

AGENDA

CABINET MEETING

Date: Wednesday, 4 October 2017

Time: 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Bowles (Chairman), Mike Cosgrove, Duncan Dewar-Whalley, Alan Horton, Gerry Lewin (Vice-Chairman), Ken Pugh and David Simmons

Quorum = 3

RECORDING NOTICE

Please note: this meeting may be recorded.

At the start of the meeting the Chairman will confirm if all or part of the meeting is being audio recorded. The whole of the meeting will be recorded, except where there are confidential or exempt items.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this recording will be retained in accordance with the Council's data retention policy.

Therefore by entering the Chamber and speaking at Committee you are consenting to being recorded and to the possible use of those sound recordings for training purposes.

If you have any queries regarding this please contact Democratic Services.

1. Emergency Evacuation Procedure

Pages

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence

3. Minutes

To approve the Minutes of the Meeting held on 6 September 2017 (Minute Nos. 189 - 198) as a correct record.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as

early as possible, and in advance of the Meeting.

Part A Report for recommendation to Council

- | | | |
|----|---|-------|
| 5. | Adoption of the International Holocaust Remembrance Alliance definition of antisemitism | 1 - 4 |
|----|---|-------|

Part B Reports for Decision by Cabinet

- | | | |
|-----|---|----------|
| 6. | Interim Swale Air Quality Action Plan 2017 | 5 - 44 |
| 7. | Swale Open Spaces and Play Strategy 2017 - 2022 | 45 - 76 |
| 8. | Cabinet Response to Scrutiny Committee Review of Housing Services Recommendations | 77 - 78 |
| 9. | Isle of Sheppey Sailing Club - proposed Community Asset Transfer | 79 - 84 |
| 10. | Minutes of the Swale Joint Transportation Board Meeting - 11 September 2017 | 85 - 86 |
| 11. | Business Rates Localisation Pilot | 87 - 90 |
| 12. | South Thames Gateway Building Control Partnership to incorporate Canterbury City Council Building Control | 91 - 94 |
| 13. | Sale of Sites to Optivo Housing | 95 - 102 |
| 14. | Exclusion of the Press and Public | |

To decide whether to pass the resolution set out below in respect of the following items:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act:

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

- | | | |
|-----|---|-----------|
| 15. | Exempt Appendices: Expansion of South Thames Gateway Building Control Partnership | 103 - 122 |
| 16. | Exempt Appendix: Sale of Sites to Optivo | 123 - 124 |

Issued on Monday, 25 September 2017

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Cabinet, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

Cabinet Meeting	
Meeting Date	4 October 2017
Report Title	Adoption of the International Holocaust Remembrance Alliance definition of antisemitism
Cabinet Member	Cllr Bowles, Council Leader
SMT Lead	Mark Radford, Chief Executive
Head of Service	David Clifford, Policy Manager
Lead Officer	David Clifford, Policy Manager
Key Decision	No
Classification	Open
Recommendations	Council is recommended to adopt the International Holocaust Remembrance Alliance definition of antisemitism cited at paragraph 3.1.

1 Purpose of Report and Executive Summary

- 1.1 This report invites council to adopt the International Holocaust Remembrance Alliance's definition of antisemitism, in line with central government's recent decision to do so and its encouragement of local authorities to follow suit. This is intended primarily as a clear signal of the council's intolerance for antisemitism.

2 Background

- 2.1 The International Holocaust Remembrance Alliance (IHRA) is an intergovernmental body whose purpose is to place political and social leaders' support behind the need for holocaust education, remembrance and research. It was initiated in 1998 by former Swedish prime minister Göran Persson and currently has 31 member countries, including the UK. The national government of each country appoints a national delegation composed of both government representatives and national experts.
- 2.2 By way of a first step towards fighting antisemitism, the IHRA developed and adopted a standard definition of the phenomenon in May 2016. In December that year, the UK government became one of the first in the world formally to adopt the definition, and the secretary of state for communities and local government has recently written to all local authorities to encourage them to follow suit.

3 Proposals

3.1 The IHRA definition of antisemitism is as follows:

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

3.2 Swale Borough Council has long striven to ensure that as both a service provider and an employer it acts in a way which respects human diversity and, in line with its legal obligations, promotes equality of treatment between people with different personal characteristics.

3.3 The foreword to the latest version of the council's corporate equality scheme states that 'we view equality, human rights and good relations between people as something that affects us all, regardless of our backgrounds, and we are committed to working closely with all those who are interested in, or affected by, our work'.

3.4 The adoption of a formal definition of antisemitism might generally be expected to occur at the same time as a review of the overall equality scheme, but the next review of this is not now scheduled until 2020.

3.5 Council is therefore **recommended** at this stage formally to adopt the IHRA definition of antisemitism as cited in paragraph 3.1 above.

4 Alternative Options

4.1 The formal adoption of the IHRA's definition of antisemitism is intended primarily as a clear signal of the council's intolerance for antisemitism as part of its more general intolerance for any form of racism or discrimination based on personal characteristics. However, adoption of the definition is not mandatory and the council is entirely at liberty to decide not to adopt it.

5 Consultation Undertaken or Proposed

5.1 A significant level of consultation was undertaken on the council's general approach to equality and diversity during 2016 when the corporate equality scheme was being updated. This included both general consultation with the public and bespoke engagement with community activists representing people with specific personal characteristics. Nothing in this report would be contrary to the overall tenor of consultation responses received .

6 Implications

Issue	Implications
Corporate Plan	Adoption of the IHRA definition would support the council's corporate priority theme 'A council to be proud of'.
Financial, Resource and Property	Given that adoption of the IHRA definition is intended primarily to send a signal, it is not expected that there will be any financial, resource or property implications.
Legal and Statutory	Adoption of the IHRA definition would support the council in continuing to meet its legal obligations under the Equalities Act and Human Rights Act.
Crime and Disorder	Swale already works actively with community safety partners to inhibit the incidence of hate crime within the borough. Adoption of the IHRA definition of antisemitism could help to clarify whether an incident does or does not fall into this category.
Environmental Sustainability	No implications identified at this stage.
Health and Wellbeing	No implications identified at this stage. For the implications in respect of hate crimes, see 'Crime and Disorder' above.
Risk Management and Health and Safety	No implications identified at this stage.
Equality and Diversity	The council is already actively engaged in promoting respect for human diversity and equal treatment for all. Its corporate equality scheme 2016-2020 includes four overarching objectives to support the council in meeting its legal and moral obligations as both a service provider and an employer. Adoption of a formal definition of antisemitism is fully in line with these obligations and objectives.
Privacy and Data Protection	No implications identified at this stage.

7 Appendices

7.1 There are no appendices.

8 Background Papers

8.1 There are no background papers.

This page is intentionally left blank

Cabinet Meeting		Agenda Item: 6
Meeting Date	4 October 2017	
Report Title	Swale Borough Council (Interim) Air Quality Action Plan	
Cabinet Member	Cllr David Simmons, Cabinet Member for Environment and Rural Affairs	
SMT Lead	Nick Vickers	
Head of Service	Tracey Beattie	
Lead Officer	Tracey Beattie	
Key Decision	Yes	
Classification	Open	
Forward Plan	Reference number:	
Recommendations	<ol style="list-style-type: none"> 1. Members adopt the Swale Borough Council (Interim) Air Quality Action Plan 2017. 2. To approve establishing a Strategic Air Quality Steering Group (SASG) to develop the final Strategic Air Quality Action Plan 2018 – 2022. 	

1 Purpose of Report and Executive Summary

- 1.1 Swale Borough Council has a statutory duty to provide Air Quality Action Plans (AQAPs) as part of the Local Air Quality Management Framework. It currently has a number of individual Air Quality Action Plans for the Air Quality Management Areas in the borough.
- 1.2 The Interim Air Quality Action Plan provides a route map to develop a more strategic and longer term Air Quality Action Plan from 2018 – 2022 that combines the current individual action plans into one document. In addition it calls for the establishment of a Strategic Air Quality Steering Group (SASG) in Swale to evaluate the viability of proposed measures in terms of clear and quantifiable outcomes to improve air quality in Swale.
- 1.3 Initial contact with Defra on the proposed approach to preparing an interim AQAP and the development of a strategic AQAP has been supportive. They were keen to stress the importance of having clear and quantifiable measures associated with the action plan that can demonstrate improvements in air quality.
- 1.4 The Interim AQAP will form the basis of the Strategic AQAP following evaluation of the proposed actions by the Strategic Air Quality Group. The Strategic AQAP will be subject full consultation before the submission to Defra.

2 Background

- 2.1 The current AQAPs associated with the Air Quality Action Plans are out of date and require revision in the light of government guidance on Local Air Quality Management.
- 2.2 During 2016 -17 Swale produced two air quality documents which have a strategic bearing on how the authority is tackling poor air quality: the completion of the Freight Management Plan in December 2016 and the adoption of the Air Quality Technical Guidance document in 2017. However there is no overall document to provide a framework of how the authority will deal with air quality issues.
- 2.3 The Interim AQAP will form the basis of this framework once the actions identified within Tables 6.1 and 6.2 have been assessed and evaluated to provide quantifiable pollution reduction and the potential viability of measures being implemented.
- 2.4 The Interim AQAP will provide an important provisional guide for Environmental Protection planning consultation and development control purposes.

3 Proposals

- 3.1 The proposed Strategic AQAP will be based on the Interim AQAP in Appendix I but enabling the Strategic Air Quality Group members to evaluate the proposed actions contained in tables 6.1 and 6.2 in terms of viability, developing Key Performance Indicators, pollution reduction targets and timescales.
- 3.2 There will be three stages to ensure appropriate leadership and engagement is demonstrated.

Stage I Review and update existing AQAP and set-out strategic approach and potential measures for development of Swale Strategic AQAP.

Output: Interim AQAP (2017).

Stage II Further develop AQAP steering groups and develop AQAP options/measures to be assessed. Assess viability and air quality benefits of measures for internal engagement and consultation lead by a Strategic Air Quality Steering Group (SASG)

Output: Strategic AQAP assessment (2017/18).

Stage III Draft Strategic AQAP for Swale BC consultation and preparation for public consultation. (Early 2018), finalise Strategic AQAP and implementation plans.

Output: Swale Strategic AQAP (2018 – 2022)

- 3.3 The Strategic Air Quality Steering Group will include members of key agencies such as KCC Highways, Public Health, Highways England, key services within Swale and chaired by the Cabinet Member for Environment & Rural Affairs and include the Cabinet Member for Planning to provide the leadership of the group.

4 Alternative Options

- 4.1 Option 1 – do nothing. This could lead to a lack of direction and impetus for air quality issues, having a negative impact on future major developments in the borough.
- 4.2 Option 2 – adopt the current Interim AQAP and submit to Defra as the final rather than interim AQAP for Swale for the next four years. Whilst this is the most expedient option it does not provide as comprehensive and robust assessment of the quantifiable measures going forward.

5 Consultation Undertaken or Proposed

- 5.1 The measures contained in the Interim AQAP (Tables 6.1 and 6.2) have been prepared following community based consultations with residents and members of steering groups; notably Newington, Ospringe and Teynham during 2016.
- 5.2 Establishing the Strategic Air Quality Steering Group will provide additional discussion on the measures.
- 5.3 Full public consultation will follow submission to the Policy and Development Committee on the proposed measures in the Strategic AQAP 2018 – 2022 during spring 2018.

6 Implications

Issue	Implications
Corporate Plan	A Borough to be Proud of: Protect and Improve the natural and built environment Community to be Proud of: Work in partnership to Improve health and mental health

	A Council to Be Proud Of: Enhance capacity to achieve outcomes collaboratively
Financial, Resource and Property	There are no financial implications associated with the Interim AQAP.
Legal and Statutory	In fulfilment of Part IV of the Environment Act 1995 Local Air Quality Management the Interim AQAP will provide an Air Quality Action Plan that meets Defra approval and satisfies Swale's statutory obligations.
Crime and Disorder	None
Sustainability	These recommendations will support Climate Local Swale and the Kent Environment Strategy particularly with concern to emissions and health targets.
Health and Wellbeing	The Interim AQAP will provide benefits for the health and wellbeing of residents in the Borough and reduce health inequality.
Risk Management and Health and Safety	The Interim AQAP provides Swale with the opportunity to meet the Air Quality Management Framework requirements set by Defra whilst develop clear and quantifiable measures for the Strategic AQAP. There are no health and safety risks associated with the Interim AQAP
Equality and Diversity	None

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Interim Air Quality Action Plan 2017

8 Background Papers

None



Swale Borough Council (Interim) Air Quality Action Plan

In fulfilment of Part IV of the
Environment Act 1995
Local Air Quality Management

2017

Local Authority Officer	Steve Wilcock
Department	Environmental Protection Team Mid- Kent Shared Service Environmental Health
Address	Swale Borough Council East Street Sittingbourne ME10 3HT
Telephone	01622 602187
E-mail	Steve.wilcock@midkent.gov.uk
Date	September 2017

Executive Summary

This interim Air Quality Action Plan (AQAP) has been produced as part of our statutory duties required by the Local Air Quality Management Framework. It outlines the approach and proposed actions and measures to be developed into a (final) Strategic AQAP for Swale, which will set out how we will improve air quality in the Borough between 2018 and 2022.

