

HANDLING ARRANGEMENTS

READING BOROUGH COUNCIL

Handling Arrangements in relation to Minster Quarter Area redevelopment

Regulation 64(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

INTRODUCTION

1. BACKGROUND

- 1.1 Reading Borough Council (**RBC**) is the developer and landowner of Minster Quarter and is looking to bring forward plans and proposals for the redevelopment of Minster Quarter in accordance with the Minster Quarter Area Development Framework published by the Council in December 2018 (the **Development**). The Development shall be carried out with a procured development partner pursuant to the Public Contracts Regulations 2015. The development partner will submit the planning application subject to RBC's approval.
- 1.2 This document sets out the administrative arrangements (the "**Handling Arrangements**") made by RBC under Regulation 64(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("the **EIA Regulations**") for the separation of functions between persons acting for or assisting RBC in its capacity as Local Planning Authority (**LPA**) and persons acting for or assisting RBC in its capacity as developer, land owner and planning applicant (**Applicant**) in connection with plans for the Development.

2. EIA REGULATIONS

- 2.1 Regulation 64(2) provides that where an authority is bringing forward a proposal for development and that authority will also be responsible for determining its own proposal, the authority must make appropriate administrative arrangements to ensure there is a functional separation, where performing any duty under the EIA Regulations, between the persons bringing forward a proposal for development and the persons responsible for determining that proposal.

3. ACTIONS

- 3.1 For all intents and purposes RBC is both the Applicant and the LPA in connection with all planning applications for the MQAD ("the Planning Application"). In accordance with the provisions of Regulation 64(2), RBC has put in place these Handling Arrangements to ensure the separation of functions between the Applicant and the LPA and to thereby safeguard the independence and objectivity of decisions made by the LPA in connection with the Planning Application.
- 3.2 RBC has put measures in place to ensure that:
 - 3.2.1 the functions of the LPA are undertaken by identified persons with the necessary resources and acting impartially and objectively;

- 3.2.2 any person acting or assisting in the handling and determination of the Planning Application is not involved in promoting or assisting in the promotion of the Planning Application;
- 3.2.3 any person involved in promoting or assisting in the promotion of the Planning Application does not give any instructions to, or put pressure upon, any person acting or assisting in the handling of the Planning Application;
- 3.2.4 any discussions or communications about the Planning Application do not take place, otherwise than in accordance with these Handling Arrangements, between persons acting for or assisting:
- the LPA in its handling and determination of the Planning Application;
 - the Applicant in its promotion of the Planning Application

and between persons acting for or assisting:

- the LPA and the Applicant in their respective functions; and
- any other member of RBC.

4. ACCEPTABLE INTERACTIONS

- 4.1 The measures put in place will not prevent discussions or communications about the Planning Application between the LPA and the Applicant through the formal channels commensurate with the ordinary planning application process.
- 4.2 Such interactions may include but are by no means limited to:
- 4.2.1 the terms of any Planning Performance Agreement;
- 4.2.2 pre-application meetings or correspondence;
- 4.2.3 screening and scoping for the purposes of the EIA Regulations;
- 4.2.4 post- application correspondence to discuss and agree actions in respect of consultation responses; and
- 4.2.5 discussion on planning conditions or s106 obligations.
- 4.3 The Handling Arrangements do not prevent:
- 4.3.1 communications between the LPA and/or the Applicant and other officers of RBC in order to provide factual updates. For example, timetable queries;
- 4.3.2 communication as is necessary to inform any executive or non- executive decisions by RBC directly or indirectly in connection with the plans or proposals for the Planning Applications. It should be noted that such decisions are separate to the LPA's determination of the Planning Application; or
- 4.3.3 performance of ordinary staff management functions at RBC subject to these Handling Arrangements.

