for the Borough and sets out the Council's core policies for land use and development planning during the plan period.
- This will relate closely to the Sustainable Community Strategy and its land use implications;
 - It will set out the Council's proposals and policies for the allocation of key land uses in the Borough such as employment, housing, retail and leisure uses;
 - It includes infrastructure requirements in connection with development proposals;
 - It will include detailed development management policies that will be used to assess development proposals; and
 - It will contain a Proposals Map.
- 3.17 All other Local Development Documents if prepared will need to be in conformity with the Local Plan.

Community Infrastructure Levy Charging Schedule

- 3.18 It is intended that the Community Infrastructure Levy (CIL) will be introduced alongside the Local Plan. The CIL will generally replace the need to take developer contributions currently secured through a Section 106 Agreement with a tariff being placed on certain types of development. There will still be some instances where Section 106 Agreements will still be required. A key element of introducing CIL is the preparation of a CIL Charging Schedule which will determine how much the tariff should be. The CIL Charging Schedule needs to be informed by evidence studies to understand the viability issues surrounding development. A timetable will therefore be set for the preparation of the CIL charging schedule and it will be published on the Council's website. The Draft Charging Schedule will be published for consultation under Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended in 2011). Although the CIL document is not a DPD the charging schedule will be subject to independent examination, which could take place concurrently with the Local Plan examination.

Sustainability Appraisal

- 3.19 The Council is required to carry out a Sustainability Appraisal for each DPD it produces. This forms part of the Council's Strategic Environment Assessment of its policies, plans and programmes as required by the European Directive. The Sustainability Appraisal aims to identify the social, economic and environmental effects likely to arise from the different options, policies and proposals outlined in the various parts of the LDF. The Sustainability Appraisal Report will include the Environmental Report of the Strategic Environmental Assessment as required by the Directive.
- 3.20 Each Sustainability Appraisal Report will be available for public comment at the relevant stage of consultation for the DPD. Initially the Council will prepare a Sustainability Appraisal Scoping Report and will consult relevant organisations prescribed by the Government. The Sustainability Appraisal

Scoping Report sets out the Council's framework for conducting Sustainability Appraisals.

Process

3.21 The key stages of the preparation of DPDs are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. In summary these are set out in stages:

- Regulation 18: Public participation in the preparation of a DPD;
- Regulations 19 and 20¹: Publication of a DPD and making representations;
- Regulation 22: Submission of documents to the Secretary of State;
- Regulations 23-25: Examination process; and
- Regulation 26: Adoption of DPD.

3.22 Those stages in plan preparation that are subject to public consultation are expected to exceed the minimum requirements. The details for this are set out in the tables below:

- Publication of draft plan (see Table 1).
- Publication of Pre submission plan (see Table 2).

¹ Under Regulation 20 opportunity to make representations on the draft plan will be over a six week consultation period.

Table 1: Preparation of a draft Local Plan (Regulation 18)

<p>Aim: To establish community views on draft planning policies that will guide the future development of the Borough and provide the opportunity for feedback to be incorporated in the next stage of the process.</p>
<p>Requirements: Regulation 18 in the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the requirements on who is consulted but does not set a formal time period for consultation. Consequently the local planning authority has greater flexibility on how it can consult the public at this stage.</p>
<p>Consultation period: At least 6 weeks consultation on draft local plan. Some stakeholders may be consulted informally in advance of the publication of the draft.</p>
<p>Consultees: Those specific consultation bodies identified in the Town and Country Planning (Local Planning) (England) Regulations 2012 (or equivalent). The list of these consultees and other relevant general consultation bodies as described in the 2012 are listed in Appendix 1.²</p>
<p>Discretionary Consultation Measures all or any of the following as the Council consider appropriate:</p> <ul style="list-style-type: none"> • Letters either by post or electronic communication to all statutory consultees and other interested parties who requested to be kept informed on the draft Local Plan. • Documents with questionnaires made available at Council Offices, the Gosport Discovery Centre and the other three libraries. Other appropriate sites will be considered. • Copy of the document and associated documents on www.gosport.gov.uk/localplan2029 • Holding a number of events at sites across the Borough could enable participants to explore issues and options in more depth. These events may require active community participation at a local public venue. Exercises could include 'Planning for Real' or 'Enquiry by Design'. • Workshops/Focus Groups/other 'Active' type sessions may also be appropriate for other DPDs such as Area Action Plans depending on the nature and scope of document and the resources and time available. • One to one meetings with local amenity groups and other organisations. • Exhibitions at a network of venues including Council Offices and Libraries as well as other sites where appropriate. Some exhibitions may be staffed at notified times. • Articles in the Council's community publications such as 'Coastline' and Business Connect. • Summary Leaflets/Posters to raise awareness of consultation. • Press release. • Media briefing.

3.23 After the public consultation period closes, the Borough Council will carefully consider all representations received and they will inform the refinement of the DPD.

² The Council regularly updates the LDF database to reflect changes to the list of consultees as appropriate.