This interim AQAP sets out the proposed action plan options for developing a final “Strategic AQAP” for Swale. Swale Borough Council declared five AQMAs over a period of seven to eight years since 2009, and has separate AQAPs developed for each of these locations. The new proposed approach for Swale is to develop a more holistic AQAP which will combine local AQMA actions and measures, plus provide a wider strategic approach to improving air quality across the wider Borough. The final Strategic AQAP will replace the previous individual action plans which ran from 2010/11.

Projects delivered through the past action plan include:

- Developing a Swale Freight Management Plan (2016)
- Participating in the Eco Stars Scheme 2015 – 16
- Participating in the Kent Messenger Schools Projects (active travel campaign)
- Resident campaigns in newly formed Teynham and Lynsted AQMA community action group
- Resuming the community Air Quality Steering Groups within Newington and Ospringe

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas.

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion. Swale Borough Council is committed to reducing the exposure of people in Swale to poor air quality to improve local health outcomes.

In this interim AQAP, we propose to develop actions and measures that can be considered under the following wider topics:

- Alternatives to private vehicle use
- Freight and delivery management
- Policy guidance and development control
- Promoting low emission transport
- Promoting travel alternatives
- Public information
- Transport planning and infrastructure
- Traffic management
- Vehicle fleet efficiency

Our key priorities are to develop measures which deliver compliance of air quality objectives through a combination of strategic and local focused AQMA measures. The key priorities are to identify measures which target reductions in emissions from vehicle fleets (HGV, LGV and cars), smooth traffic flows and reduce congestion and protect local communities.

In this interim AQAP, we outline how we plan to effectively tackle air quality issues within our control and working with partners who can support actions to reduce harmful emissions of pollutants and measures which can protect the public and the most vulnerable from air pollution.

However, we do recognise that there are a number of policy areas that are outside of our influence (such as vehicle emissions standards), so we will also continue to work hard to influence central government and other agencies to develop policies and

implement measures such as Clean Air Zones to help drive down emissions and improve air quality for our citizens.

Responsibilities and Commitment

This interim AQAP was prepared by the Mid Kent Shared Service Environmental Health Department for Swale Borough Council with the support and agreement of the following officers and departments:

Council Officers	Position
Tracey Beattie	Mid Kent Environmental Health Manager
Steve Wilcock	Mid Kent Environmental Protection Team Leader

This interim AQAP has been approved key Council Members:

Swale Borough Council Elected Members	Signature
Councillor David Simmons, Cabinet Member for Environment and Rural Affairs	
Councillor Andrew Bowles, Council Leader	

The Interim AQAP will be approved in principle by the Cabinet (4 October 2017) and support will be sought from AQMA community groups and a Strategic AQAP Steering Group to include key strategic partners as the Action Plan is developed through key stages.

Key consultees to be engaged include Swale Borough Council, Mid Kent Environmental Health, Kent County Council, Swale Joint Transport Board, Highways England and Public Health England. The full list of additional supporting partners and consultees is provided in Appendix A: Interim AQAP consultees.

Swale Borough Council

The development of the final Swale Strategic AQAP (2018 – 2022) will involve wider strategic and local AQMA community involvement and consultation. A Strategic AQAP Steering Group is to be developed through 2017/18 which will consult and develop the strategic measures required to deliver compliance through to the final Strategic Action Plan. This Strategic AQAP Steering Group will also become the AQAP implementation and delivery body, as it will consist of key partners with responsibilities for transport, planning and policy development across Swale and Kent.

The final Swale Strategic AQAP will be subject to an annual review, appraisal of progress and reporting to the relevant Council Committees (Full Cabinet and the Joint Transport Board). Progress each year will be reported in the Annual Status Reports (ASRs) produced by Swale Borough Council as part of our statutory Local Air Quality Management duties.

If you have any comments on this AQAP please send them to Steve Wilcock at:

Address Swale Borough Council
Swale House
East Street
Sittingbourne
Kent ME10 3HT

Telephone 01622 602184

Email steve.wilcock@midkent.gov.uk

Table of Contents

Executive Summary	i
Responsibilities and Commitment	iii
1 Introduction	6
2 Summary of Current Air Quality in Swale	7
3 Swale Borough Council's Air Quality Priorities.....	8
3.1 Public Health Context.....	8
3.2 Planning and Policy Context	8
3.3 Source Apportionment.....	9
3.4 Required Reduction in Emissions	10
3.5 Key Priorities	11
4 Swale Council's strategic approach to air quality	12
4.1 The AQAP framework approach	12
4.2 The Interim AQAP	13
5 Development of Swale Borough Council's Strategic AQAP.....	14
5.1 The Strategic AQAP development stages.....	14
5.2 Strategic AQAP Steering Group.....	15
5.3 Consultation and Stakeholder Engagement.....	17
6 Proposed AQAP Measures	19
6.1 Strategic AQAP measures	20
6.2 Local focussed AQMA measures	24
Appendix A: Interim AQAP consultees	26
Appendix B: Reasons for Not Pursuing Action Plan Measures	29
Appendix C: AQMA location maps	30
Glossary of Terms.....	33

List of Tables

Table 5.1 – Consultation programme	17
Table 6.1 – Interim Air Quality Action Plan: Strategic AQAP measures.....	21
Table 6.2 – Interim Air Quality Management Area: Local AQAP measures	24

List of Figures

Figure 4.1 Strategic AQAP approach	13
Figure 5.1 Strategic AQAP stakeholder partner groups	16

1 Introduction

This report outlines the Interim Air Quality Action Plan (AQAP) for Swale Borough Council. This interim AQAP sets out the approach and proposed measures that are to be developed into a final Strategic AQAP to be published in 2018. This interim AQAP has been developed to ensure that a comprehensive Strategic Action Plan will be in place for implementation from 2018 – 2022.

The final Swale Strategic AQAP (2018 – 2022) will include:

1. Clear vision and direction for the Swale Strategic AQAP;
2. Strategic and focused actions and measures to improve air quality across the Borough and as well as within the declared Swale AQMAs;
3. Detailed assessment and qualification of agreed actions and measures within the AQAP;
4. Full consultation and engagement process with all stakeholders and delivery partners on the key actions and measures within the AQAP; and
5. Implementation and delivery plan for the Strategic AQAP through 2018 – 2022.

The final Strategic AQAP, that Swale Borough Council will deliver between 2018 – 2022, will target reductions in concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents, people working in and visiting the Borough.

This interim AQAP has been developed in recognition of the legal requirement on the local authority to work towards Air Quality Strategy (AQS) objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the Local Air Quality Management (LAQM) statutory process.

The final Strategic AQAP will be reviewed every five years and progress on measures set out within this Plan will be reported on annually within Swale Borough Council's air quality Annual Status Report. The latest ASR was submitted to Defra in December 2016 and is available on the Kent and Medway Air Quality Partnership (KMAQP) website. <http://www.kentair.org.uk/>

2 Summary of Current Air Quality in Swale

Swale Borough Council has a comprehensive monitoring network of nitrogen dioxide (NO₂) monitoring sites including measurement by automatic analysers at three locations (Newington, Ospringe and St Paul's) and fifty-seven locations with passive diffusion tube devices. The Council also undertakes particulate monitoring using an automatic analyser to measure particulates less than 10 microns in size (PM₁₀) at Ospringe and from late 2017 at Newington.

The monitoring programme undertaken by the Council identified five locations which exceeded the annual air quality objective level for nitrogen dioxide (NO₂) and subsequently declared five AQMAs within Swale Borough. The AQMAs are listed below:

- AQMA 1: Newington, (A2 /High St)) declared 2009
- AQMA 2: Ospringe Street, Faversham (A2/Ospringe) declared in June 2011 and revised (as AQMA 6) to the Mount in May 2016.
- AQMA 3: East Street, Sittingbourne (A2/Canterbury Road) declared January 2013
- AQMA 4: St Pauls Street, Milton, Sittingbourne (B2006) declared January 2013
- AQMA 5: Teynham (A2 /London Rd) declared December 2015

AQMAs 1, 2, 3 and 5 are situated on the A2 which is a major transport corridor through Swale, with AQMA 4 located within Sittingbourne urban centre. The AQMA location maps are provided in **Error! Reference source not found.**Appendix C: AQMA location maps) and on the Defra website "List of Local Authorities with AQMA's"¹).

The 2017 Swale Borough Council ASR contains the most recent monitoring locations, data and progress to date on the current AQAP measures for the Swale AQMAs. Although particulate matter (PM₁₀) concentrations are not exceeding air quality objectives, the 2017 ASR recommended that monitoring of PM₁₀ should

¹ https://uk-air.defra.gov.uk/aqma/local-authorities?la_id=268

continue. The monitoring will also help the Council to review and report the effectiveness of Action Plan measures to reduce NO₂ and PM₁₀ concentrations.

3 Swale Borough Council's Air Quality Priorities

3.1 Public Health Context

Air pollution is associated with a number of adverse health impacts. Each year in the UK, around 40,000 deaths are attributable to exposure to outdoor air pollution which plays a role in many of the major health challenges of our day. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas.

There is gathering evidence regarding the impact of gaseous and particulate matter pollutants on respiratory and cardiac health from sources such as the Committee on the Medical Effects of Air Pollutants (2010) and the Royal College of Physicians and Royal College of Paediatrics and Child Health² (2016). Research has linked air pollution with cancer and dementia as well as the additional impact on mental health from the traffic noise affecting residents in homes in air quality management areas.

3.2 Planning and Policy Context

Swale's Local Plan 'Bearing Fruits', (<http://www.swale.gov.uk/local-plan-for-swale/>) was adopted in July 2017 and contains a number of references to air quality, Action Plans and the Air Quality Management Areas. The Local Plan identifies the need to ensure new developments are assessed for air quality and have nil-detriment (air quality objectives are not compromised) to air quality within AQMAs and are consistent with the local Air Quality Action Plans. The Plan also recommends innovative mitigation measures that may be required to address any impacts with regard to air quality and noise (Policies ST5, ST7, A9, A10, A14, A16, A18, A19, MU4, MU5, MU7, DM6, DM10, DM20). The Plan also links back to the national policy in the National Planning Policy Framework and Planning Practice Guidance

² www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution

(DCLG). Section 7.7 Conserving and enhancing the natural environment makes specific reference to air quality by referencing the impact of developments on air quality and highlighting the Kent and Medway Air Quality Partnership (KMAQP) Air Quality and Planning Technical Guidance (July 2011), since revised in 2015.

Swale adapted the KMAQP guidance and produced its own Air Quality Planning Technical Guidance in Dec 2016. Through its use in development management, greater acceptance of the importance of air quality in the planning process has been developed and resultant damage costs calculations in larger developments have provided mitigation.

3.3 Source Apportionment

The AQAP measures presented in this report are intended to be targeted towards the predominant sources of emissions within Swale and the specific AQMAs.

Source apportionment exercises were carried out by Swale Borough Council across three of the A2 AQMAs in Ospringe (2012) Newington (2013) and East St (2014). These studies found that within the AQMAs, the percentage source contributions were as follows:

- road traffic is responsible for over 70 - 76% of the ambient NO₂ concentrations;
- between 30 - 40% of NO_x pollution comes from the HGVs and more than 31-36% from cars.

Further detailed analysis of the East St (A2) source apportionment provided a further breakdown of road-traffic NO_x contributions as follows:

- Cars (31.0%), HGVs (29.2%), LGVs (11.3%) Buses/Coaches (2.9%) and Motorcycles (0.1%)

The contribution of HGVs to the total NO_x and NO₂ concentrations is quite significant especially if compared to the proportion of the vehicle fleet they represent (about 4.6% and 6.2% respectively).

The source apportionment study of urban AQMA in St Pauls Street, Sittingbourne (2014) had slightly higher ratio of emissions from road traffic at 77.6% with the breakdown of road-traffic NO_x contribution as follows:

- Cars (31.7%), HGVs (31.4%), LGVs (11.7%) Buses/Coaches (2.6%) and Motorcycles (0.1%).

These source apportionment studies demonstrate the significant emissions of NO_x and resultant impact of traffic on NO₂ concentrations within all the AQMAs. It provides the focus of measures for reducing emissions from the key vehicle sectors; HGVs and cars, followed by LGVs.

3.4 Required Reduction in Emissions

Each AQMA continues to have measured exceedances of the air quality objectives for NO₂ (as described in the 2017 ASR). Specific wider strategic measures will be needed across all the AQMAs to reduce emissions significantly enough to ensure compliance. In addition, localised emissions reduction measures will need to be tailored in each AQMA for local conditions and community supported actions and initiatives. It should also be noted that there will be variations in the required emissions reductions at each location as the exceedance value of NO₂ differs in each of the AQMAs.