PART ONE

The Handling Arrangements for the Planning Applications

Resourcing and Allocation of Roles and Responsibilities

A. Officials acting for or assisting the LPA

Name	Role
Tom Bradfield	Principal Planner
Richard Eatough	Area Planning Team Leader
Steve Vigar	Area Planning Team Leader
Mark Worringham	Area Planning Team Leader
Julie Williams	Planning Manager
Poonam Rajput	Lawyer
Patricia Tavernier	Reserve Lawyer

B. External persons appointed to act for or assist the LPA

None.

C. Officials acting for or assisting the Applicant

Name	Role
Ben O'Connor	Regeneration Project Officer
Ruth Okonkwo	Regeneration Lawyer
Dave Anthony	Planning Lawyer

D. External persons appointed to act for or assist the Applicant

Name	Role
Freeths LLP	Advisory lawyers

For the purposes of this Planning Application, those persons listed in groups A and B are the "LPA Team".

For the purposes of this Planning Application, those persons listed in groups C and D are the "Applicant's Team".

Both teams are able to receive information on the Planning Applications in order for each to effectively deliver their respective roles and to undertake their responsibilities.

No person on the Applicant's Team will be involved in the case work or decision making in connection with the Planning Applications.

No person on the LPA Team will be involved in promoting the Planning Applications. Any discussion or communication between the LPA Team and the Applicant's Team shall be carried out in accordance with these Handling Arrangements.

PART TWO

Detailed Handling Arrangements

1. PUBLICATION

- 1.1 These Handling Arrangements shall be made available to the public subject to the redaction of personal information as appropriate for data protection reasons.
- 1.2 All persons on the Applicant's Team and the LPA Team shall be provided with a copy of these Handling Arrangements and where necessary training will be offered/provided in order to ensure compliance with Handling Arrangements.

2. UPDATES

- 2.1 These Handling Arrangements will be republished and recirculated to the Applicant's Team and the LPA Team if material amendments are made to them.

3. INFORMATION SHARING

- 3.1 Information can be shared orally or in writing.
- 3.2 Written information can take the form of words or images (maps, plans, drawings, photos, etc.).
- 3.3 Written information includes information shared electronically (by e-mail, data sharing or information exchange platforms, social media, etc.).
- 3.4 All information on the Planning Applications shall be shared between the Applicant's Team and the LPA Team through the formal channels appropriate to the planning application process.
- 3.5 Discussion or other communication about the merits of the Planning Applications shall not take place between the Applicant's Team and the LPA Team (or with other members of RBC) outside of the parameters set out in these Handling Arrangements.
- 3.6 In respect of written information, persons on the Applicant's Team and the LPA Team shall clearly identify the intended recipient of the information. This can be done, for example, by marking the information for the attention of the Applicant's Team / the LPA Team, as applicable.

4. DOCUMENT STORAGE BY THE APPLICANT

- 4.1 The lawyers working in the Applicant's Team will use IKEN (the legal team's document management system) to create a file for that team, to which only lawyers working for that team will have access. The lawyers for that team will not (in relation to their work on the Planning Applications) report directly to a line manager who also has responsibility for any of the lawyers in the LPA Team.
- 4.2 The other officers working for each team will store documents and emails in folders which are not accessible to the LPA Team.

5. DOCUMENT STORAGE BY THE LPA

- 5.1 The lawyers working in the LPA Team will use IKEN (the legal team's document management system) to create a file for that team, to which only lawyers working for that team will have access. The lawyers for that team will not (in relation to their work on the Planning Applications) report directly to a line manager who also has responsibility for any of the lawyers in the LPA Team.
- 5.2 The LPA Team planning officers will keep their documents in NEC (Electronic Document Management System (EDMS) folders in the usual way. However, as these folders will also contain legal advice given by the LPA Team Lawyers, the Applicant's Team's lawyers will be blocked from accessing those folders to keep the legal advice confidential. All other non-confidential planning documents in those folders will be visible on the Council's website as usual.

6. MANAGEMENT AND GOVERNANCE

- 6.1 RBC has and will continue to put in place a range of appropriate governance, administrative and line management structures as required to safeguard the independence and objectivity of the LPA's decision-making.