Table 2: Pre Submission Consultation Stage (Regulation 19)

Aim: To establish community views on the Pre submission version of the draft Local Plan prior to formal submission of proposals to the Secretary of State for examination.
Requirements: Under Regulation 19 as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.
Consultation period: There is a formal six week consultation period to make representations on the draft Local Plan.
Consultees: Statutory consultees as set out in the Government Regulations (Reg.18 (1) and other relevant consultees on the Council's LDF database (see Appendix 1).
<p>Minimum requirements Consultees:</p> <ul style="list-style-type: none"> • Formal letters either by post or electronic communication to statutory consultees together with a copy of the DPD. • Documents with comments form made available at Council Offices as well as the Gosport Discovery Centre and the other three libraries and other sites used at the earlier draft stage for a particular DPD will also be used. • Copy of document with comments form at www.gosport.gov.uk/localplan2029.
<p>Discretionary consultation measures that exceed the minimum statutory consultation requirements all or any of the following as the Council consider appropriate:</p> <ul style="list-style-type: none"> • Letters to other relevant consultees. • Press release/Advertisement in local newspaper. • Articles in the Council's community publications.

3.24 The Borough Council will prepare a summary of responses that will be submitted to the Secretary of State together with copies of the responses. They will accompany the submission version of the local plan or other DPD in accordance with Regulation 22.

3.25 The Borough Council will send notification of where and how the submission documents are available for inspection and also notify those individuals and organisations who requested to be notified of the submission of the Local Plan to the Secretary of State.

3.26 The Local Plan or other DPD will be examined by an Independent Inspector who will examine the plan in order to ensure it has been prepared in accordance with a Duty to Cooperate, and has met all legal and procedural requirements and is 'sound'. A sound plan is defined as a plan that is:

- Positively prepared;
- Justified;
- Effective; and
- Consistent with national policy.

3.27 The Council will publicise and where relevant notify the details of the Examination including the name of the Inspector, Programme Officer, the matters that are to be heard, programme for sessions, times and venues.

- 3.28 In accordance with Regulation 25, the Council will notify those persons who requested to be notified of the publication of the Inspector's recommendations.
- 3.29 Following the adoption of the Local Plan, the Council will in the locations listed in Tables 1 and 2 make available the following documents:
- The Local Plan;
 - An adoption statement;
 - Sustainability Appraisal Report.
- 3.30 It will also send a copy of the adoption statement to anyone who has been asked to be notified of the Plan's adoption.

Supplementary Planning Documents

- 3.31 SPD's can provide additional policy guidance relating to issues such as design which are linked to policies in Local Plans (or other DPD's). They can also provide detailed guidance on specific sites allocated in a Local Plan. Community involvement will be important in preparing SPDs but they will not be subject to an independent examination by an Inspector. The only stage of consultation is public participation on a draft SPD (see Table 3). However for certain large sites it may be necessary to undertake a consultation event (such as Planning for Real) prior to the publication of a draft SPD and use the feedback received to inform the draft SPD.

Table 3: Public Participation on Draft SPD (Regulation 12)

<p>Aim: To establish community views on the draft SPD to the local community in order to seek their comments, and where appropriate make amendments to the SPD prior to formal adoption by the Borough Council.</p>
<p>Requirements: These are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 including the availability of the document. The Council's proposals meet and exceed these minimum requirements.</p>
<p>Consultation period: will be for no less than 4 weeks (Regulation 12).</p>
<p>Consultees: Statutory Consultees and other relevant interested organisations/groups and members of the local community that are interested in particular issues included in the SPD (see Appendix 1). Details of interested groups will be kept on the Council's updated database.</p>
<p>Minimum requirements: There are no minimum requirements specified under the current regulations, however as a minimum, the Council will undertake the following:</p> <ul style="list-style-type: none"> • Letters by post or by electronic communication to statutory consultees. • Relevant documents to be made available at Council Offices as well as the Gosport Discovery Centre and the other three libraries. • Copy of document with comments form at www.gosport.gov.uk/localplan2029. <p>Discretionary Consultation that the Council may undertake- all or any of the following as the Council consider appropriate:</p> <ul style="list-style-type: none"> • Depending on the nature and scope of SPD other locations for viewing documents will be considered. • In certain cases, such as a high profile development site, an exhibition may be held in the Council Offices or other appropriate venue(s). Certain exhibitions will be staffed for specified periods. • Press release. • Consultation letter (posted or by electronic communication) and document to all interested parties. • Summary Leaflets/Posters to raise awareness of consultation where appropriate • Presentation to local interest/amenity groups may be appropriate for certain SPDs. • For large sites it may be necessary to undertake a consultation event (such as Planning for Real) prior to the publication of a draft SPD and use feedback received to inform the draft SPD. • Advertisement in local newspaper.

- 3.32 The Council will consider all representations received and amend the draft SPD if necessary. Then the Council will publish the final SPD together with an adoption statement. The adoption statement will be sent to anyone who has asked to be notified of the adoption of the SPD.

Local Development Orders

- 3.33 Local Development Orders (LDO) grant permission for the type of development specified in such an order and by doing so remove the need for planning application to be made by the developer. Consultation is very important.