Emission reduction assessments were undertaken in previous further assessments for East St AQMA (2013), St Paul's AQMA (2013) and Ospringe AQMA (2012). These identified some significant required reductions in emissions ranging from 35% reduction in required road-NO_x emissions (equating to the required 9.6µg/m³ reduction in NO₂) in East St AQMA to 53.7% reduction in required road-NO_x emissions (equating to the required 18µg/m³ reduction in NO₂) in St Paul's AQMA. These assessments provide a rough basis for assessments but need to be reviewed as current NO₂ concentrations have changed since the initial assessment were undertaken. As well as changes to local traffic characteristics and the vehicle emission factors revision in light of real-world emission testing.

Emissions reduction assessments will need to be undertaken for each AQMA to assess the best AQAP measures to achieve compliance and improve air quality. This Interim AQAP does not provide a comprehensive emissions reduction

assessment, therefore it is recommended that Swale Borough Council undertakes revised assessment AQMA traffic and likely emissions reductions measures required at each AQMA.

3.5 Key Priorities

The interim AQAP priorities for delivering compliance within the AQMAs, based on the previous sections highlight the need for:

- **Priority 1** – Undertake revised impact assessment of AQMA traffic and emissions reductions measures required at each AQMA.
- **Priority 2** - Development of local AQMA and wider Strategic measures.
- **Priority 3** - Develop measures which focus on key emissions reduction measures from the HGV and LGV fleet travelling through the AQMAs.
- **Priority 4** – Ensure wider engagement with all key stakeholders and lead by example in promoting clean air initiatives and measures to reduce emissions and protect communities.

4 Swale Borough Council's strategic approach to air quality

4.1 The AQAP framework approach

Swale Borough Council has five (5) declared AQMAs across the Borough for exceedances of national air quality objectives for annual nitrogen dioxide (NO₂) concentrations. The five separate AQMAs had been declared over a period of seven to eight years since 2009 and have had separate AQAPs developed for each location. The interim AQAP framework approach is designed to bring together the pre-existing AQAP measures and develop a strategic approach under one AQAP.

Due to the location of the AQMAs, either being adjacent to or near to the A2 strategic route through Swale, there are a number of action plan options and measures common to all of the AQMAs within Swale which form the basis of a range of strategic measures developed to deliver improvements across the Borough. These will be complemented by a number of focussed local AQMA measures to take into account local conditions, circumstances and community views.

A Strategic AQAP will provide Swale Council with an Action Plan that includes:

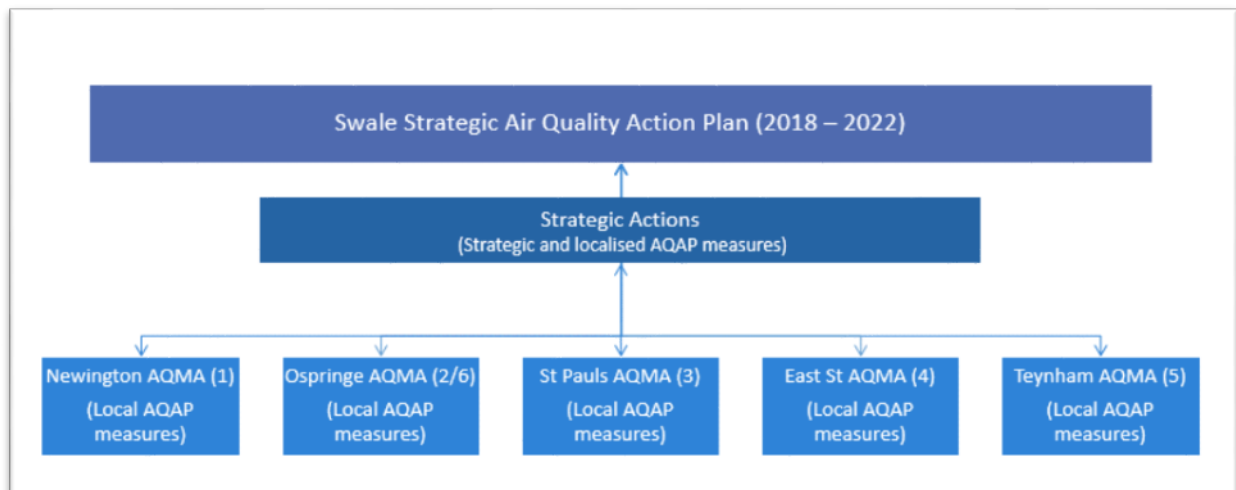
- Strategic Borough-wide AQAP measures;
- Local focused AQMA measures;
- Strategic partnership working through a wider "Strategic AQAP Steering Group" and local AQMA community groups.

This framework approach follows the approach recommended in Defra LAQM TG(16)³ section 2.03 which states: "*Where a Local Authority has designated multiple AQMAs in its area, particularly if these are related to a similar emissions source, it is advised that a single AQAP should be submitted, but this should clearly address each individual AQMA in the area.*"

Error! Reference source not found. sets out the Strategic AQAP approach with localised AQMA action plan measures feeding into and supporting wider strategic actions under the Swale Strategic AQAP (2018 – 2022).

³ Local Air Quality Management Technical Guidance (TG16) - April 2016

Figure 4.1 Strategic AQAP approach



4.2 The Interim AQAP

This Interim AQAP has been produced to provide a framework and process for the delivery of the Strategic AQAP. The Interim AQAP forms the first stage of the Strategic AQAPs development and has been developed in recognition of:

- the complexity and number of locations where there are air quality issues;
- the variety of measures needed to deliver change;
- changes in technology and vehicle emissions data over recent years;

and build on and learn from:

- existing successful measures and initiatives delivered through previous local and other strategic AQAPs; and
- existing local and strategic partnerships.

5 Development of Swale Borough Council's Strategic AQAP

The Air Quality Action Plan will be developed through 2017 – 2018 to provide a final Swale Strategic Air Quality Action Plan covering the period 2018 to 2022.

5.1 The Strategic AQAP development stages

The methodology for developing a comprehensive AQAP for Swale requires a three stage approach.

Stage I is the current stage which presents the framework approach presented in this Interim AQAP.

Stage I. Review and update existing AQAPs and set-out strategic approach and potential measures for development of Swale Strategic AQAP.

- Output: Interim AQAP (Autumn 2017).

Stages II and III will follow and develop specific measures in consultation and through engagement with the key delivery partners and stakeholders.

Stage II. Further develop AQAP steering groups and develop AQAP options/measures to be assessed. Assess viability and air quality benefits of measures for internal engagement and consultation.

- Output: Strategic AQAP assessment (2017/18).

Stage III. Draft Strategic AQAP for Swale BC consultation and preparation for public consultation (early 2018), finalise Strategic AQAP and implementation plans.

- Output: Swale Strategic AQAP (2018 – 2022)

This methodology follows staged approach recommended in Defra LAQM TG(16) Chapter 2: Air Quality Action Plans and LAQM PG(16)⁴ which states: “*The Action Plan should take a practical approach towards focussing on what really matters –*

⁴ Local Air Quality Management Policy Guidance (PG16) - April 2016

identifying the nature of the problem whilst detailing measures that are or will be actively implemented to improve air quality and quantifying their impact over time.”

The Strategic AQAP will be developed through:

- Engagement of key officers and stakeholders;
- Collation of detailed knowledge of the contributory sources to determine the range and extent of the problem;
- Consider suitable measures to reduce emissions across policy areas;
- Development of appropriate targets and indicators across key areas; and
- Evaluation and detailed consideration of AQAP measures.

5.2 Strategic AQAP Steering Group

The Strategic AQAP Steering Group (SASG) will be formed to develop and deliver the Strategic AQAP for Swale. The SASG will also be responsible for the implementation and monitoring of the delivery of the AQAP to ensure measures are kept on-track and report progress back to Defra.

This steering group will be made up from the key stakeholder partners; led by Swale Council (Mid Kent Environmental Health) and supported by the key delivery partners:

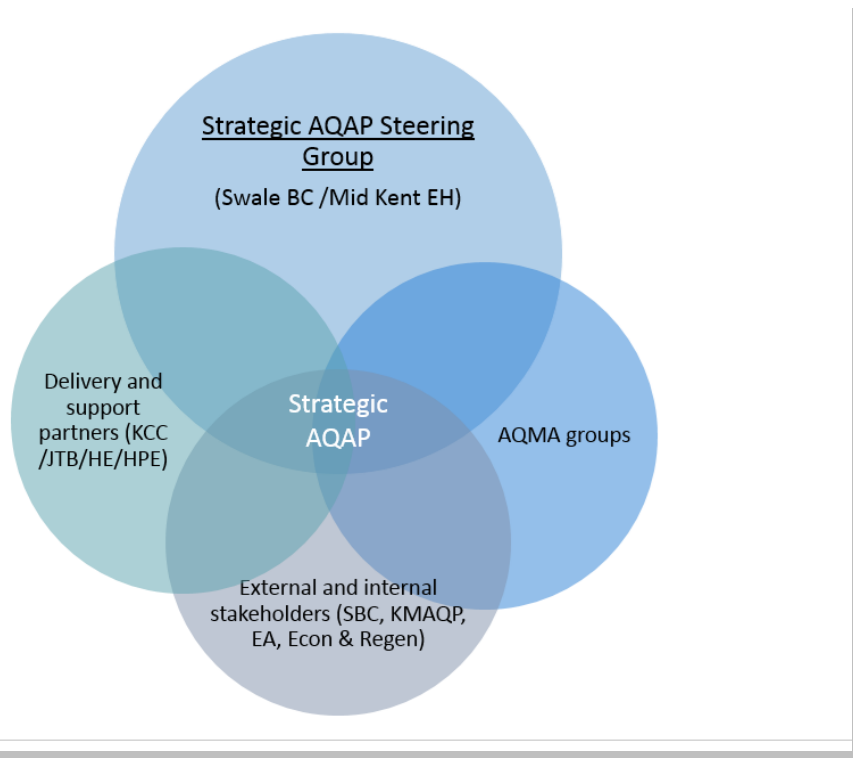
- Swale Borough Council (Mid Kent Environmental Health and other services)
- Council member
- Kent County Council (KCC)
- Highways England
- Public Health England (Kent)

The SASG will be led by senior officers within Swale Borough Council to ensure engagement at political and senior management levels across the Council (internally) and at senior management levels with external partners.

The SASG will be responsible for reviewing and assessing the AQAP options to be taken forward as measures under the final AQAP. In addition, the individual AQMA consultation groups will feed into the AQAP with local AQMA priorities and will be consulted on the wider strategic measures as well.

The AQAP needs a consensus-based approach to become successful, so the SASG needs to further engage with other external partners through forums, meetings and engagement events. This engagement needs to be co-ordinated and led by Swale Borough Council / Mid Kent Environmental Health. The structure of the wider AQAP stakeholder partner groups that will feed into the SASG is set-out in Figure 5.1.

Figure 5.1 Strategic AQAP stakeholder partner groups



The wider stakeholder engagement groups will include:

- Swale Joint Transportation Board (JTB)
- Local business forums
- Internal stakeholders: policy and resources, land use planners licensing, procurement.
- Environment Agency
- Swale Economy and Regeneration Partnership
- Kent and Medway Air Quality Partnership (KMAQP)
- Other local authorities
- Transport Organisations
- Local AQMA community steering group representatives
- Parish & Town Councils
- Sittingbourne Society

5.3 Consultation and Stakeholder Engagement

In developing and updating the Strategic AQAP, we will continue to work with other local authorities, agencies, businesses and the local community groups to develop strategic and localised AQMA measures to improve local air quality. This final consultation phase will be completed in Stage III of the Strategic AQAP development (see **Error! Reference source not found.**).

We will continue to undertake the following stakeholder engagement:

- Swale Borough Council website (<http://www.swale.gov.uk/air-quality>) currently under review
- Kent and Medway Air Quality Partnership website (<http://www.kentair.org.uk/>)
- Social media – LinkedIn, Facebook etc.
- Articles in local newspaper
- Questionnaires distributed directly to households along major roads
- AQMA Community Liaison Groups

Pre-stage I engagement has focused on local and internal stakeholder groups whereas the following stages (II and III) will involve the wider consultation and stakeholder engagement once a Strategic AQAP Steering Group has been formed.

The response to our consultation stakeholder engagements to date is given in Appendix A, with a summary of the proposed programmed consultation given below in Table 5.1.

