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# NOTICE OF MEETING

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## CABINET

**MONDAY, 4 DECEMBER 2023 AT 10.00 AM**

**COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH**

Telephone enquiries to Anna Martyn Tel 023 9283 4870

Email: [Democratic@portsmouthcc.gov.uk](mailto:Democratic@portsmouthcc.gov.uk)

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

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## Membership

Councillor Steve Pitt (Chair)

Councillor Suzy Horton (Vice-Chair)

Councillor Dave Ashmore

Councillor Kimberly Barrett

Councillor Ian Holder

Councillor Lee Hunt

Councillor Hugh Mason

Councillor Darren Sanders

Councillor Gerald Vernon-Jackson CBE

Councillor Matthew Winnington

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

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

## AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Interests**
- 3 Tipner West and Horsea Island East Regeneration (Pages 3 - 18)**

### Purpose

To build on the information provided to members in the October report of the same name and seeks approval for the Tipner West development team to address the remaining key matters required to progress working up a Masterplan for submission to the City Council's Planning department as detailed in this report.

**RECOMMENDED that the Cabinet**

- 1. Note the work to date and the on-going work required by the project team to address the remaining key matters (set out in section 4.8) in order to complete the development of the Tipner West and Horsea Island Masterplan.**
- 2. Request the Chief Executive and the Director of Finance & Resources in consultation with the Leader, to engage with Central Government to discuss the City Deal outputs and the opportunities for further funding to close the viability gap(s) as detailed in section 4.10 of this report.**
- 3. Delegate authority to the Assistant Director of Regeneration to progress with matters that are common to both land use options (Appendix A) in the development of the Tipner West and Horsea Island Masterplan using £7.7m funds previously approved by the City Council on 11 October 2022. This will include but is not limited to the following activities: on-going site-assembly; any necessary updating and commissioning of technical research including on-site, intrusive ground investigations and survey work; and progressing public engagement and consultation.**
- 4. Note the intention for the project team to present to a future meeting of the Cabinet for approval to develop a full masterplan for Tipner West and Horsea Island following the conclusion of 2.2 and 2.3 above.**
- 5. Note the revised project programme as detailed in Appendix C.**
- 6. Refer the report to Full council to note.**

The report originally marked on the agenda "to follow" was published on 28 November 2023.

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# Agenda Item 3



<b>Title of meeting:</b>	Cabinet / Full Council
<b>Date of meeting:</b>	4 December 2023 / 12 December 2023
<b>Subject:</b>	Tipner West & Horsea Island East Regeneration
<b>Report by:</b>	Tom Southall, Assistant Director Regeneration - Property and Investment
<b>Wards affected:</b>	All
<b>Key decision:</b>	Yes
<b>Full Council decision:</b>	Yes

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## 1. Purpose of report

- 1.1. This report builds on the information provided to members in the October report of the same name and seeks approval for the Tipner West development team to address the remaining key matters required to progress working up a Masterplan for submission to the City Council's Planning department as detailed in this report.

## 2. Recommendations

It is recommended that Cabinet;

- 2.1. Note the work to date and the on-going work required by the project team to address the remaining key matters (set out in section 4.8) in order to complete the development of the Tipner West and Horsea Island Masterplan.
- 2.2. Request the Chief Executive and the Director of Finance & Resources in consultation with the Leader, to engage with Central Government to discuss the City Deal outputs and the opportunities for further funding to close the viability gap(s) as detailed in section 4.10 of this report.
- 2.3. Delegate authority to the Assistant Director of Regeneration to progress with matters that are common to both land use options (Appendix A) in the development of the Tipner West and Horsea Island Masterplan using £7.7m funds previously approved by the City Council on 11 October 2022. This will include but is not limited to the following activities: on-going site-assembly; any necessary updating and commissioning of technical research including on-site, intrusive ground investigations and survey work; and progressing public engagement and consultation.
- 2.4. Note the intention for the project team to present to a future meeting of the Cabinet for approval to develop a full masterplan for Tipner West and Horsea Island following the conclusion of 2.2 and 2.3 above.

- 2.5. Note the revised project programme as detailed in Appendix C.
- 2.6. Refer the report to Full council to note.