- 3.34 It is at the discretion of the Council whether it wishes to make an LDO. The Borough Council is required to consult persons whose interests they consider would be affected by the Order and those persons they would have been required to consult on an application for planning permission for development proposed by the LDO.
- 3.35 In carrying out the consultation, the Council will send a copy of the draft order and statement of reasons to consultees. The draft LDO statement of reasons must be made available at the Council's offices and other appropriate locations in the Borough such as the local libraries as well as on the Council's website and advertised in the local paper.
- 3.36 The Council will display a site notice on or near site and serve a site notice on everyone the Council knows to be the owner or tenant of the site.
- 3.37 As part of the consultation process, the Council shall specify a consultation period, this must not be less than 28 days within which time representations must be received.
- 3.38 Once representations have been taken into account, the Council can consider if any modifications are needed or whether the draft LDO can be adopted.
- 3.39 Once all the consultation requirements have been met, the Council must send a draft of the LDO a statement of reasons and any modifications resulting from consultation to the Secretary of State.

Neighbourhood Plans

- 3.40 These plans should reflect the strategic policies in the Local Plan. They can contain policies for development that are tailored to a specific area and are prepared in collaboration with local communities by neighbourhood forums.
- 3.41 As part of the process of preparing Neighbourhood Plans, the neighbourhood forum is responsible for carrying out pre-submission consultation and publicity before submitting their proposals to the Council. Once submitted the Council will then publicise the neighbourhood plans' proposals as required by The Neighbourhood Planning (General) Regulations 2012.

How will the Borough Council deal with comments received?

- 3.42 Comments received from the public at each consultation stage of the LDF are highly valued by the Borough Council. All responses received by letter or electronic communication will be acknowledged. Anyone making comment on the early stages of the LDF will be automatically consulted at the later stages unless the respondent no longer wishes to be involved in the process. Comments made will be considered and inform the preparation of the next stage of the document.
- 3.43 When the document is submitted to the Secretary of State a copy of the representations made under Regulation 19, will be made available at the Town Hall and all other venues that displayed the earlier versions of a particular DPD. Copies of the representations placed on the Council's website will be redacted so that personal details do not appear. However, all representations in their original form will be available for inspection at the

Town Hall and these representations will also be sent to the Secretary of State along with the other relevant DPD documents at the time of submission. A summary of all comments received and how the Council proposes to deal with the comments will be produced in a schedule and made available at the Borough Council's offices for inspection prior to the relevant Board/Council meeting.

- 3.44 For SPDs, a statement setting out those persons consulted when preparing the document, a summary of the main issues raised during consultation and how those issues were addressed in the SPD will also be prepared and made available alongside copies of the SPD this is undertaken in accordance with Regulation 12 which relates to the public participation stage for SPD preparation.
- 3.45 The Council will publish on its website a summary of how the representations have been considered by the Borough Council together with an explanation of the next stage of the process.
- 3.46 In relation to DPDs, the Borough Council will produce a statement outlining the following details at the Submission to the Secretary of State stage. The statement will include:
- A list of consultees;
 - How the consultees were consulted;
 - A summary of the main issues raised by consultation; and
 - How those main issues have been addressed in the DPD.
- 3.47 These reports will be made available on our website, www.gosport.gov.uk/localplan2029 and at the Planning Services Reception, Town Hall; the following Public Libraries during normal opening hours:
- Gosport Discovery Centre, High Street, Gosport, PO12 1BT;
 - Elson Library, 136 Chantry Road, Gosport, PO12 4NG;
 - Lee-on-the-Solent Library, High Street, Lee-on-the-Solent, PO13 9BZ,
 - Bridgemary Library, 74 Brewers Lane, Bridgemary, Gosport, PO13 0LA; and
 - any other sites used at the preparation stages for the LDD in question.
- 3.48 The Borough Council will inform those that have outstanding representations of the details for the Independent Examination in accordance with the Government regulations (Reg. 24) and also advise them of the inspector's recommendations (Reg. 25) and the eventual adoption of the DPD (Reg. 26).

How will consultation be managed and resourced?

- 3.49 Consultation on the local plan or other Development Plan Documents will be approved by either the appropriate Board or Full Council. The pre-submission version of a DPD will need to be approved by Full Council.
- 3.50 Similarly, the appropriate Council Board will also approve SPD's prior to consultation.
- 3.51 Final adoption of the Local Plan other DPDs and SPD's will either be made by Full Council or the relevant Board.