Table 5.1 – Consultation programme

Stage	Consultee
I	Local residents living in the AQMAs
I	Local Councillors – parish and Borough
I	Officers in Swale and Mid- Kent
II	Highways Authorities (KCC and Highways England) and JTB
II	Other public authorities as appropriate, such as Public Health officials
II	Neighbouring local authorities, parish and town councils

II	Environment Agency
II	SERP (the Swale Economy and Regeneration Partnership), KFBPF (Kemsley Fields Business Park Forum), the Kent Science Park and the Kent FSB.
II	Bodies representing local business interests and other organisations as appropriate
II	Internal departments
III	Secretary of State
III	Public
III	All previous consultees from stages II & II

6 Proposed AQAP Measures

The proposed AQAP measures set-out in this Interim AQAP will be further developed under Stage II of the Swale AQAP development process. Many of the proposed measures have been developed with existing internal and community groups, however these and further measures presented in this Interim AQAP need to be reviewed by the wider Strategic AQAP Steering Group.

The proposed measures set-out in this interim AQAP are structured as follows:

- **Strategic AQAP measures:** those wider strategic measures which are to be implemented across the borough with strategic delivery partners and agencies.

and

- **Local AQMA measures:** those measures which will be focussed specifically within each AQMA which will support and compliment the strategic measures.

The following tables 6.1 and 6.2 respectively show the proposed strategic and locally focussed AQMA measures. The AQAP measure tables contain:

- a list of the actions that form part of the plan
- the responsible individual and departments/organisations who will deliver this action

The next stage of the Strategic AQAP will provide information in a shorter listed measures table with:

- estimated cost of implementing each action (overall cost and cost to the local authority)
- expected benefit in terms of pollutant emission and/or concentration reduction
- the timescale for implementation
- how progress will be monitored

Note: Please see future Annual Status Reports for regular annual updates on the progress and implementation of these measures.

The recent draft Swale Freight Management Plan (Dec 2016) (FMP) sets out the wider transport and freight challenges for Swale and highlights the need for Swale Borough Council to work closely with Kent County Council and other key delivery partners, including Government to improve air quality. The draft FMP also highlights that *“care is needed in assessing what effects these measures will have; the effects may be subject to the ‘law of unintended consequences’.* For example, a speed limit may reduce the noise produced by heavy lorries but might increase the emissions. Also, the needs of all road users must be taken into account; solving problems for freight movements should not be at the expense of pedestrians, for example.”

Therefore, each of the proposed measures is to be assessed individually but also considered with other measures to delivery combined improvements in air quality and compliance with objectives.

The following tables do not represent a final exhaustive list of measures. This is because the forthcoming engagement and consultation with wider stakeholder groups (through Stages II and III) may provide further options and measures that could be considered for the final Strategic AQAP.

6.1 Strategic AQAP measures

Key strategic measures that need to be considered are those that target:

- Emission reductions from the HGV and LGV fleets;
- Volume reductions in the HGV fleet using the A2 especially through the AQMAs;
- Smoother, less congested, traffic flows of all vehicles through the AQMAs;
- Policies that encourage only low emission developments being approved; and
- Alternative modes to HGV, LGV and car use to reduce congestion and pollution from freight and other traffic.

Table 6.1 – Interim Air Quality Action Plan: Strategic AQAP measures

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	KPI	Target Reduction AQMA	Pollution in the	Progress Date	to	Estimate Completion Date	Comments / AQMA
1.	Swale Freight Management Plan (2016)	Freight and Delivery Management	Delivery and Service plans	KCC	2016	2018- 2022							KCC and SBC to support Swale FMP by delivering recommendations (section 5) Document submitted to Defra 2016.
2.	“Clear air signage and information scheme”	Freight and Delivery Management	Route Management Plans/ Strategic routing strategy for HGV's	KCC	2018								New proposal to be evaluated (builds on FMP) Roadside information includes “switch-off engine” congestion signage and over-night lorry parking ban information on A2
3.	Swale Low Emission Zone or Corridor	Promoting Low Emissions transport	Low Emissions Zone (LEZ) or Clean Air Zone (CAZ)	KCC/ SBC	2018								New proposal to be evaluated (builds on FMP) Create a (Euro emission class) restriction zones for all vehicles with strategic ANPR cameras.
4.	HGV “Clear air zone”	Promoting Low Emission Transport	Low Emission Zone (LEZ) or Clean Air Zone (CAZ)	KCC/ SBC	2018								New proposal to be evaluated (builds on FMP) Create a HGV (Euro emission class) restriction zones with strategic ANPR cameras.
5.	Swale and Medway A2 corridor Planning Agreement	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	SBC/ Medway Council	2018/19								New Proposal to be evaluated (building on Kent AQ Planning Document) Establish a planning

Swale Borough Council

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	KPI	Target Reduction AQMA	Pollution in the	Progress to Date	Estimate Completion Date	Comments / AQMA
												policy mechanism for major developments with significant impact on A2 corridor to mitigate impact.
6.	Swale Air Quality and Planning Guidance (update)	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	SBC	2017/18 update	In-place and active since 2016						Update to include minimum standards and conditions for approval i.e. ULEV parking, alt transport options, charge points, low NOx boilers, distance from road
Page 32 7.	Air Quality and Low Emission Strategy	Policy Guidance and Development Control	Low Emissions Strategy	SBC	2017/18							New proposal to be evaluated (includes sustainable procurement, SBC fleet improvements, low emission fuels and installation (STOR) guidance)
8.	Low emission taxi licencing scheme (Kent)	Promoting Low Emission Transport	Taxi Licensing conditions	SBC	2017/18							New proposal to be evaluated Improve emissions from taxis, subsidies for lower local fares
9.	Clean-flow traffic management	Traffic Management	UTC, Congestion management, traffic reduction	KCC	2017							New proposal to be evaluated. Traffic smoothing through average speed camera section management. Linked to localised AQMA "20's plenty" measure

Swale Borough Council

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	KPI	Target Reduction AQMA	Pollution in the	Progress to Date	Estimate Completion Date	Comments / AQMA
10.	Clean-air walking and cycle ways	Promote travel alternatives	Intensive active travel campaign & infrastructure	KCC/SBC	2017/18							New proposal to be evaluated. Work with KCC & Development Management/Planning Policy to develop further walking and cycling infrastructure for local commuter and school routes
11.	Clean-air travel planning	Promote travel alternatives	Personalised Travel Planning	KCCC/SBC	2017/18							New proposal to be evaluated. Require strategic travel plan requirements for new developments and businesses (KCC and SBC Planning & Dev Control)
12.	Promote and encourage change of transport modes	Promote low emission transport	Procuring alternative Refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging	SBC	2018	Summer 2019-2020	% increase in electric /hybrid vehicles on the road using traffic counts.					New proposal to be evaluated. Support bids for eV infrastructure, alt. fuels, hybrid vehicles and low emission taxis. Encourage use of buses and trains as alternatives to cars by installing infrastructure at PnR and stations.
13.	Eco Stars	Vehicle Fleet Efficiency	Driver training and ECO driving aids	SBC	2014	2015-2018	Number of HGV and LGV drivers taken through scheme.					Ecstars pilot continues in 2017 (Initially 14 companies signed up in Swale with 812 vehicles)

Swale Borough Council

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	KPI	Target Reduction AQMA	Pollution in the	Progress Date	to	Estimate Completion Date	Comments / AQMA
14.	Air pollution alerts and information	Public information	Via other mechanisms	SBC	-	2018 - 2022	Number of (vulnerable) people using the alert service in Swale	n/a					Communications and marketing directed to vulnerable people (COPD) and information on health effects Use business forums to promote best eco practices for travel

6.2 Local focussed AQMA measures

Key locally focussed measures that are to be considered for the individual AQMAs are those that target localised:

- Initiatives that inform and protect local residents;
- Smooth traffic flows causing less congestion of all vehicles through the AQMAs;
- Freight management and access policies within AQMAs; and
- Access to cleaner alternative transport for residents and businesses

Table 6.2 – Interim Air Quality Management Area: Local AQAP measures

Measure	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	KPI	Target Pollution Reduction in the AQMA	Progress Date to	Estimate Completion Date	Comments / AQMA
1.	“20’s plenty” zones	Traffic Management	Reduction of speed limits, 20mph zones	KCC	2017						Community steering group proposal to be evaluated. (AQMA’s: 1,2,3,4,5)
	Campaigns for ant-idling, smoky exhausts	Traffic Management	Anti-idling enforcement	SBC	2017						Community steering group proposal to be evaluated. Promotion to raise awareness of health and air pollution (AQMA 2)
	Quiet delivery zones	Freight and delivery management	Quiet and out of hours delivery	KCC							Community steering group proposal to be evaluated. School and night-time hours restricted freight delivery times for noise and AQ.

Swale Borough Council

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	KPI	Target Pollution Reduction in the AQMA	Progress Date to	Estimate Completion Date	Comments / AQMA	
Page 36											(AQMAs: all)	
	4.	Pinch-point parking alternatives (red-route)	Traffic Management	Workplace Parking Levy, Parking Enforcement on highway	KCC	2017						New proposal to be evaluated. Remove pinch point A2 parking by providing alternate off-street parking and camera enforcement and signage(AQMAs: 1,2,4, 5)
	5.	Local LEV car-club	Promoting Low Emission Transport	Other	SBC							Set-up low emission community car club or car-share scheme for AQMAs (AQMAs: 1,2,4, 5)
	6.	Local school and business travel plans	Promoting travel alternatives	Promotion of walking and cycling and travel plans	KCC (+ PH SBC)	2010	2013 Swale already participating in the Kent Travel scheme and involved in Better business for all	% of schools participant in Kent smarter travel challenge recorded by KCC		Annual bids to the KCC	Ongoing	Community steering group proposal to be evaluated. (AQMAs: all)
7.	Tree planting scheme	Public information	Other	SBC	2017/18						Community steering group proposal in favour of tree planting schemes. Funding obtained by the community in 2016 -2017 to commence in Teynham	

Appendix A: Interim AQAP consultees

Table A.1 – Interim AQAP Consultees

Swale Borough Council Services	
	Tracey Beattie - Mid Kent Environmental Health
	Janet Hill – Climate Change Officer
	Anna Stonor – Planning Policy
	Chris Blandford – Economic Development
External Partners	
	KCC Transport Director - Alan Blackburn
	KCC Transport Innovations- Lindsay Reynolds
	KCC Freight Officer Highways, Transportation and Waste- Tim Middleton
	KCC Sam Yates
	KCC Roadworks alerts – Ben Hilden
	KCC Highways - Andy Corcoran
	KCC Director of Public Health – Andrew Scott-Clark
	KCC Highways - Stephen Huckle
	KCC Tom Pierpoint, Transport Innovations
	KCC Chris Bell Sustainable Business Low Carbon Kent project
	KCC Simon Allum (Cycling)
	John Elliot and Mike Dempsey – Swale Freight Transport Plan Consultants and authors
	Public Health England -
	Highways England -
	Environment Agency – Roger Kidd
	Kent Wildlife Trust - Mary Blackwell

Table A.2 – Summary of Responses to Consultation and Stakeholder Engagement on the AQAP (to date)

Consultee	Category	Response
Lindsay Reynolds	KCC lift share	Email re Update Kent Journey share website
Nigel Heriz Smith	Local Resident	Offered to share information in Teynham and provided information about groundwork project history and many updates regarding research and press information e.g. Reporting smoky vehicles web link https://www.gov.uk/report-smoky-vehicle . Concerned about Lynsted Lane Development Air quality assessment Fowler Welch Coolchain – Tree planting around the site and Euro 6 vehicles in the new bays
Colin Barnard	Local Resident	Planning comments regarding development at Frogal Lane and bids for funding for greening projects
Sioux Peto	Local Resident	Assistance with arranging meetings, steering group inception and funding bids projects
Ali Corbel	Blenwood contractor and Swale In Bloom coordinator	Partnership work on the Swale In Bloom projects in the AQMAs and Teynham greening project (SWAPS)
David Dale	EHP	Attended the Internal steering groups and steering group in Teynham and – Teynham greening project (SWAPS)
Alan Blackburn	KCC Transport Manager	Support with strategic transport issues
Andy Fairhurst	KCC Public Health	Support for Eco stars and other projects liaising with KCC public health
Mary.Blackwell	Kent Wildlife Trust	(@kentwildlife.org.uk) support for Teynham steering group
'Dawn.Apcar	Kent Wildlife Trust	and @kentwildlife.org.uk' support with Teynham greening and planters project
Chris Blandford	Economic Development Support Officer	Advice on the economic development support for the Swale action plan
Nicky Saynor	Public Health	Support with advice Eco stars and other projects liaising with KCC public health
Jacquie Town	Regeneration	Steering group member Teynham
Gill Harris and Anna Stonor	Planning Policy	Consultee regarding the Swale freight Transport Plan (2016) and detailed comments on AQAP and need for restructuring (August 2017)

Sandy Hammock	CVS	Steering group meeting at Teynham
Sara Cline and Hayley Keefe	KM Charity Team	Support for walk to school and other projects
John Elliot and Mike Dempsey	Consultants	Developed Swale Freight Management Plan
Janet Hill	Climate Change Officer, Swale Borough Council	Input into stakeholder meetings