### **3. Reasons for Recommendations**

- 3.1. Members of all parties have agreed to work together to meet the commitments of the City Deal<sup>1</sup>, between government, local businesses and leaders from Southampton, Portsmouth and Hampshire councils and the Solent Local Enterprise Partnership, as signed on 12 November 2013.
- 3.2. The 3 October 2023 Cabinet report set out a project programme to present a land use concept plan to Cabinet in November 2023, with the intention of commencing public engagement on a draft masterplan from Spring 2024. A recommendation to approve the masterplan to form the basis of the planning and consent process, and the forthcoming submission of the Transport and Works Act Order (TWAO) was to be put forward to the Cabinet and Full Council in July 2024.
- 3.3. Following the last report to Cabinet and Full Council the project team have continued to explore land use options engagement with the Regulatory Panel and planning officers at the LPA.
- 3.4. Officers presented to the Cross-Party Steering group on the Monday 13 November 2023. The presentation focused on the difference, benefits and disbenefits of the shortlisted two options, and suggested, that it would be possible for a decision on a preferred land use plan to be made at a December meeting of the Cabinet. However, the development team have reflected on the discussions at the meeting, and continued to explore issues raised, and this has crystallised a clear need to answer a number of major questions before a preferred option emerges out of the process.
- 3.5. Given 3.4 above, the project plan has been revised and this is detailed in appendix C to this report.
- 3.6. Members have previously agreed to mitigate the impact of further delays to determining a scheme to promote at Tipner West and Horsea Island East, noting that programme delays could result in additional and potential abortive costs to the Council due to an increase in external consultancy fees and the need to update expired site surveys works.
- 3.7. In order to quantify and wherever possible mitigate this, the project team are interrogating the projects survey data to ascertain the financial impact of refreshing the elements of the evidential data that would be required now that the masterplan is expected to be submitted in October 2024.

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<sup>1</sup> [City Deal: Southampton and Portsmouth - GOV.UK \(www.gov.uk\)](https://www.gov.uk/city-deal-southampton-and-portsmouth)

- 3.8. In support of recommendation 2.4 above a further drawdown of the City Deal Grant to fund the works required to reach the fully worked up masterplan by October 2024 will be required. This will be detailed in the future paper to Cabinet.
- 3.9. Should the master planning work be delayed beyond Autumn 2024 it is estimated that a further £150,000 will be required for every month of subsequent delay.
- 3.10. In line with previous advice to members, should the situation arise whereby the project cannot meaningfully progress then it is likely that the terms of the City Deal will not be met, and the Council could face the significant financial burden of having to pay back the City Deal funds. This would be repayable in a single year (i.e. the point at which it becomes clear that a scheme that does not meet the terms and conditions of the agreement will not be met). Should this be the case up to £23.7m of project expenditure to date would need to be funded from savings yet unidentified in the Council's budget which would have a significant impact on the future delivery of Council Services. Obviously, the Council would seek to discuss this with Government and seek to minimise any re-payment.
- 3.11. In addition to any payback of the City Deal grant, the 'do nothing' position would likely result in a cost of circa £37 million in providing protection for the existing land mass, habitats, listed buildings and infrastructure by providing flood defences. There is currently no identified funding source for this estimated £37m cost. Members will recall that this 'do nothing' option was included within the 11 October 2022 Full Council report and it was resolved to note at that time that the 'Do nothing / Do Minimum' option resulted in a substantial funding gap that could not be managed through prudential borrowing. That resolution went on to adopt a series of principles to bring forward a scheme for development including one that 'rules out 'Do Minimum Option'.

## **4. Background**

- 4.1. During 2023, the project team have:
  - 4.1.1. undertaken an optioneering process, through engagement with the cross-party steering group and Regulatory Panel, to identify, test and refine a set of land-use options in response to the Council's principles. The detail of these options was included in the appendix to the October 2023 report; and through further refinement and development have resulted in a shortlist of two options.
  - 4.1.2. engaged with the Local Planning Authority (LPA), as regulator to any proposed planning application and the Regulatory Panel, to ensure alignment with the emerging Local Plan;
  - 4.1.3. engaged with statutory and non-statutory stakeholders, including the Environment Agency (EA), Natural England, the Marine Management Organisation and Historic England, as well as the non-statutory nature

conservation bodies of the Royal Society for the Protection of Birds (RSPB) and the Hampshire and Isle of Wight Wildlife Trust (HIWWT). Key issues were explored, including the development potential of Horsea Island East and how the internationally designated sites, known as the Special Protection Areas (SPA) and Ramsar sites (marine and terrestrial), should be treated.