- 3.52 The Council will work with the Council's Press Officer and other Council Sections as appropriate. This will save on resources and make consultation more effective by reducing the risk of consultation fatigue.
- 3.53 The Council will have regard to Government guidance and best practice carried out by other local planning authorities. Wherever possible the Borough Council will use local expertise to develop and conduct its consultation exercises including the production of publicity material, exhibitions, PowerPoint presentations and maps. From time to time the Council may buy-in relevant expertise for certain aspects of the consultation process. This could include workshop facilitators or trainers to enable staff to manage and conduct workshops or apply other techniques.
- 3.54 The Council wishes to make its consultation processes as inclusive as possible and gather a diverse range of views. It will achieve this by using a range of different consultation techniques and will also consider the following:
- Venues
 - Physically accessible (to comply with the DDA 1995);
 - Accessible by public transport; and
 - Near to main populations.
 - Consultation times
 - Different times of the day; and
 - Different days of the week.
 - Format
 - Braille, CD and tape versions upon request;
 - Other languages upon request;
 - Large print version upon request; and
 - Website.
- 3.55 The Council also has a good working relationship with the Gosport Access Group and Disability Forum who are able to advise on improving the accessibility of consultation processes and procedures for disabled persons.

4.0 INVOLVEMENT IN THE PLANNING APPLICATION PROCESS

Pre-Applications

- 4.1 The NPPF places significant emphasis on the role of pre application engagement and early community engagement.
- 4.2 The Council encourages pre-application discussion on proposals before applications are formally submitted. This allows for key issues to be identified prior to a formal submission of an application. This advice does not prejudice the full public consultation procedures as all or subsequent applications are subject to publicity procedures and the representations received are an integral part of the determination process. Pre-application advice does not influence how an application will eventually be determined. Further guidance on pre-application advice is available on the Council's website at www.gosport.gov.uk/pre-application-advice.
- 4.3 The Council wishes to encourage developers to undertake their own consultation arrangements with local communities to explain their development proposals. Future updates to the Council's website may include advice to developers emphasising the importance of the need for them to carry out and submit evidence demonstrating community consultation along with the planning application.

Planning Applications

- 4.4 Decisions on planning applications may be taken by the Regulatory Board or an officer of the Council in accordance with the scheme of delegation set out in the Council's Constitution. This can be viewed at the Council's website at www.gosport.gov.uk/constitution.
- 4.5 The Borough Council currently consults on planning applications in accordance with the requirements of Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010. Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. Table 4 summarises the consultation techniques that the Council uses to consult on planning applications.

Table 4: Consultation Methods for Planning Applications

Application Type	Method of Publicity		
	Press Notice	Site Notice	Neighbourhood Notification Letter
Major	Y	Y	Y
Minor	N	Y	Y
Other :			
Conservation Area Consent	Y	Y	Y
Listed Building Consent	Y	Y	Y
Works to TPO trees	N	Y	Y
Advertisement Consent	N	Y	N
Change of Use	N	Y	Y
Householder applications	N	N	Y
Special Cases:			
All applications for development to Listed Buildings and/or on sites within Conservation Areas	Y	Y	Y
Applications submitted with an Environmental Impact Assessment.	Y	Y	Y
Applications for development that constitutes a departure from development plan policies.	Y	Y	Y
Applications for planning permission for Telecommunication Equipment or for prior approval of siting and appearance of Telecommunications Equipment.	Y	Y	Y ³

4.6 When the Borough Council consults on planning applications it allows a period of 21 days from the date of the publication of the consultation which may be by notification letter, press notice and/or site notice, for the public to respond in writing. After this publicity period expires the application can be determined. However, any representations received up to the date of determination will be taken into consideration. There are eight categories of application that are advertised both by press and site notices.

4.7 A site notice is displayed (usually on a lamp post or other street furniture) for 3 weeks on the site frontage or as close to the site frontage as possible. For sites that front more than one road, where possible, a site notice will be displayed on each frontage. For sites where occupiers of adjacent properties will not pass the frontage of the application site when accessing their properties, site notices will be displayed in locations which as far as possible ensures occupiers accessing their properties will pass the notice.

³ Head Teachers of schools with a boundary within 500 metres of the site will also be notified by letter.

- 4.8 For most applications, the Council will send a Neighbour Notification Letter to all properties with a boundary within 5 metres (excluding the width of any road or footpath) of the boundary of the application site.
- 4.9 The Borough Council offers an on-line service where applications can be viewed on the Council's website www.gosport.gov.uk/gbcplanning. These are usually on the website within 2-3 days of validation. The notification letter that is sent out always gives a 21 day consultation period. Prospective consultees can view the applications on the website. It is possible to make comments on-line before the end of the publicity expiry date. The Council is able to take comments into consideration submitted by email or letter as long as the application has not been determined if it is delegated to officers and up until 5 p.m on the day the application is considered by the Regulatory Board. The Council publishes weekly lists on-line and these are also available in local libraries. Hard copies of the applications are available to view at the Town Hall during normal office hours.
- 4.10 Applicants and members of the public who have made representations, will be advised if and when the application will be considered by Members of the Regulatory Board. Agendas and reports are available 5 working days before the meeting in hard copy at the Town Hall and on the website. Deputations can be made at meetings of the Borough Council's Regulatory Board. Deputation requests must be made no later than 12 noon two working days before the meeting. The request to speak must be made in writing and must be supported by 10 signatures of electors of the Borough or signed by or on behalf of the person or persons having a private interest in the object of the deputation, and addressed to the Borough Solicitor at the Town Hall, High Street, Gosport, PO12 1EB. These arrangements may be subject to change but the Council's website will provide up to date guidance on how this process works. These guidelines can be viewed at www.gosport.gov.uk/sections/democratic-services.
- 4.11 The Borough Council will consult the statutory consultees using any minimum thresholds for development they provide to the Council at both pre-application and application stage.
- 4.12 There are certain proposals that are not publicised such as those where there are interests of national security and applications for Certificates of Lawfulness for existing or proposed works. Although works to trees in Conservation Areas must be notified to the local planning authority they do not require planning permission and therefore are not publicised in line with the consultation methods outlined above. However if the Council is minded to make a Tree Preservation Order as a result of a Tree Notification local residents will be consulted.