Appendix B: Reasons for Not Pursuing Action Plan Measures

Table B.1 – Action Plan Measures Not Pursued and the Reasons for that Decision

Action category		Action description	Reason action is not being pursued (including Stakeholder views)
Personalised Planning	Travel	Church Lane Residents Parking Survey	Suggestion was dismissed by the Newington Steering group in the original action plan as it was superseded by the KCC travel planning schemes and other projects where the KCC collected data.
Local Bypass		Bypass for Newington	Newington Steering group discussed this however at the time there was no financial support available from KCC Highways

Appendix C: AQMA location maps

Figure C 1 AQMA 1: Newington AQMA map

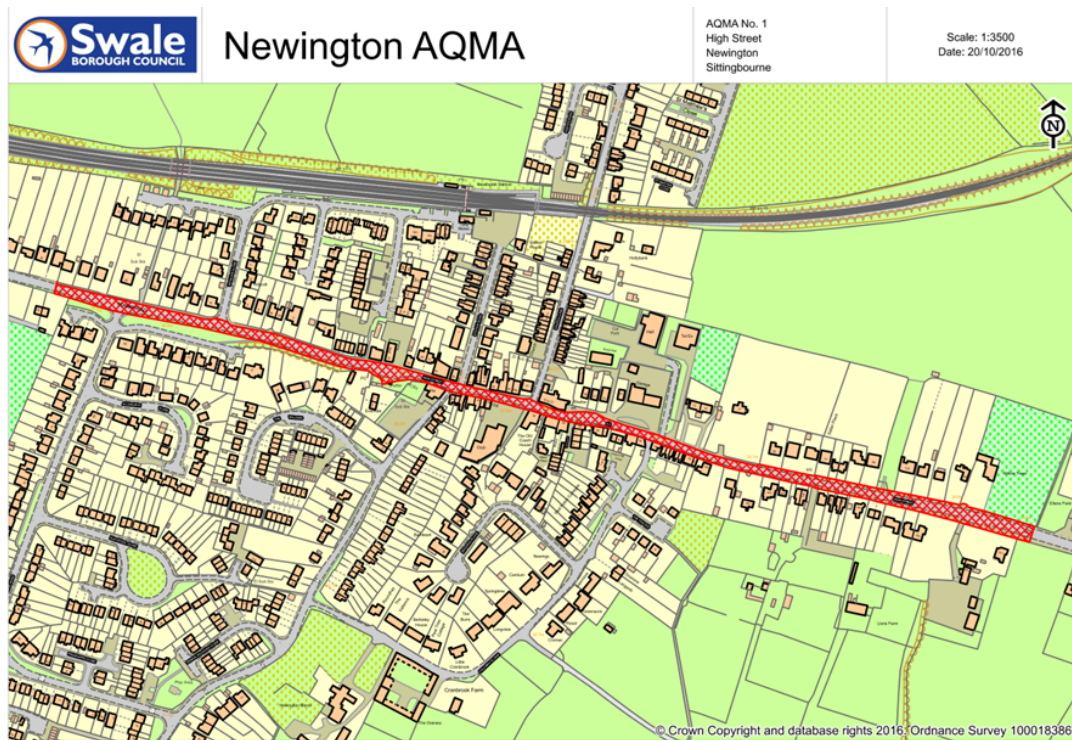


Figure C 2 AQMA 2: Ospringe AQMA map

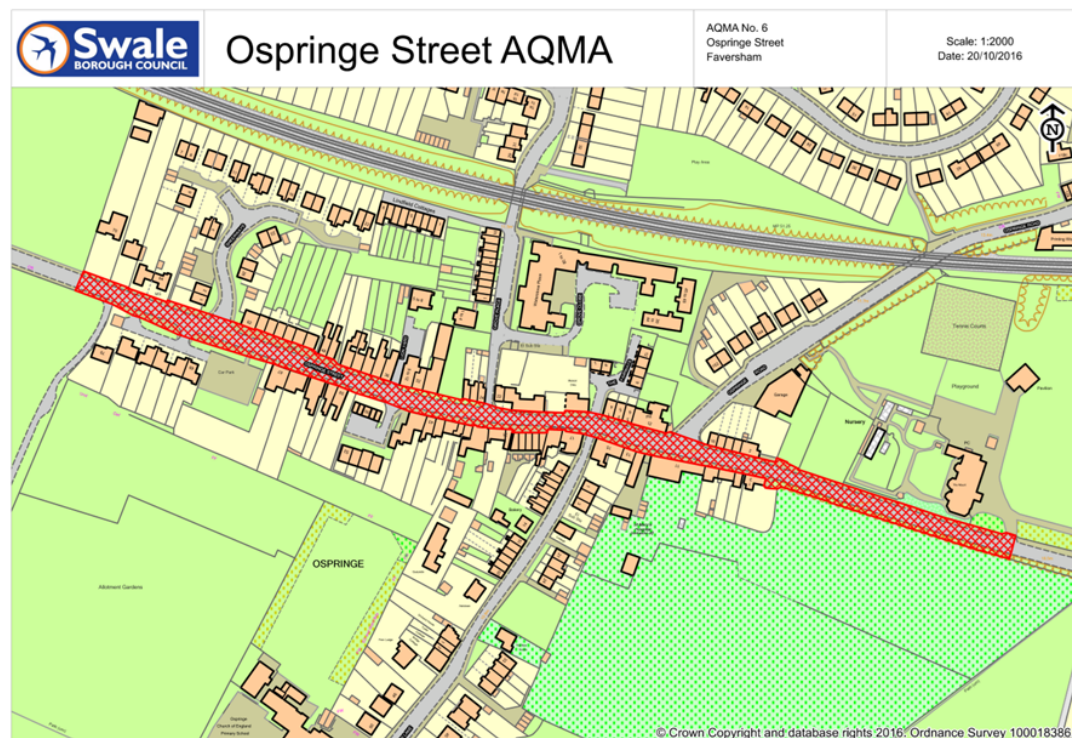
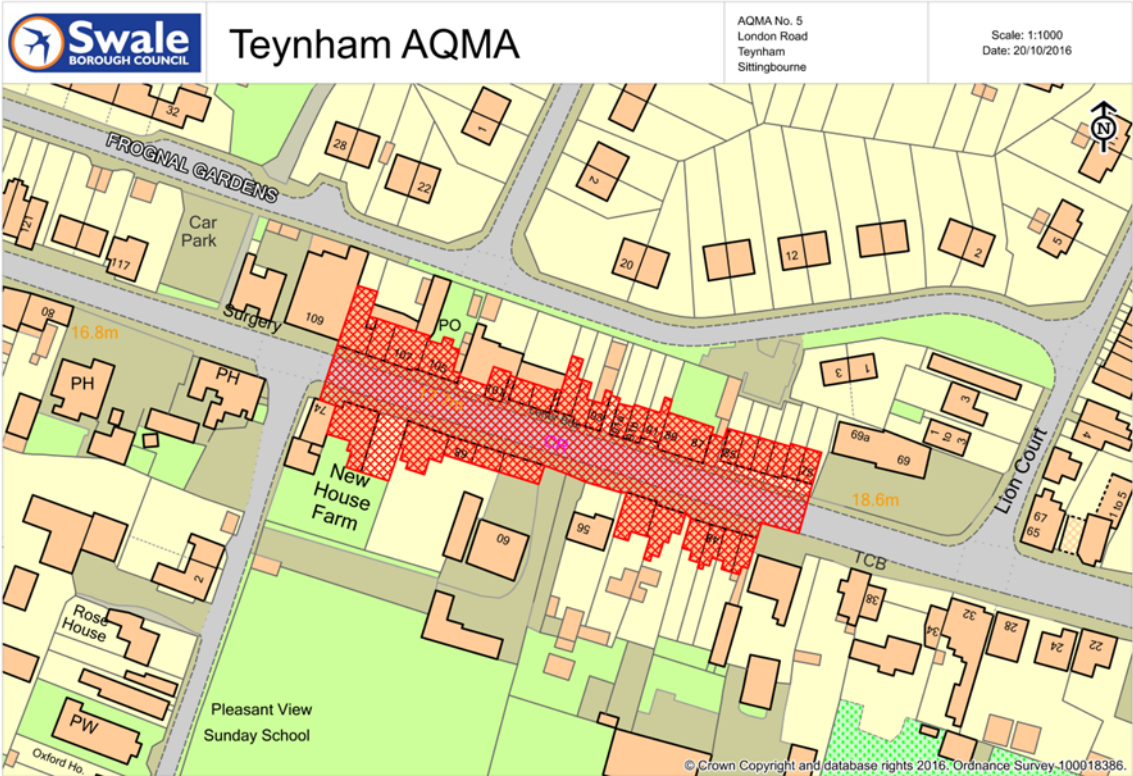


Figure C 5 AQMA 5: Teynham AQMA



Glossary of Terms

Please add a description of any abbreviation included in the AQAP – An example is provided below.

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
AQS	Air Quality Strategy
ASR	Air quality Annual Status Report
CAZ	Clean Air Zone
Defra	Department for Environment, Food and Rural Affairs
EU	European Union
LAQM	Local Air Quality Management
LES	Low Emission Strategy
LEZ	Low Emission Zone
NO ₂	Nitrogen Dioxide

Cabinet Meeting	Agenda Item: 7
------------------------	-----------------------

Meeting Date	4 th October 2017
Report Title	Draft Open Spaces & Play Strategy 2017-2022
Cabinet Member	Clr David Simmons, Cabinet Member for Environment and Rural Affairs
SMT Lead	Mark Radford
Head of Service	Martyn Cassell
Lead Officer	Mike Marsh
Recommendations	<p>1. To discuss and note the draft Open Spaces & Play Strategy 2017-2022 including its assessment recommendations:</p> <ul style="list-style-type: none"> a) Ensure low quality sites with a high community value are prioritised for future enhancement. b) Ensure all sites assessed as high for quality and value are protected. c) Destination (Strategic) sites should be recognised through protection and enhancement. d) Recognise types of open space that are surplus to requirements and/or those of low quality and value and determine their future use using the criteria set out in the technical assessment data and national standards. e) The need for additional cemetery provision should be led by demand rather than population calculations. f) The Council will no longer adopt future open spaces from developers and organisations unless there is an overwhelming case to provide a strategic new open space or the protection of important natural habitat and biodiversity. g) Promote alternative future management arrangements for open spaces

	<p>2. Members approve taking the Draft Open Spaces and Play Strategy 2017-2022 out for final consultation as detailed in the report, ahead of coming back for final adoption at Cabinet.</p> <p>3. That the financial implications of the Strategy, as set out in financial table of this report, be considered as part of the Council’s overall Medium Term Financial Plan and Capital Budget proposals, against the total available resources.</p>
--	--

1 Purpose of Report and Executive Summary

- 1.1 The Open Spaces and Play Strategy 2017-2022 (hereafter ‘the Strategy’) has been prepared to:
- Provide a sound body of evidence for supporting open space policies within the Local Plan.
 - Identify key opportunities and strategic imperatives, plan for the delivery of improvements to existing open spaces for the next five years and introduce a policy of declining adoption of new open spaces triggered by development.
 - Provide a working document that sets standards for open space provision in terms of quantity, quality and accessibility.
- 1.2 This report sets out the processes undertaken to arrive at this final draft and what happens next.

2 Background

- 2.1 The Strategy (see Appendix I) focuses on what is important for Swale’s Open Space provision for the next 5 years, in consideration of previous studies and strategies, recent audits and the recently adopted Swale Borough Local Plan (2017).
- 2.2 To identify the Borough’s future needs and assess the quality and quantity of current open space and play areas, two technical assessment reports were commissioned from consultants, Knight, Kavanagh & Page Ltd who visited every site in the Borough and worked with Leisure and Planning officers to compile the final reports.
- 2.3 The first report addressed what open space provision exists in the Borough, its condition, distribution and overall quality by using standard assessment methodology developed for Planning Policy Guidance 17 (PPG17), aligned with the new National Planning Policy Framework (NPPF).
- 2.4 The second report aggregated the open space audit results and summarised the information by typology, identifying deficiencies by quality and value to enable a

grading assessment for each open space as high, adequate or low. It also considered previous audits, studies and reviews such as the Open Space Study 2008 and the Play Review.

2.5 Leisure and Planning officers then pulled these findings and information together to form the draft Strategy and combining the 2 assessment report into 1 technical document.

2.6 The Strategy is structured in a way that contains an 'overarching vision', a set of 'recommendations' on what should be done and then an 'action plan' stating how we will achieve this. The vision is to;

1. Protect the Council's existing open space network
2. Provide spaces to encourage a healthy community
3. Focus on enhancing/improving the quality of the key open spaces
4. Promote the benefits open space and wildlife has for people living and visiting Swale.

2.7 The draft strategy identifies the Council's financial constraints and is addressed in a number of the draft policies and recommendations that allow us to effectively cap expenditure for managing existing provision, where possible reduce open space provision that is of low quality and low value and decline proposals for the Council to adopt new open spaces.