- 4.2. The engagement process has ensured that all options are considered in line with the rigorous requirements of the statutory Habitats Regulations Assessment (HRA) process, and the requirements to demonstrate Imperative Reasons of Overriding Public Interest (IRPOI). A request to the UK Secretary of State to give an indication on this latter issue was the first such request made to the Secretary of State since the UK left the EU. Further detail is provided in paragraph 4.8.3.
- 4.3. The optioneering process adopted a best practice approach to review the concept options against key environmental, socio-economic and financial criteria, to ensure that the holistic impact of each option is considered against betterment, viability and social value; and informed by key messages of the on-going engagement programme.
- 4.4. The outcome of this process resulted in the identification of two final options (Appendix A), where the main overriding difference relate to ecological impact and viability. These were discussed at the Cross-Party Steering group on the 13 November 2023 and presented to all Members through individual party briefings w/c 20th November.
- 4.5. Appendix B assesses these two land use options against the approved Council Principles, which were agreed at Full Council in October 2023.
- 4.6. Alongside the Council's Principles it is important to contextualise the options against the City Vision. The City Vision sets out a shared framework for where Portsmouth wants to be in 2040.
  - 4.6.1. *A Healthy and happy city* - significant opportunity to provide residents with good quality homes in an environment that is rich in nature and the provision of open space.
  - 4.6.2. *A city of lifelong learning* - through the delivery of 58,000 m<sup>2</sup> of marine focused employment space, which could include educational and training space, significant opportunity exists to support and develop aspirations and opportunities for all ages of residents.
  - 4.6.3. *A City rich in culture and creativity* - Access and setting of the historic buildings as well as a scheme that maximises the benefits of the waterfront location and wider heritage setting – Scheduled slipways, Portchester Castle and the Historic Dockyard and Naval Base.

- 4.6.4. *A green city* - superb opportunity to provide excellent 'green credentials', from sustainable transport to integrated renewable energy, including climate resilient biodiversity enhancements that will enhance human health and wellbeing and ensure the resilience of the international designations and where possible enhance them for the future.
- 4.6.5. *A city with a thriving economy* - The unique opportunity to develop a marine hub (58,000 m<sup>2</sup> of employment space with deep water access). This will drive investment and unlock further growth potential of this important marine cluster that exists and is a fundamental sector of the Solent economy and of national significance.
- 4.6.6. *A city with easy travel* - A community with 'connectivity' built in. Space afforded for travel (in its various forms) for work and pleasure.
- 4.7. Tipner West provides a fantastic opportunity to create a transformational gateway to the city through a new, mixed-use, waterfront, live-work neighbourhood which will set a qualitative benchmark and placemaking exemplar for the wider Solent region.
- 4.8. The final two options have three key matters that need of resolving;
- 4.8.1. *Viability* - both options have viability gaps and to different extents which will need some (differing) levels of Government support to close these gaps. Having a viable development proposal is an absolute in establishing the masterplan basis. The project will not be able to proceed to a fully developed masterplan unless there is a realistic expectation that a viable scheme can be delivered which will not have a detrimental impact on the Council's finances. In order to pass the HRA tests, the project or any alternative solutions need to be not just legally and technically feasible, but also financially feasible and so there needs to be a reasonable manner in which to bridge any viability gap.
- 4.8.2. *Stakeholder Engagement* - both options include direct adverse effects to the SPA / Ramsar (protected European sites) and therefore are likely to result in a negative assessment of the implications for this important site. The development proposal, and the plan policy giving it effect, can therefore only be carried out through the process of derogation. This includes that there are no alternative solutions that would avoid that harm, and that the harm is fully compensated for. To pass this test, the project will need to deliver compensation that ensures that the damage to the European sites which will or could be caused will be fully offset, and provided prior to any impact taking place. The compensatory measures must ensure the resilience of the network of European sites as a whole, even despite a negative effect on an individual European site. The judgement as to compliance with these tests is complex and requires consultation with Natural England, as the appropriate statutory nature conservation body, but will be ultimately decided upon by the statutory planning authority or Planning Inspectorate.