How comments are considered

- 4.13 Representations made by interested parties are acknowledged and considered and taken into account when an application is determined. Comments made by the public and other interested groups and organisations can help to secure improvements to the original scheme or highlight particular issues. However, only comments that are relevant to planning can be taken into account. The impacts of a proposal on property prices, private disputes or matters dealt with under other legislation are not material considerations in the planning process. Issues that have been raised by interested parties are summarised and addressed in the final report on the application and anyone

who has commented is advised of the eventual outcome in writing. All written comments that are received by the Council will be available on the website. The Council will take reasonable steps to remove personal (but not business) telephone numbers, email addresses and signatures. The Council will not take into account, or display on the website, comments that include any inappropriate or offensive material. Further information relating to commenting on planning applications is contained on Council's website and can be viewed at: www.gosport.gov.uk/gbcplanning.

5.0 How will the Council monitor its Statement of Community Involvement?

- 5.1 The SCI will be reviewed as appropriate, for example if necessary the Statement of Community Involvement will be revised if it is found that changes are required to improve the Council's consultation arrangements or there has been a revision of Government Regulations, awareness of new best practice or material changes in local circumstances.

Appendix 1: Consultees for Local Development Documents and Planning Applications

Local Development Documents

Specific Consultees

The following bodies are specific consultation bodies (or consultation bodies in the case of a Neighbourhood Plan) and must be consulted in accordance with and the Town and Country Planning (Local Planning) (England) Regulations 2012. Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.

- Hampshire County Council
- Portsmouth City Council
- Fareham Borough Council
- Hampshire Constabulary (not required for Neighbourhood Plans)
- Natural England or equivalent
- The Environment Agency or equivalent
- The Historic Buildings and Monuments Commission for England (English Heritage)
- Network Rail Infrastructure Limited (company number 2904587)
- The Highways Agency
- The Marine Management Organisation
- The Coal Authority⁴
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003
- Any person who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority
- Any of the bodies from the following list exercising functions in any part of the local planning authority:
 - Primary Care Trust;
 - Person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989;
 - Person to whom a licence has been granted under Section 7 (2) of the Gas Act 1986;
 - Sewage Undertaker;
 - Water Undertaker; and
 - Homes and Communities Agency.

Other Consultees

There are a number of types of organisations that the Borough Council will consult including the Gosport Partnership⁵. The LDF database of organisations and individuals for consultation is being continually updated and additional interested parties are welcome to be included at any time. Types of organisations include:

⁴ The Coal Authority wrote on 16th April 2012 specifying that as Gosport's administrative areas lies outside of currently defined coalfields it will not be necessary for the Borough Council to specifically consult the Coal Authority on emerging planning documents.

⁵ The Gosport Partnership Board steers and manages the Community Strategy process.

- Bodies which represent the interests of different racial, ethnic or national groups within the Gosport area;
- Bodies which represent the interests of different religious groups in the Borough;
- Bodies which represent the interests of disabled persons in the Borough;
- Bodies which represent the interests of persons carrying out business in the Borough; and
- Other types of groups including environmental, amenity, youth, charities, sports, tenants, residents associations, neighbourhood groups and other voluntary bodies.

Planning Applications

Statutory and other consultees⁶

- Adjoining Local Planning Authorities
- Aircraft Owners and Pilot Association
- Ancient Monument Society
- Care Quality Commission
- Civil Aviation Authority
- Council of British Archaeology
- Crown Estate Office
- Defence Infrastructure Organisation
- English Heritage
- The Environment Agency or equivalent
- Forestry Commission
- Garden History Society
- Georgian Group
- Gosport Society
- Government departments as appropriate
- Hampshire County Council
- Hampshire Constabulary
- Hampshire Fire and Rescue
- Hampshire Gardens Trust
- Hampshire Wildlife Trust
- Health and Safety Executive
- Highways Agency
- Marine Management Organisation
- National Planning Casework Unit
- Natural England
- OFCOM NATS
- Open Space Society
- Portsmouth Water
- Queens Harbour Master
- RSPB
- Local Schools
- Society for the Protection of Ancient Buildings
- Sport England
- Southern Electric
- Southern Water Services
- The General Aviation Awareness Council
- The Historic Buildings and Monuments Commission for England

⁶ This is not an exhaustive list and it is not necessary to consult all these bodies for every application. The list will be periodically reviewed. Please contact Development Control Services to obtain further information.