2.8 The key conclusions are:

- There is sufficient provision of Council owned and managed open spaces across the seven open space typologies for the current population, with the exception of cemetery capacity.
- The focus for the next five years is on enhancing the quality of existing open spaces that were assessed as low quality but provide high value to the community, with particular attention to play areas where 1 in 3 of all Council current play areas are of low quality.
- A rolling programme to refurbish a number of play areas during the life of the strategy.
- To invest at least £100,000 per year for 5 years on other existing open spaces through section 106 developer contributions held in reserves, supplemented where possible by securing grant funding.
- A small number of sites that were assessed of being low quality and low value should be considered as redundant and disposed of or repurposed using the standard assessment, proximity to other sites and nationally recognised criteria
- The provision of new spaces associated with development/housing sites as set out in the Local Plan will address the expected demand for the next five years.
- Additional public space provision associated with new developments across the Borough will not be adopted by the Council for ongoing maintenance and management, unless there is an overwhelming case to

provide a strategic new open space or the protection of important natural habitat and biodiversity.

- Developers will be responsible for funding the required open space provision related to future new development and put in place arrangements for funding the ongoing maintenance of the open space

2.9 These proposals are embodied in seven recommendations (a-g) as set out in of the draft strategy section 2.4 'Open Space Assessment Recommendations' and the supporting strategy action plan in section 2.5

3 Proposal

3.1 Members discuss and note the Draft Open Spaces and Play Strategy 2017-2022 including its assessment recommendations:

- a) *Ensure low quality sites with a high community value are prioritised for future enhancement.*
- b) *Ensure all sites assessed as high for quality and value are protected.*
- c) *Destination (Strategic) sites should be recognised through protection and enhancement.*
- d) *Recognise types of open space that are surplus to requirements and/or those of low quality and value and determine their future use using the criteria set out in the technical assessment data and national standards.*
- e) *The need for additional cemetery provision should be led by demand rather than population calculations.*
- f) *The Council will no longer adopt future open spaces from developers and organisations unless there is an overwhelming case to provide a strategic new open space or the protection of important natural habitat and biodiversity.*
- g) *Promote alternative future management arrangements for open spaces*

3.2 Members approve taking the Draft Open Spaces and Play Strategy 2017-2022 out for final consultation as detailed in the report ahead of coming back for final adoption at Cabinet.

3.3 That the financial implications of the Strategy as set out in Section 3 in the strategy , be considered as part of the Council's overall Medium Term Financial Plan and Capital Budget proposals, against the total available resources.

4 Alternative Options

- 4.1 Members could choose not to have a Strategy. This is not a feasible way forward as to do so would mean that challenges could be made against the decisions of the planning committee and the Local Plan could be called into question. In turn this would reduce the possibility of securing developer contributions.
- 4.2 We could continue with the current out of date strategy. This would also open the Council up to challenge, given the Local Plan is required to be based on robust and up to date evidence bases.
- 4.3 The Council could consider a radical approach to generate ongoing revenue savings and possible one off capital receipts by heavily reducing the current open space provision through closure and disposal and a reduction in the overall level of maintenance undertaken. The recent Government review of Parks highlighted the fundamental role they play in building communities so this option would appear to contradict that and our Corporate plan.

5 Consultation Undertaken or Proposed

- 5.1 Following Cabinet's consideration of the draft strategy, the document will be published on the Council's website for a period of six weeks and comments invited from ward Councillors, residents and relevant agencies via an online survey.
- 5.2 The draft Strategy will also be sent to the Policy Development and Review committee.
- 5.3 The final strategy will be adopted by Cabinet, reflecting the range of comments received.

6 Implications

Issue	Implications
Corporate Plan	<p>Priority Theme One: A Borough To Be Proud of</p> <p>A borough which is noticeably clean and well maintained, in which the natural and built environments are respected, conserved, and enhanced for future generations. Facilities for residents and visitors alike.</p> <p>Priority Theme Two: A Community to be Proud of</p> <p>A community in which everyone plays their part in maintaining their own physical and mental wellbeing through healthy lifestyle choices, but where people have easy access to world-class healthcare when things go wrong</p>
Financial, Resource and Property	<p>The Grounds Maintenance Contract value for 2017/18 is £1,231,991.64 and is the main expenditure relating to maintaining the open spaces. The open spaces budget also covers the staffing required to manage the service and on-going investment and totals £496,880 for 2017-18.</p>

	<p>The table below shows a five year financial plan to fund improvements in open spaces utilising section 106 developer contributions</p> <table border="1"> <thead> <tr> <th>year</th> <th>2018/19</th> <th>2019/20</th> <th>2020/21</th> <th>2021/22</th> <th>2022/23</th> </tr> </thead> <tbody> <tr> <td>Open Spaces Capital Cost (justification of this investment as detailed in strategy section 3)</td> <td>£100,000</td> <td>£100,000</td> <td>£100,000</td> <td>£100,000</td> <td>£100,000</td> </tr> </tbody> </table> <p>Capital improvements for play areas will be put forward as part of the annual budget setting process.</p> <p>The proposals in the strategy will be managed within the existing staff resource as the current Transformation work across the Leisure team is expected to generate service efficiencies which will absorb work relating to the proposed play area improvements programme.</p>	year	2018/19	2019/20	2020/21	2021/22	2022/23	Open Spaces Capital Cost (justification of this investment as detailed in strategy section 3)	£100,000	£100,000	£100,000	£100,000	£100,000
year	2018/19	2019/20	2020/21	2021/22	2022/23								
Open Spaces Capital Cost (justification of this investment as detailed in strategy section 3)	£100,000	£100,000	£100,000	£100,000	£100,000								
Legal and Statutory	<p>The provision of Parks and open spaces is not a statutory function but the service helps to contribute to many other statutory functions.</p> <p>The Local Plan is a statutory document covered by The Town and Country Planning (Local Planning) (England) Regulations 2012 and Planning and Compulsory Purchase Act 2004 (and subsequent revisions). The Open Spaces and Play Strategy provides an important evidence base for the Local Plan on which planning decisions are made.</p>												
Crime and Disorder	<p>Open spaces and the assets within them are increasingly susceptible to vandalism adding to the annual maintenance costs. Improving quality and encouraging community ownership of these spaces through volunteering will help to reduce this.</p>												
Environmental Sustainability	<p>Allotments provide production of local produce reducing food air miles.</p> <p>The Strategy encourages important habitat and biodiversity. Open Spaces and woodland reduce CO2 emissions and are particularly important for protected species including migrating birds.</p>												
Health and Wellbeing	<p>The provision of open spaces provides proven health benefits for both physical and mental well-being. There are a wide array of community groups accessing open spaces such as sports and recreation facilities, outdoor gyms, multi-use games areas</p>												
Risk Management and Health and Safety	<p>The Council is required to meet its obligations on Health and Safety. Insurance claims relating to trips and falls in open spaces or accidents relating to faulty play equipment would be at risk of increasing if we reduced maintenance or left sites to decline in quality.</p>												
Equality and Diversity	<p>The Strategy aims to provide facilities for all residents in the Borough. Improving the variety and quality of open spaces will allow more people to use them. This is a general high-level strategy rather than a detailed assessment of the ongoing</p>												

	value of any individual site. While there could be potential for different impacts on groups with different personal characteristics, the lack of specificity at this stage makes a general equality impact assessment inappropriate. However, any individual decisions to reduce or remove open spaces/play areas will have equality considerations, including individual equality impact assessments, built into the decision-making process.
Privacy and Data Protection	No implications at this stage

7 Appendices

The following documents are to be published with this report and form part of the report

- Appendix I: *Draft Open Spaces and Play Strategy 2017-2022*

8 Background Papers

n/a

This page is intentionally left blank

SWALE BOROUGH COUNCIL

OPEN SPACES & PLAY STRATEGY 2017 – 2022

CONSULTATION DRAFT

SWALE BOROUGH COUNCIL

OPEN SPACES & PLAY STRATEGY 2017 -2022

DRAFT (The Strategy)

CONTENTS	PAGE
Section 1: Introduction and Executive Summary	
Foreword: Councillor David Simmons. Cabinet Portfolio Holder Environmental and Rural Affairs	3
1.1 Introduction	3
1.2 Definition of Open Space	4
1.3 Typologies of Open Space	4-5
1.4 Executive Summary	5-6
1.5 Purpose	6
1.6 Vision	6
1.7 National Planning Policy for open spaces	7-8
1.8 Swale Strategic Context	9
1.9 Local Plan	10-12
1.10 Local Green Spaces	12-13
Section 2: The way forward	
2.1 Technical Assessment report summary	13-14
2.2 Open space challenges	14
2.3 Play Areas - Future Provision	14-17
2.4 Open Space Assessment Recommendations	17-19
2.5 Strategy action plan	19-20
Section 3: Funding	
3.1 Council funding	20-21
3.2 Community Asset Transfer	21
3.3 Open Spaces Contribution costs	21-22
Appendices:	
Appendix A. Council play area criteria	23

Foreword:

I am pleased to present the revised Open Spaces and Play Strategy for the Borough of Swale.

The Strategy shows how the Council, with the support of partners and residents, will protect, enhance and maintain our fantastic open space assets over the next five years.

The Strategy is the culmination of a range of inspections and assessments undertaken over the last year. It provides an important evidence base and sets out how we will make decisions on our open spaces sites. It supports the Swale Local Plan: Bearing Fruits 2031 and helps to ensure we have enough spaces and that the quality is maintained.

Formal parks and gardens, informal residential open spaces, playgrounds, allotments, coast line and other natural habitats play an important role in a community and can greatly benefit the health and well-being of the population. They provide opportunities for formal sport, play or simply a place to meet with friends and neighbours.

I would like to send special thanks to the many people who volunteer in our open spaces to provide activities or to help keep them looking good.

Councillor David Simmons.
Cabinet Portfolio Holder Environmental and Rural Affairs

Section 1: Introduction and Executive Summary

1.1 Introduction

The strategy is for the borough of Swale. It was prepared in 2017 and sets out how the Council plans to protect, manage and enhance its open spaces over a five year period.

The strategy will be reviewed annually and updated every five years to harmonise with Local Plan revisions. The strategy has been prepared by Swale Borough Council with technical assistance from Knight, Kavanagh & Page Ltd in preparing the space audit and assessment.

1.2 Definition of Open Space

The principle of public access lies at the heart of this emerging open space strategy. Therefore, for the purpose of this strategy, open space is defined as:

Public open space which provides:

- generally unlimited free public access;
- genuinely useable open space for people; and
- Accessibility over the great majority of the open space.

This strategy does not include open space which is provided as private or paid for provision, e.g. playing fields within school grounds, golf courses and private estate gardens. It also does not include incidental areas, such as verges or streets (unless defined as part of a civic open space or other typologies below) or areas of land with the sole purpose of protection of wildlife without public access.

1.3 Typologies of Open Space

The use of the term ‘open space’ is generic; in reality it covers a range of types. For the purpose of this strategy and for the completed audit of the existing Council owned open space, the following typologies have been defined by the primary use:

Typology	Description	Example
Parks and Gardens	Large areas of open space, the majority of which will be publically accessible, close to public transport links and provide a range of facilities and features offering recreational, ecological, landscape, cultural or green infrastructure benefits. These open spaces may also include areas for water recreation	King Georges Playing Field Sittingbourne
Natural / Semi-natural Greenspace	Informal and natural green space provides the opportunity to promote meaningful and safe recreation. This open space typology covers a wide range of uses, including woodland areas, wetland areas, heath-land Meadow and water recreation spaces	Milton Creek Country Park
Green Corridors	Relatively continuous areas of ‘The Green Open Spaces’ leading through the Swale area which may include spaces of water recreation.	Mid Kent Downs
Outdoor Sports & Playing pitches	Outdoor sports space includes all formally laid out sport and playing pitches for a number of different sporting activities (including rugby, football, netball, hockey, tennis and basketball). This does not include indoor sports provision or facilities.	King Georges Playing Field Faversham
General Amenity greenspace	Most commonly (but not exclusively) in residential areas including informal recreation spaces, green space in and around housing, village greens. This may also include areas for water recreation.	Village Green Bapchild
Play areas	This covers provision for children and teenagers, and includes play areas, skateboard parks, MUGA’s, and other more informal areas (for example teenage	Thistle Hill Play Area

	shelters, kick walls). This typology typically sits within other open space typologies such as General Amenity or Strategic Parks.	
Cemeteries, closed church yards and other burial grounds	Publically accessible cemeteries, churchyards and closed churchyards /cemeteries.	Faversham Cemetery

These categories are not always mutually exclusive. For example, a Green Corridor can contain informal kick about and play space and most typologies can contain significant provision for wildlife.

1.4 Executive Summary

Open Spaces enrich the quality of our lives and contribute towards healthy living. They help define and add to the character of a place as well as provide vital green infrastructure for wildlife, biodiversity, water, tranquillity, recreation, play, food production and off road pedestrian and cycling routes.