Further work is therefore required with Natural England alongside the other regulators and nature conservation bodies to inform these matters.

- 4.8.3. *IROPI* - In addition to the 'alternatives' and 'compensation' tests, proposals can only be brought forward under the derogation process where they must be carried out for imperative reasons of overriding public interest (IROPI). What matters constitute IROPI is another complex judgement, and one that can only be completed in full once the full scope of the project has been agreed.
- 4.9. In order for the team to produce a successful Masterplan these three interrelated matters must be suitably concluded. With these three matters outstanding it is not possible for the development team to reach a single option that can be fully supported.
- 4.10. Viability - as well as the ongoing financial modelling, the project team, including the Leader, Chief Executive, and Director of Finance & Resource will engage with Central Government to appraise them of the position of the project. Over a decade has passed since the inception of the City Deal, with many matters relating to the economy and the environment having become increasingly more sensitive (e.g. nutrient neutrality, and wider legislative changes in the planning field). Engagement with Central Government will seek to discuss the outcomes of the City Deal, whether there can be any relaxation of conditions given these increased complexities and to explore further financial support to close the viability gap(s).
- 4.11. Stakeholder engagement - the project team will continue to work with the Regulatory Panel members to detail the optioneering process, environmental, financial and other matters which form part of the legal consenting process including compensation requirements.
- 4.12. The project team will continue to work with the LPA, and Central Government as appropriate, to identify the matters considered to constitute IROPI and establish whether the master planned proposal possesses IROPI. They will also work together to ensure there are no feasible alternative solutions that achieve the same overall objective that are less damaging to the European site (SPA / Ramsar) and which do not have an adverse effect on the integrity of this or any other European site (SPA / Ramsar).
- 4.13. In parallel to these activities the project team will start to work up the Masterplan in a way that focuses on the concurrent matters between the two land use options including such matters as access routes, the M275 access point, the marine employment hub and response to listed buildings, options for off-site compensation required in both options, and environmental enhancement through Biodiversity Net Gain, the remediation, ground raising and flood defences common to both options, the dredged channel design, and service/utility requirements, public engagement and consultation as well as consenting strategy and programme.



- 4.14. Work on these matters will be progressed in parallel to the discussions with Central Government.
- 4.15. Regular reporting on the masterplan development and the work on the three key matters will continue through the cross-party steering group, and on the conclusion of the three key matters the viable developable option will be brought back for a future decision of the Cabinet.

## **5. Planning Implications**

- 5.1 The resultant planning application, and possible Transport Works Act Order, will be assessed independently from the work of the project team, acting as promoter, through the process of the relevant legislation by the relevant determining authority. This is ultimately likely to lie outside of Portsmouth City Council and fall to consideration by the appropriate Secretary of State. The master planning work sought to be approved by this report will need to robustly justify not only the complex issues of compliance with the 'Habitats Regulations' but also compliance with local and national planning policy, including the new, emerging Local Plan.
- 5.2 The emerging Local Plan, which is of course a higher-level strategic document, is therefore progressing in advance of the master planning work and will be considered by Full Council before Summer 2024. The relevant policy allocation for the Tipner site will be progressed with sufficient flexibility to accommodate the range of implications included within the final options to allow for this. The project team will continue to provide the Local Planning Authority with necessary supporting documents and assessments to enable the impacts of any proposed development compliant with that policy to be considered on a precautionary basis to robustly demonstrate the soundness and legal compliance of the emerging Plan.

## **6. Integrated impact assessment**

- 6.1. As part of the master planning and public consultation work, a full integrated impact assessment will be undertaken and will form part of the planning application.

## **7. Legal implications**

- 7.1. Any development option at the Tipner West and Horsea Island East site taken forward must be in line with the relevant conditions of the City Deal Grant; the revised principle 3 agreed by the Cabinet and noted by the Full Council, in October 2023 includes that requirement.
- 7.2. The project promoter team must ensure that it has provided sufficient information to the Cabinet about the optioneering process to-date to enable it to make a fully informed decision about the proposed delegation set out in paragraph 2.3 above, relating to the progression of the development of Tipner West and Horsea Island East

Masterplan and the necessary activities involved in that process. The proposed process of continued engagement with the Cross-Party Steering Group will ensure ongoing member input into the selection of a preferred masterplan option which will be brought to the Cabinet for decision in March 2024, prior to formal public consultation taking place on the proposed masterplan option.