- The Theatres Trust
- Twentieth Century Society
- Victorian Society

Appendix 2: Methods of Consultation on the LDF

A summary of potential consultation techniques that could be used for all or various parts of the LDF are outlined below.

METHODS	MAIN CONSIDERATIONS
Availability of paper versions of consultation documents	<p>A copy of all documents will be available at the Council Offices. This is a minimum requirement prescribed by the Regulations. Copies will also be placed in the Gosport Discovery Centre and the Borough's three other libraries. Other venues could be used for particular documents depending on the cooperation of the site manager. The geographical extent of a document or issues covered will have a bearing on what venues are approached.</p> <p>The Council operates a popular community loan scheme whereby local groups and residents can borrow consultation documents. This improves availability to documents for those that do not have internet access or wish to consider the document over a period of time.</p> <p>These services can be provided at little cost but need to be well publicised. Attention will need to be given to how accessible the venues are in terms of location and the ease of being able to enter and move around the venue.</p>
Availability of documents in electronic format	<p>The Council's website includes information relating to the Gosport Local Plan www.gosport.gov.uk/localplan2029. This will be updated regularly and allow access to all the relevant documents as well as an opportunity to make representations.</p> <p>This can deliver an extensive information base and interactive possibilities at relatively little cost. Regular updating is necessary. The Audience is limited to those with internet access. Website needs to be user-friendly.</p> <p>The Borough Council will also consider using website surveys for certain DPDs and SPDs where appropriate.</p>
Consultation by letter	<p>The Borough Council has established a mailing list for any organisation or individual who wishes to be consulted on all or part of the Gosport Local Plan. A list of statutory organisations and a list of other types of organisations are shown in Appendix 1.</p>
Consultation by e-mail	<p>Alternatively, organisations and individuals can be consulted by e-mail upon request.</p>
Use of Council's community publications	<p>The Council will use its own newsletter 'Coastline' which is delivered to most homes in the Borough 3-4 times a year (circulation just over 32,400). In addition to this the Council can also publicise the Local Plan and supplementary documents through Business Connect which is a quarterly publication. The Council will use these articles to inform residents about the Gosport Local Plan, its progress, how they can get involved and make representations.</p>

Use of the Council's Housing Department consultation initiatives.	<p>The Council Housing Department already have some established methods of reaching Council tenants and other resident groups. These may represent an excellent opportunity to consult with parts of the community that may not normally be engaged in long term spatial planning issues.</p> <p>Initiatives which could be used include:</p> <ul style="list-style-type: none"> • The Housing Forum which is attended by Resident Association representatives and Road Representatives. • Quarterly newsletter 'at your service' which is delivered to Council tenants and leaseholders. • Tenant and Leaseholder Consultation framework which is a network of tenants and leaseholders who wish to be consulted on local issues.
Use of local media (local press, TV and radio)	In addition to statutory requirements to advertise development plan documents, the Council will brief local media (press, tv and radio) in the form of a press release. This can be a very good and cheap way of reaching a large proportion of the community.
Leaflets	<p>The Council will produce short summary leaflets with certain consultation documents. These leaflets will be available as hard and electronic versions and be available in large print. These need to be well designed and user friendly</p> <p>Leaflets will be available at the Council Offices, local libraries and in some instances certain community venues, doctors' surgeries and other appropriate sites.</p>
Hotline	Telephone link to a Planning Policy team member to assist with LDF queries.
Public exhibitions/displays	<p>The Council will set up public exhibitions for certain Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). The Council will assess which documents will require a public exhibition and whether these should be in a number of venues across the Borough or targeted at a specific site. Sites include the Council Offices, the Gosport Discovery Centre and the three other libraries in the area and other sites as appropriate. Choices for sites will depend on availability and appropriateness, for example where a document focuses on a particularly area, it will be good practice to hold the exhibition in a site nearby.</p> <p>Certain exhibitions may be staffed to provide further information and answer questions.</p> <p>This is a good method of bringing information and advice to local communities. Attendees are self-selecting and good publicity is required beforehand. Attention will need to be given how accessible the venues are in terms of location and the ease of being able to enter and move around the venue. Displays will need to be well-designed.</p>