Swale’s stunning and distinctive environment is one of the Borough’s greatest assets. It includes an outstanding range of internationally and nationally important landscapes, focusing on the extensive grazing marshes, mudflats and saltmarshes of the Swale estuary, but also including wetlands, chalk downland and ancient woodland.

Swale currently enjoys a wide range of Open Spaces across its urban, rural and coastal environment. It has the benefit of existing wildlife sites, protected landscapes and a network of accessible countryside. It also has the benefit of having many organisations and groups of people active in the community who take great interest in their current and future local environment.

This Strategy attempts to focus on what’s important for Swale’s Open Space provision for the next 5 years in consideration of previous studies and strategies, recent audits, consultation and the adopted Swale Borough Local Plan (2017).

The key conclusions and proposals are:

- There is sufficient provision of Council owned and managed open spaces across the seven open space typologies for the current population, with the exception of cemetery capacity.
- The focus for the next five years is on enhancing the quality of existing open spaces that were assessed as low quality, with particular attention to play areas where 1 in 3 of all Council current play areas are of low quality.
- A rolling programme to refurbish a number of play areas during the life of the strategy.

- To invest at least £100,000 per year for 5 years on existing open spaces through section 106 developer contributions held in reserves supplemented where possible by securing grant funding.
- A small number of sites that were assessed of being low quality and low value should be considered as redundant and disposed of or repurposed, using the standard assessment and nationally recognised criteria.
- The provision of new spaces associated with development/housing sites as set out in the Local Plan will address the expected demand for the next five years.
- Additional public space provision associated with new developments across the Borough will not be adopted by the Council for ongoing maintenance and management, unless there is an overwhelming case to provide a strategic new open space or the protection of important natural habitat and biodiversity.
- Developers will be responsible for funding the required open space provision related to future new development and put in place arrangements for funding the ongoing maintenance of the open space

1.5 Purpose

The strategy has been prepared to:

- Provide a sound body of evidence for supporting open space policies within the Local Plan;
- Identify key opportunities and strategic imperatives, plan for the delivery of improvements to existing open spaces and new open spaces triggered by development; and
- Provide a working document that sets standards for open space provision in terms of quantity, quality and accessibility, and a process for regular and future review.

1.6 Vision

The strategy is seen as a continuation of the good work prepared and being implemented by many organisations and individuals across the Borough. It is aimed to give a strategic and policy direction in relation to Public Open Space provision against predicted population growth.

The overarching vision of the strategy and its recommendations follow 4 guiding principles:

1. Protect the Council's existing open space network
2. Provide spaces to encourage a healthy community
3. Focus on enhancing/improving the quality of key open spaces
4. Promote the benefits open space has for people living and visiting Swale and enriching the biodiversity for wildlife.

1.7 National Planning Policy for open spaces.

The National Planning Policy Framework (NPPF) 2012

The NPPF set out the Government's planning policies for England, and how these are expected to be applied. In relation to the provision of public open space the NPPF states:

"...The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities..."¹ and that "Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities."²

Planning policies and decisions should promote:

"safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas."³

And the NPPF requires that:

"Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision are required."

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."⁴

The NPPF also make specific reference to biodiversity and geodiversity:

¹ National Planning Policy Framework – Promoting healthy communities, 69

² National Planning Policy Framework – Promoting healthy communities, 73

³ National Planning Policy Framework – Promoting healthy communities, 69

⁴ National Planning Policy Framework – Promoting healthy communities, 73-74

“To minimise impacts on biodiversity and geodiversity, planning policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries;
- identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;
- promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;
- aim to prevent harm to geological conservation interests; and
- where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas.”⁵

The NPPF also details “three dimensions to sustainable development: economic, social and environmental”⁶. These dimensions have provided a framework and shaped the approach to assessing public open space.

PPG17 Planning for Open Space, Sport and Recreation

This document, which was current at the time of the preparation of the Swale Borough Council Local Plan 2000, has now been replaced by the NPPF. However, the specific requirement of PPG17 for an open space audit is considered good practice by the borough Council. A new open space audit has therefore been undertaken to accompany this strategy and to inform the planning of the Council’s priorities for management of its existing open spaces. The approach of the audit has considered guidelines and recommendations within PPG17.

Accessible Natural Green Space Guidance NE265, Natural England 2011

NE265 is the latest review of work begun by Natural England in the early 1990s to establish standards for accessible natural green space. The Guidance retains Natural England’s existing Accessible Natural Green Space Standards (ANGSt). The standards are non-statutory but are very widely accepted as representing an ideal quantitative and qualitative standard which should be used to inform the provision of natural open space in new developments and the management of existing open space.

The Strategy will have due regard for the guidance and will achieve access to natural green space in new residential areas through the provision of an extended green

⁵ National Planning Policy Framework – Promoting healthy communities, 117

⁶ National Planning Policy Framework – Promoting healthy communities, 7

corridor network which will provide small natural areas close to homes and off-road connections to larger natural green spaces

1.8 Swale Strategic Context

This Strategy supports the aims of the Swale Corporate Plan 2015-2018 with links to each of the three priorities – A Borough to Be Proud of, A community to be Proud of and a Council to be Proud of.

The Strategy (and supporting technical assessment) will provide an evidence base for open space policy within the Swale Borough Local Plan 2031.

The Open Space and Play Strategy is informed by the Playing Pitch Strategy 2016 - 2026 and previous Play Strategy of 2007-2012. There are two action plans addressing the local natural environment and biodiversity: Swale Green Grid Framework 2016¹ and the Biodiversity Action Plan 2016.



1. Green Grid is a strategic, joined up approach to land management. It focuses on the relationship between green spaces and the communities they serve and aims to maximise the potential multi-functional benefits of a well-designed public realm.

1.9 Local Plan

Bearing Fruits 2031: The Swale Borough Local Plan 2017

Bearing Fruits 2031, The Swale Borough Local Plan 2017, is the most important planning document for the borough, setting out the vision and overall development strategy for the area and how it will be achieved for the period from 2014-2031. It identifies where development will take place and how the natural environment and built heritage of the borough will be protected and enhanced.

It allocates major sites and locations for housing and employment to meet the needs of our growing population and in accordance with national planning policy and practice.

There are a number of policies which relate to the protection and future provision of sport and open space. These include Policy CP5: Health and Wellbeing, Policy CP7: Conserving and enhancing the natural environment - providing for green infrastructure, Policy DM17: Open Space, Sports and Recreation provision and Policy DM18: Local Green Spaces as set out below:

Policy CP 7

Conserving and enhancing the natural environment - providing for green infrastructure

The Council will work with partners and developers to ensure the protection, enhancement and delivery, as appropriate, of the Swale natural assets and green infrastructure network and its associated strategy

Development proposals will, as appropriate:

1. Recognise and value ecosystems for the wider services they provide, such as for food, water, flood mitigation, disease control, recreation, health and well-being;
2. Protect the integrity of the existing green infrastructure network as illustrated by the Natural Assets and Green Infrastructure Strategy Map, having regard to the status of those designated for their importance as set out by Policy DM25 and Policy DM29;
3. Where assessment indicates that it is necessary to enhance and extend the network (including when management, mitigation and/or compensatory actions are required to address adverse harm), be guided by the Green Infrastructure Network and Strategy Map, prioritising actions toward identified Biodiversity Opportunity Areas;
4. Ensure that there is no adverse effect on the integrity of a SAC, SPA or Ramsar site, alone or in combination with other plan and projects, as it would not be in accordance with the aims and objectives of this Local Plan;
5. Require the completion of project specific Habitats Regulations Assessment, in accordance with Policy DM28, to ensure there are no likely significant effects upon any European designated site.

For residential sites within 6km of an access point to any of the North Kent Marshes, development must contribute to its Strategic Access Management and Monitoring

Strategy;

6. Contribute to the objectives of the Nature Partnerships and Nature Improvement Areas in Kent;

7. Make the enhancement of biodiversity and landscape as their primary purpose;

8. Promote the expansion of Swale's natural assets and green infrastructure, including within new and existing developments, by:

a. delivering a high standard of design quality to maximise the social, economic, health and environmental benefits of green infrastructure;

b. providing a focus for social inclusion, community development and lifelong learning;

c. taking into account the guidelines and recommendations of relevant management plans and guidance, Biodiversity Action Plans and Supplementary Planning Documents;

d. contributing to the protection, conservation and management of historic landscapes, archaeological and built heritage assets;

e. achieving, where possible, a net gain of biodiversity;

f. providing new recreational facilities in accordance with Policy DM17, exploiting opportunities to link urban and countryside areas and to create new footpath and cycle links;

g. taking account of and integrating with natural processes, such as flood risk and utilising sustainable urban drainage; and

h. including proposals to 'green' existing and proposed developed areas by increasing opportunities for nature in domestic gardens, streets and buildings, including street trees and in and around formal open spaces and sports provision.

Policy DM 18

Local green spaces

Sites are designated as Local Green Spaces, as shown on the Proposals Map.

Within designated Local Green Spaces planning permission will not be granted other than for:

1. The construction of a new building for one of the following purposes: essential facilities for outdoor sport or recreation, cemeteries, allotment use, or other uses of land where preserving the openness of the Local Green Space and not conflicting with its purpose;

2. The re-use or replacement of an existing building, provided the re-use does not include any associated uses of land around the building which might conflict with the openness of the Local Green Space or the purposes of including land within it; and

3. The carrying out of an engineering or other operation or the making of any material change of use of land, provided that it maintains the openness and character of the Local Green Space.

Local Plan Review

An early review for the Local Plan was acknowledged as necessary by the Inspector. This is partly as a result of Kent County Council Highways concerns over the local highway network capacity to accommodate growth to 2031. The timescale the Inspector has recommended for adoption of a review is April 2022. This would require a quick update to this Open Spaces Strategy to ensure any needs arising out of new housing allocations will be highlighted through the Local Plan review process.

BIRDS (Known as Strategic Access Management and Monitoring Strategy)

Local Authorities across North Kent have joined Natural England and other agencies and organisations within the North Kent Environment Planning Group to identify the impacts of recreational disturbance on SPA birds. Designated European Wildlife Sites in North Kent include three Special Protection Areas (SPAs) and Ramsar sites: the Thames Estuary and Marshes SPA and Ramsar site, the Medway Estuary and Marshes SPA and Ramsar Site, and the Swale SPA and Ramsar Site.

There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The [North Kent Bird Disturbance Report](#) concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the [Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy](#). Having considered a number of options, North Kent Planning Authorities have imposed a tariff on new housing development. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

1.10 Local Green Spaces

The National Planning Policy Framework states that Local Plans should be able to identify Local Green Spaces for special protection. By designating these spaces the Council will be able to protect them from development and ensure their retention for enjoyment by the local community. It explains that spaces to be designated will be of particular importance and demonstrably special to local communities because of, for instance, their recreational value and tranquillity, heritage or biodiversity value.

Local Green Space designations differ from Village Green registration which is handled by Kent County Council under separate legislation that is outside the remit of national planning policy and the Local Plan.

The Council has undertaken an assessment of potential Local Green Spaces against defined criteria and this is published separately in Local Plan Technical Paper No. 2. The 111 designated sites in question have, for the most part, been put forward by

local communities themselves and have been the subject of specific consultation with landowners and occupiers. The areas represent a wide diversity of types, ranging from coastal cliff tops, allotments and recreation grounds through to private country parks, urban woodland and informally used urban fringe land.

The sites designated as Local Green Spaces are shown on the Proposal Maps. Policy DM18 can have no direct influence on the management of these sites, although clearly the Borough, Parish and Town Councils wish to see their current usage continue. However, Policy DM18 will be used to preserve these Local Green Spaces and proposals for development which would conflict with the purposes of designating the land will not be permitted, other than in very special circumstances.

The designated sites can all be viewed in chapter 9 of the Local Plan <http://services.swale.gov.uk/meetings/documents/s7987/FULL%20COUNCIL%2026%20JULY%20Local%20Plan%20Item%20Appdx%201%20Bearing%20Fruits%202031%20The%20Swale%20Borough%20Local%20Plan.pdf>

Section 2: The way forward

2.1 Technical Assessment Report summary

The technical assessment report of the Council's Open spaces was completed by the Council assisted by the detailed audit work of the appointed consultants, Knight, Kavanagh & Page Ltd.

The technical report has addressed what open space provision exists in the Borough, its condition, distribution and overall quality by using standard assessment methodology developed for Planning Policy Guidance 17 (PPG17), aligned with the new National Planning Policy Framework (NPPF).

The audit and assessment of the existing open space in report is broadly focused on three primary considerations:

- Quantity
- Quality
- Value

There is also an audit of accessibility by applying national distance standards based on proximity of open space types to nearby conurbations.