- 7.3. The recommendations contained in this report constitute a key decision because of the decision affecting more than one ward within Portsmouth City. A decision relating to the recommendations falls within the remit of the Cabinet as the Executive of the City Council, but the Cabinet may continue to refer the report to the Full Council for information only.

## **8. Director of Finance's comments**

- 8.1. As reported to Council on 17 October 2023 early estimates on the options presented at that meeting suggested that the lowest residual funding gap was c. £50m.
- 8.2. The ongoing work arising from the discussions at the cross-party working group on 13 November has raised the need for more work to be undertaken before a preferred option can be reached. This work will need to carefully consider the size of and ability to close any residual funding gap which is in line with the agreed principles to minimise costs and impact on City Council finances & services to the public.
- 8.3. When a preferred option emerges following engagement with the government and the public, a more detailed financial evaluation will be able to be undertaken. Due to the range of options previously being considered, financial evaluations have been undertaken on a robust basis but at a relatively high level, sufficient however to reliably estimate the likely scale of any funding gap. The process of obtaining a detailed masterplan and additional surveys will better inform a financial model enabling more focussed sensitivities / scenarios to be modelled which in turn will provide a more definitive range of viability positions and any associated risks.
- 8.4. If, after engagement with Government and detailed modelling, there is a continued residual funding gap, the Council will need to consider how best to manage the financial implications on the City Council. It is not legal to borrow for a viability gap unless the Council can demonstrate that, inter alia, it can afford to repay that borrowing over the period of the borrowing. The ability to borrow is regulated by the Prudential Code (recently revised in December 2021 with stricter requirements to demonstrate Prudence than previously required). To establish the vires for borrowing the Council has to demonstrate that any borrowing can pass the test of being Prudent, Affordable and Sustainable, where:
- Prudent relates to "primary purpose" (i.e., a primary duty or responsibility of a Local Authority), risk and value for money.

- Affordable and Sustainable relates to the confidence that the Council can meet the borrowing costs over the long term and thus continue to provide Council Services on a sustainable basis.
- 8.5. Given the challenged financial environment and the level of uncertainty regarding inflation, cost pressures (mainly in care and housing services), interest rates and funding reform, demonstrating that additional borrowing is affordable over the long term cannot be demonstrated to be prudent unless the returns (savings or income) arising directly from the investment funded by borrowing exceeds the borrowing costs themselves.
- 8.6. If after the detailed modelling, the emerged option has a funding gap, unless further value engineering could be undertaken or additional funding options are identified then, if the project were to progress, this gap would need to be met from Council funds (capital or revenue). This decision could lead to significant financial deficits that would fall on the Council's Revenue Budget with consequent implications to the future delivery of Council Services. The implications were described in detail in the 13/09/22 Full Council Report.
- 8.7. To "minimise costs and impact on City Council finances & services to the public" it is clear that as part of the detailed financial modelling, the Council will need to design a scheme that:
- i) Maximises the opportunity for additional external funding.
  - ii) Optimises the revenues that can be generated from the scheme through the sale of serviced land parcels.
  - iii) Continues to value engineer costs whilst seeking to maintain the proposed principles set out in appendices B and C of this report.
- 8.8. To obtain greater clarity over the likely viability of any scheme and have a "reasonable expectation" that any "residual funding gap" is capable of being closed, it is expected that Government funding, including but not limited to, Homes England grant would be the most likely funder of sufficient scale.
- 8.9. Alternatively, or additionally, other external funders and / or modifications to the scheme may need to be identified which also have a "reasonable expectation" of both delivery and addressing any residual funding gap.
- 8.10. If further gap funding is required the Director of Regeneration and the S151 officer will actively be engaged in bidding, to reduce any future pressures on the Council Capital programme.
- 8.11. In terms of expenditure to date, at present £23.7m has been spent in the delivery of the Tipner West Development over the past 7 years. This expenditure includes £2.7m (of the £7.7m that was previously agreed to be drawn down from the City Deal Grant in October 2022) to conclude the options appraisals and prepare the planning

application. It was anticipated that this would be completed by February 2024 however due to the time taken to fully consult with the LPA and Regulatory Panel and the additional work set out in this report, the current estimated timeframe for the submission of the planning application is now Autumn 2024. A further release of funds from the City Deal will be required to complete this work, this request will be detailed in the next report to Cabinet once a preferred option had been determined.