<p>Use of notice boards, and Council Office plasma screen.</p>	<p>The Council will also raise awareness of the Gosport LDF and consultation arrangements through the use of the Borough Council's community notice boards and the plasma screen located in the Council Offices reception area. Notices will also be placed in a network of community venues.</p> <p>This can be an inexpensive way of informing the community although only limited information can be conveyed.</p> <p>The Borough Council will also consider raising awareness from limited targeted advertising for example a notice on the Gosport Ferry or on local buses.</p>
<p>General surveys/questionnaires</p>	<p>The Borough Council will continue to conduct general surveys of public attitudes on issues facing the Borough.</p> <p>Where appropriate, research focussed on particular types of organisations/ individuals who may have an interest on a particular issue/topic will be undertaken.</p>
<p>One to One informal meetings</p>	<p>The Borough Council values the input of stakeholders and will arrange meetings where appropriate in order to inform various parts of the Gosport LDF as well as seeking to resolve any objections that are made.</p> <p>The Council will consider having one-to-one meetings with organisations and individuals as part of a wider event (focus group/workshop/active planning session).</p> <p>These are good for in-depth discussions but can be resource intensive.</p>
<p>Focus groups/Workshop Sessions</p>	<p>In order to inform certain parts of the Gosport Local Development Framework, the Borough Council will consider setting up focus groups/workshops to discuss particular issues. Focus groups could also be used to understand the views of a particular group within the community, including hard to reach groups.</p> <p>They are a good way of presenting information in detail. They can generate constructive comments and can create ownership of a policy document. They can be resource intensive and involve significant preparation work.</p>
<p>Active planning sessions</p>	<p>Where the Council is producing a development plan document or supplementary planning document relating to a particular site, it will consider the merits of using particular active methods of consultation with local residents, businesses and community organisations. Such methods could include Enquiry By Design and Planning For Real (see glossary).</p> <p>They can be expensive and resource intensive and generate significant preparation work. However they are a good way of presenting information in detail and generating ideas.</p>

The Glossary

The Act: The Planning and Compulsory Purchase Act 2004.

Annual Monitoring Report: Part of the Local Development Framework, the Annual Monitoring Report will assess the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented.

Area Action Plan: Used to provide a planning framework for areas of change and areas of conservation. Area Action Plans will have the status of Development Plan Documents.

Development Plan: As set out in Section 38(6) of the Act. In Gosport's case the development plan consists of the relevant Hampshire Minerals and Waste Local Plan (Saved policies), Hampshire Minerals and Waste Core Strategy 2007 and the Gosport Local Plan 2006. Once the Gosport Borough Local Plan 2011-2029 is adopted this will replace the 2006 Local Plan.

Enquiry by Design: This process challenges local stakeholders, planners and professionals to respond to the issues of a particular site through an intensive design process. An example of this can be found at: <http://www.princes-foundation.org/projects.html>

Gosport Partnership: This is a local strategic partnership of stakeholders who develop ways of involving local people in shaping the future of their neighbourhood in how services are provided. It is a single, non-statutory, multi-agency body which aims to bring together locally the public, private, community and voluntary sectors.

Local Development Document: The collective term in the Act for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

Local Development Framework: The name for the portfolio of Local Development Documents. It consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports. Together, these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include Local Development Orders.

Local Development Order: Allows local planning authorities to introduce local permitted development rights.

Local Development Scheme: Sets out the programme for preparing Local Development Documents.

Planning for Real: Consultation technique that uses simple models as a focus for people to put forward and prioritise ideas on how their area can be improved. The process developed by the Neighbourhood Initiatives Foundation can be found at: www.nif.co.uk

Proposals Map: The adopted proposals map illustrates on a base map (reproduced from, or based upon a map base to a registered scale) allocations and designations contained in the local plan.

Regulations: Town and Country Planning (Local Planning) (England) Regulations 2012, The Neighbourhood Planning (General) Regulations 2012 and the Town and Country Planning (Development Management Procedure) (England) Order 2010.

Road Representative: This is a Gosport Borough Council initiative organised by the Housing Services Unit. It encourages a local resident to represent the needs and interests of a road, a group of roads or a block of flats. They look at issues affecting residents, encouraging greater participation and increasing the opportunity for local people to become involved. For further information contact the Tenant Initiatives Officers on 023 9254 5439/5441 or e-mail customerservices@gosport.gov.uk

Solent Local Enterprise Partnership: Led by businesses and supported by a number of university partners, the further education sector, three unitary authorities, eight district councils, one county council and the voluntary and community sector to act as a central driver for economic prosperity and job generation. Further details about the Solent LEP can be found at: <http://www.solentlep.org.uk/about>

Strategic Environmental Assessment: A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

Supplementary Planning Documents: Provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

Sustainability Appraisal: Tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all local development documents. Includes the requirements of the Strategic Environmental Assessment.

Sustainable Community Strategy: Local authorities are required by the Local Government Act 2000 to prepare these, with aim of improving the social, environmental and economic well being of their areas. Through the Sustainable Community Strategy, authorities are expected to co-ordinate the actions of local public, private, voluntary and community sectors. Responsibility for producing Community Strategies may be passed to Local Strategic Partnerships, which include local authority representatives.

AGENDA ITEM NO. 7

Board/Committee:	ECONOMIC DEVELOPMENT
Date of Meeting:	20 TH JUNE 2012
Title:	PRIDDY'S HARD HERITAGE AREA AND MUSEUM AGREEMENT
Author:	CHIEF EXECUTIVE
Status:	FOR DECISION

Purpose

To advise Members of a request from the Portsmouth Naval Base Property Trust to vary the agreement with the Council regarding Priddy's Hard heritage Area and Museum.

Recommendation

The Board agrees to the variations of the agreement dated October 2009 between the Portsmouth Naval Base Property Trust and this Council regarding Priddy's Hard, as outlined in Section 3 of this report.