- 8.12. In terms of the total expenditure to date some of this expenditure would have been necessary for any development scheme, but some of which will become out of date should an agreed scheme not progress. To date, all costs have been funded from the City Deal Grant however, costs that cannot be directly attributed to the final development scheme (aside from a reasonable level of options appraisal) will not be capable of being funded from the City Deal Grant (i.e. abortive) and will need to be met from other Council funds. The scheme itself has been funded from the City Deal Grant as well as interest earned on the City Deal Grant. It will be possible to use interest earned on the City Deal grant as a source to fund any abortive costs. It remains imperative to the funding of the scheme itself to minimise abortive costs, funding for which could otherwise have been used to fund the delivery of the scheme. Abortive costs are those not used in the delivery of the final scheme and would include, costs of master planning discounted options past the options appraisal stage, time expired surveys etc.
- 8.13. Should a preferred option following the work set out in this report not emerge and be agreed and the project does not progress, then it is likely that the terms of the City Deal will not be met. If this position arises the Council could face the significant financial burden of having to pay back the City Deal funds in a single year (i.e. the point at which it becomes clear that a scheme that does not meet the terms and conditions of the agreement will not be met). If this situation arises up to £23.7m of project expenditure to date would need to be funded from savings as yet unidentified in the Council's budget which would have a significant impact on the future delivery of Council Services. The Council would seek to discuss this with Government and seek to minimise any re-payment.
- 8.14. To guard against significant further costs becoming abortive due to surveys becoming time expired and needing to be refreshed, it is important that progress can continue to avoid this occurring whilst working towards the planning application submission.

#### **Appendices:**

- Appendix A - The two options
- Appendix B - Comparison against Council Principles
- Appendix C - Proposed programme

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



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

<b>Title of document</b>	<b>Location</b>
Full Council 11 <sup>th</sup> October 2022	PCC website
Full Council 17 <sup>th</sup> October 2023	PCC website

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

.....  
Signed by:

## Appendix A

### TIPNER REGNERATION PROJECT

#### OPTION 14 (V2)

- Terrestrial SPA/Ramsar safeguarded
- 0.45ha of reclamation for effective Marine Employment use
- 815 homes
- 58,000sqm of Marine Employment (ME)
- Listed Magazine buildings allocated to ME use

#### Seafront Park

Large public open space with SUDS allowance



#### Places not Estates

High quality landscape-led spaces



### TIPNER REGNERATION PROJECT

#### OPTION 9

- Terrestrial SPA/Ramsar utilised for development, compensated for on HSIE
- 0.45ha of reclamation for effective Marine Employment use
- 930 homes
- 58,000sqm of Marine Employment
- Listed Magazine buildings allocated for employment

#### Streets to Sea

Wide green streets leading to sea front public open spaces



#### North Shore Promenade

Wharf houses facing a sea front public path



#### Places not Estates

High quality landscape-led home zone spaces



Marine Employment

Area of reclamation











M275

#### Civic Arrival Square





At entrance off M275



**Appendix B - Comparison against Council Principles**

Council Principles	Compliance with Principles		Commentary
	A (14)	B (9)	
1. Develop options that have regard to the Conservation Objectives of the SPA/Ramsar Sites in respect of their bird populations and other qualifying features, subject to the procedures set out within the Conservation of Habitats and Species Regulations 2017 (as amended) (The Habitats Regulations).			Whilst there will be unavoidable impact, either project will ensure the integrity of the National Site Network that Portsmouth Harbour SPA and Ramsar are part of by following the procedures set out within the Conservation of Habitats and Species Regulations 2017 (as amended) (The Habitats Regulations). More enhancement locally may be represented by Option B(9)
2. Deliver nature-focused place-making to contribute to Greening of the City, in line with the City Vision 2040, which achieves more than the statutory biodiversity requirement.			Both options have the ability to deliver nature-focused place-making and greening the city to ensure resilience to climate change and sea level rise.
3. Provide a minimum of 814 homes and maximum of 1,250 homes & a minimum of 58,000 sqm of marine focussed employment space (Minimum affordable housing at 30%) alongside enabling infrastructure to satisfy the terms of City Deal			The space afforded for the delivery of homes in Option B(9) would allow for a quantum that will meet the City Deal requirement and allow for maximising the desired 'mix' of housing to support viability. Option A can accommodate the minimum 814 homes, however the most 'viable' scheme currently requires a mix of homes that produces less than 814 homes.
4. Maximise local job creation.			Provision of the marine employment on one contiguous site provided in one stage will enable a stronger provision of job creation. This is provided for in both options.
5. Minimise costs and impact on City Council finances & services to the public.			Option B (9) has the best viability model out of all options analysed. Option A (14) suffers from almost double the viability gap.



Council Principles	Compliance with Principles		Commentary
	A (14)	B (9)	
6. Seek to continue to work in partnership with Royal Society for the Protection of Bird (RSPB), Hampshire & Isle of Wight Wildlife Trust (HIWWT), Ministry of Defence and Historic England to develop proposals that are capable of satisfying the regulatory requirements of Natural England (NE), the Marine Management Organisation (MMO) and the Environment Agency (EA)			Whilst the process of seeking to engage with all parties will continue, it is felt that Option A(14) will likely see more engagement with all parties. Nevertheless, with Option B(9) discussion on compensation land to be demarcated as SPA/Ramsar at Portsmouth Harbour amounting to 7 hectares would provide an opportunity for positive engagement to design this in conjunction with these groups to compensate for the loss of 3ha of SPA/Ramsar in Portsmouth Harbour which would otherwise need to be restored.
7. Minimise land reclamation to meet the principles listed above.			Minimal land reclamation (circa 0.6hectares) to the northern bay is required in both options to ensure that the employment space has an operational quay and sufficient space and setting to the listed buildings. Reclamation for residential is rejected by both options.

**Appendix C**

<b>Date</b>	<b>Forum</b>	<b>Items</b>
<b>13 November 2023</b>	Cross-Party Steering Group	Tipner Regeneration Project Update
<b>4 December 2023</b>	Cabinet	Tipner project update and masterplan
<b>12 December 2023</b>	Full Council	Tipner project update and masterplan
<b>January 2024</b>	Cross-Party Steering Group	Tipner Regeneration Project Update
<b>January 2024</b>	Public	Public Engagement / consultation - update and scheme elements
<b>February 2024</b>	Cross-Party Steering Group	Tipner Regeneration Project Update
<b>5 March 2024</b>	Cabinet	Decision on viable land use plan for Masterplan work
<b>5 March 2024</b>	Cabinet	Approval of Pre-submission Local Plan
<b>19 March 2024</b>	Full Council	
<b>Spring 2024</b>	Public	Pre-submission (Regulation 19) consultation on Local Plan (after elections)
<b>June/July 2024</b>	Public	Consultation on Tipner West Masterplan
<b>Summer 2024</b>	Inspector	Submission of Local Plan for examination
<b>Summer 2024</b>	Cross-Party Steering Group	Tipner Regeneration Project Update - outcome of consultation
<b>Oct 2024</b>	Cabinet	Note the outcome of public consultation on the masterplan and approval of the masterplan to form basis of the planning and consenting process, and the forthcoming submission of the Transport and Works Act Order (TWAO) application (in accordance with section 239(2)(a) of the Local Government Act 1972)
<b>Oct 2024</b>	Full Council	
<b>Oct 2024</b>	Planning Committee and Department for Transport	Submission of planning application and TWAO application for Tipner West and Horsea Island East
<b>Autumn 2024</b>	Cabinet	Confirmation of submission of the TWAO application (in accordance with section 239(2)(b) of the Local Government Act 1972)
<b>Autumn 2024</b>	Full Council	
<b>2024/25</b>	Public	Examination in public
<b>2025</b>	Public	Consultation on major modifications proposed by the Inspector
<b>2025</b>	Public	Adopt new Local Plan
<b>2025/2026</b>	Inspector and Planning Committee	Decisions on Tipner West and Horsea Island East TWAO and planning application