1 Background

- 1.1 The Council purchased the Priddy's Hard Heritage Area from the Ministry of Defence.
- 1.2 As part of the Portsmouth Harbour Millennium scheme, the Council in partnership with other parties, developed Explosion! Museum of Naval Firepower and linked the Museum to the Submarine Museum to the South via the Millennium walkway and the Forton Lake opening bridge.
- 1.3 The Council leased part of the remaining Heritage Area to Crest Nicholson who developed the area with residential properties.
- 1.4 The Museum and the Heritage Area proved to be a significant financial liability to the Council and a number of measures were introduced to reduce these liabilities, including rationalisation of the Museum's operation and staffing and the marketing of the Heritage Area for redevelopment.
- 1.5 In October 2009 the Council completed an agreement with the Portsmouth Naval Base property Trust (PNBPT) which transferred the Museum and the Heritage Area to the Trust.
- 1.6 The agreement included provisions relating to the operation of the Museum, redevelopment of the Heritage area and profit share, and buy back arrangements.

2 Progress to Date

- 2.1 The PNBPT have completed the required dredging to the Harbour and Forton Creek and installed a water based service that links the Portsmouth Dockyard attractions to Priddy's Hard.
- 2.2 In addition considerable marketing of Explosion! has taken place both for the Museum itself and also for additional uses of the Grand Magazine with the wedding market showing good growth. Events at Priddy's Hard have also increased.
- 2.3 In 2011 "The Big Ticket" was introduced which provides access to all the Harbour attractions with the purchase of one ticket. This has benefitted the "smaller" attractions such as Explosion! which has seen an increase in visitors as a result.
- 2.4 Explosion! remains a significant part of the Gosport Tourism offer and the PNBPT remain committed to the future of the Museum.
- 2.5 Since October 2009 the PNBPT has marketed the heritage Area on several occasions and Council officers have been engaged in a number of discussions with prospective developers. Unfortunately the PNBPT has been marketing the Area in an extremely difficult financial climate for the country and particularly the construction industry.
- 2.6 However, the PNBPT report recent good progress and following the conclusion of a re-marketing of the Area which concluded in December 2011, PNBPT have selected a preferred developer who is currently undertaking a due-diligence exercise. It is anticipated that a conditional contract will be signed by the Summer of 2012 with a planning application submitted in Autumn 2012.

3 Amendment to the Agreement

- 3.1 The agreement between the Council and PNBPT provides that should planning approval not be granted by October 2012 PNBPT may require the Council to buy-back the Museum and Heritage area.
- 3.2 The PNBPT has requested that the agreement be varied to amend this date to October 2015 to enable them to conclude the appointment of a development partner, obtain planning approval and commence development.
- 3.3 In recognition of this variation , the PNBPT have agreed to the end date for the profit share arrangement being changed from 31st December 2025 until 31st December 2028, increasing the length of time in which the Council are entitled to their share of any proceeds from the sale of any undeveloped property by a further three years.

- 3.4 The PNBPT remain committed to the redevelopment of the Priddy's Hard Heritage Area and to the continuing successful operation of Explosion!. They have expended considerable time and resources to date and the Council have benefitted by a significant financial saving in reduced costs for the Museum and Heritage Area.
- 3.5 It is recommended that the Board agree to the variation of the agreement as outlined above to reflect the change of date from October 2012 to October 2015 in relation to the buy back and the change of date from 31st December 2025 to 31st December 2028 in respect of the profit share end date.
- 3.6 Officers will continue to work closely with the PNBPT and any development partner appointed by them to ensure any planning application is progressed as quickly as possible.

4 Risk Assessment

- 4.1 It is unlikely that the PNBPT will be able to appoint a preferred developer, agree a suitable scheme and submit and obtain planning approval by October 2012 and if the Council do not agree to the amendment requested by PNBPT, the Trust may serve notice on the Council to take back the Museum and Heritage Area as permitted in the agreement.
- 4.2 The amendment to the date provides the PNBPT with a further three years under the agreement during which time they may require the Council to buy-back the Museum and Heritage Area. However, whilst PNBPT are effectively running and developing the Museum and progressing the redevelopment, this Council is free of any financial liabilities in relation to Priddy's Hard.

5 Financial Implications

- 5.1 There are no other financial implications for the Council other than those raised above.

6 Conclusion

- 6.1 The council has explored over a number of years, various avenues to address the redevelopment of the Priddy's Hard Heritage Area and Explosion! Museum.
- 6.2 The 2009 agreement with the PNBPT offers the opportunity for the Council to ensure the successful continuation and development of Explosion! Museum and share in the proceeds of the redevelopment of the Heritage Area as a whole.
- 6.3 The PNBPT has proved so far to be a good partner and has shown

their on-going commitment to Gosport and Priddy's Hard.

Financial Services comments:	Contained in the report
Legal Services comments:	Contained in the report
Crime & Disorder:	Nil
Equality & Diversity:	
Service Improvement Plan implications:	Nil
Corporate Plan:	Nil
Risk Assessment:	See paragraph 4.0
Background papers:	Nil
Appendices/Enclosures:	Nil
Report author/ Lead Officer:	Ian Lycett, Chief Executive