The aggregated audit results summarised the information by typology, identifying deficiencies by quality and value to enable a grading assessment for each open space as high, adequate or low. It also considers previous audits, studies and reviews such as the Open Space Study 2008 and the Play Strategy 2007-2012.

The accumulated information led to the seven recommendations as set out below in section 2.4 'Open Space Assessment recommendations' and will also help the Council prioritise investment and provision over the next five years and the required revisions of the Local Plan.

2.2 Open space challenges

Improving the quality of the open space infrastructure has been, and remains, one of the Council's top priorities. However, stretched financial resources have led to increasing pressure to reduce Council spending generally.

This has brought about a need to re-assess the costs of maintaining these spaces and the way they may be managed in the future. This generates choices in whether the Council continues managing poor quality spaces that currently offer limited value to a local community.

There may well be some tough decisions to be made in order to achieve the high quality, safe, clean and sustainable open spaces that we aspire to. We will keep residents regularly informed so there is a shared understanding of the Council's intentions and objectives.

The evidence prepared for the Strategy helps steer where to apply these themes and how they may be implemented.

Recommendations in 24 provide more detail. The recommendations will be refined and rationalised following further consultation and testing against the evidence. There is a great potential to help strengthen Swale's Open Space provision by giving a series of interrelated actions that are all working towards the same goal.

2.3 Play Areas: Future Provision

One of the key open space typologies is play areas.

This section sets out future direction for play development and maintenance of play areas within SBC, taking into consideration national guidance and local provision based on the assessment work undertaken by the Council's consultants in assessing quantity, quality, access and type.

It also acknowledges the largest population increase for Swale when compared with all the Kent Council areas both in real and percentage terms, between 2015 and 2016 with further predicted growth, increasing by an additional 2,600 people (+1.8%), of which 24.6% are expected to be aged 0-15 years.

The previous strategy considered Children and Young People's play provision which focussed on informal and formal opportunities for 0-18 year olds. Since then there has been a wider focus on outdoor exercise provision for adults with the introduction

of outdoor gyms in the borough's open spaces to help promote improved health and increasing fitness.

The strategy aimed amongst other things;

- To acknowledge the importance of play for children and young people both for themselves and for communities in general.
- To identify the work of all agencies involved in providing play opportunities children and young people to assist in developing a co-ordinated approach, identifying gaps in provision and reducing duplication.
- To make effective use of funding, including but not limited to that available through the Children's Play Initiative.
- To ensure that sustainability is built into children's play provision in the longer term.
- To improve children's access to safe place to play and socialise.
- To provide more and better local and inclusive opportunities where they are most needed, evidenced by the results of audits and community engagement.
- To improve public open spaces as an environment to play.

This report suggests that the future strategy continues the ethos of the previous strategy whilst understanding the constraints of the current financial climate. National funding streams have dwindled and internal maintenance budgets are being stretched alongside contributions from developments.

The assessment audit identified 101 play sites across the Borough, of which the Council manages 79 sites, with the remaining 22 play sites in the borough managed by a range of organisations such as parish councils, housing associations and developer led management organisations. These sites all add to the offer but do not impact financially or on the resources of SBC.

In addition the Council also manages a number of skate parks, multi-use games areas, 9 outdoor gyms and also coordinates the design and commissioning of new play areas, predominantly funded through developer contributions. The Council is currently coordinating and funding a new £300,000 skate park as part of the Mill project in Sittingbourne.

Zurich Municipal inspects the Council managed play areas annually and give an independent assessment of quality and identify any risks that the Council need to consider. Throughout the remainder of the year the operational staff and the Council's Open Space contractor also carry out regular inspections.

Our intention is to provide quality facilities for play despite increasing financial difficulties. In order to ensure this, it is proposed there are two standards of playground:

Flagship Play Sites (NEAPs¹) – that SBC provides a flagship play site in each of the main conurbations, Sittingbourne, Sheppey and Faversham. These will be top quality ‘destination’ facilities that people would travel further for and are aimed at providing variety for all age groups 0-18 years. The focus will not be solely on children’s play but look to new and innovative approaches to engaging teenagers/older youths.

Local Standard Play Areas (LEAPs¹) – the rest of the existing play areas have been assessed on quality and value, what elements are safe and fit for purpose and the quantity of sites within the standard walking catchments. They will be maintained to a safe standard suitable for the basic use of play e.g. swing, climb, and slide.

Appendix A sets out the criteria for these play area types

¹ LEAP play areas are a medium size facility of approx 500-1000m². The main difference between a LEAP and NEAP playzones is that even though both are designed for children to play on, the NEAP park area also has an area for kickabout soccer which is usually designed to be a MUGA multi use games area.

Youth sport and play sites – where existing facilities remain in good condition; the intention would be to keep multi-use games areas, basketball hoops, football goal ends, and outdoor gyms skate parks in the current locations.

The total budget for playground repairs and the replacement of equipment for the council’s 79 play sites, including vandalism costs, is £40k annually.

Major external funding programmes such as the Big Lottery Children’s Play Initiative have disappeared and it is increasingly harder to get the amount of capital needed for full playground replacement.

While developer contributions provide for new play areas to be created and then adopted by the Council including a commuted sum for ten years of maintenance, the Council inherits the ongoing maintenance liabilities from year 11.

To address the need to improve the overall quality of play areas managed, the Council will explore:

- capital budget proposals for a programme of upgrading a number of play areas for consideration alongside the Council’s overall Medium Term financial Plan and the total available resources.
- Disposal of redundant or low quality and low value sites.

There are a small number of play areas identified in the assessment as low quality and low value which need to be considered for disposal using the criteria set out in the technical assessment data, the catchment area and proximity to other play areas

and national standards. Approving the disposal of a specific site will be authorised through a delegated decision to the Cabinet Portfolio Member Environment and Rural Affairs.

The annual strategy refresh will include analysis of the other identified low quality low value sites to consider a priority order for refurbishment or in a small amount of cases possible closure.

Poor maintenance of equipment or lack of money to replace ageing stock can lead to legal implications and/or insurance claims from members of the public. SBC has a responsibility for play areas in the same way as all public open spaces.

2.4 Open Spaces and Play Strategy Recommendations

The following section provides a summary on the key findings in the application of the quantity, quality and accessibility standards. It incorporates and recommends what the Council should be seeking to achieve in order to address the issues highlighted.

Recommendation a)

- ◀ ***Ensure low quality sites with a high community value are prioritised for future enhancement***

The policy approach to these sites should be to enhance their quality to the applied standards (i.e. high quality). This is especially the case if the site is deemed to be of high value to the local community. Therefore, they should initially be protected, if they are not already so, in order for their quality to be improved.

The open spaces assessment document identifies those sites that should be given consideration for enhancement if possible.

Recommendation b)

- ◀ ***Ensure all sites assessed as high for quality and value are protected***

Sites within this category should be viewed as being key forms of open space provision. The quality and value matrix in the Open Spaces assessment document identifies those sites rating high for quality and value.

Recommendation c)

◀ ***Destination (Strategic) Sites should be recognised through protection and enhancement***

There are a number of sites across Swale with strategic multi-functional roles which serve a large part or whole of the Borough. These 'destination' sites provide a wide range of diverse opportunities associated with several different forms of open space which users are willing to travel greater distances in order to access. Sites considered as 'destinations' in Swale include:

- ◀ Bartons Point Coastal Park
- ◀ Leysdown Coastal Park
- ◀ Perry Wood
- ◀ Milton Creek Country Park
- ◀ Oare Gunpowder Works Country Park

Such sites currently help to meet the identified 'catchment gaps' in the provision for other open space typologies. The Council should seek to ensure the role and quality of these sites through continued enhancement so providing a diverse range of features. This is in order to provide a stronger secondary role and will also help to minimise the need for new provision when considering gaps in catchment areas.

Recommendation d)

- ◀ ***Recognise types of open space that are surplus to requirements and/or those of low quality and value and determine their future use using the criteria set out in the technical assessment data and national standards.***

For sites identified as having an oversupply for the current/future population or those being of low value and/or low quality (as shown in the open space assessment document), a decision on their future use needs to be made. If no improvements can be made, no shortfall in other open space typologies is noted, or it is not feasible to change the primary typology of the site, then the site may be redundant/ 'surplus to requirements'. Options for disposal or repurposing should be considered.

Recommendation e)

- ◀ ***The need for additional cemetery provision should be led by demand rather than population calculations***

No standards have been set for the provision of cemeteries. Instead provision should be determined by future projected demand for burial space.

The Assessment Report highlights there are currently only 10 years of burial capacity across Swale and given the complexities of securing and preparing suitable land this policy seeks to set a policy of having 20 years burial capacity. The need for

additional burial space is therefore a key objective for the Council to identify an appropriate new site.

Recommendation f)

The Council will no longer adopt future open spaces from developers and organisations unless there is an overwhelming case to provide a strategic new open space or the protection of important natural habitat and biodiversity.

The Local Plan identifies additional new open space provision requirements to support new housing developments, traditionally funded by developer contributions. The Council will encourage developers to fund and create quality open spaces and also provide management arrangements for the ongoing upkeep and provision of the publicly accessible spaces. This can be through either direct developer management or legal transfer to a local community association or Trust supported by a commuted sum, funded by the Developer.

The Council will also pursue the principle of sustainability in enhancing our existing open spaces by seeking developer contributions towards such existing facilities that are in close proximity to new developments as detailed in section 3.3 of the strategy

Recommendation g)

◀ *Promote alternative future management arrangements for open spaces*

The national review of Parks undertaken by the Government select committee in 2016/17 provided discussion around different types of management models for public open spaces. This recommendation encourages Swale Borough Council to look at sites and models that may work locally. This links strongly to our Community Asset Transfer policy which is outlined later in this document. Focus will be on more efficient ways of managing or attracting new income to reduce down the financial burden on public money.

2.5 Strategy Action Plan

The development of an action plan provides a baseline of proposed outputs and targets that will be reviewed annually.

- a. To invest at least £100,000 capital spending per year for 5 years on existing open spaces through developer contributions, grants, capital works and disposals.
- b. To achieve 3 Green Flag parks and open spaces in the next 5 years.
- c. To explore funding for a rolling programme of upgrading play areas, to be considered as part of the Council's overall Medium Term Financial Plan

- d. To review our open space portfolio and identify relevant sites for investment, disposal or alternative uses by April 2018, linked to our successful programme of Community Asset Transfer.
- e. To actively promote our open spaces in partnership with other agencies and voluntary groups as places to sustain and improve health and wellbeing.
- f. To increase the amount of open space under a wildlife management regime by 5 hectares by December 2020.
- g. To increase community involvement in open space management by providing support to new or existing community groups.
- h. To ensure actions in relation to Local Plan Policy DM 17 are put in place to protect existing open space and private playing fields , to help negotiate new open space in future housing developments and to continue the designation of Local Green Space across the Borough.
- i. Look at new methods of operation and potential commercial ventures to help meet the ongoing cost of maintaining open space facilities

3: Funding the improvements

3.1 Council funding

The Council does not have unlimited budgets for open space management and improvement. Careful consideration must be given to ensure that any works carried out to open spaces are affordable and sustainable in the long term.

The strategy acknowledges that even though funding is limited, there are still opportunities for the Council, working with partners and volunteers, to deliver safe, active, and well managed spaces. New methods of operation and potential commercial ventures will also explored to help meet the ongoing cost of maintaining open space facilities.

As identified in section 2.3 'Play Areas: Future Provision', we will consider capital funding for a rolling programme to upgrade play areas to help address the under investment in play areas and raise the quality and value.

To invest at least £100,000 per year for 5 years on existing open spaces through 'section 106' developer contributions held in reserves and securing external grant funding. A proportion of the funds will be allocated for enhancements to the Destination sites as listed in Recommendation 3.

The allocated sums will greatly assist officers in leveraging additional match funding or contributions from external bodies such as charities, town and parish councils and community groups.

3.2 Community Asset Transfer

Community Asset Transfer (CAT) is a shift in management and/or ownership of land or buildings from public bodies (most commonly local authorities) to communities (community and voluntary sector groups, community enterprises, social enterprises etc.).

The Council recognises the value of enabling local community partners to take more responsibility for local assets, a process which can help to bring in external funding for its sites. With suitable safeguards in place, this can bring real benefits to both residents and the Council. The Council's CAT policy aims are:

- i. Sustain viability and improve service provision;
- ii. Deliver sustainable solutions that are accepted, agreed, 'owned' and driven by the local community;
- iii. Increase the number of local people helping to run or own local services or assets;
- iv. Realise wider community benefits such as increased levels of volunteering, social capital and civic participation; and
- v. Improve the leverage of external funding into the local area through increased funding opportunities, encouraging economic development, and social enterprise activity.
- vi. Transfer options can range from freehold, a long lease, a shorter lease or a licence to occupy. However, for most transfers, where grants or loans are sought for capital development, the length of tenure will need to be long enough to secure external investment. Therefore, community asset transfer is usually taken to mean a long lease of up to 125 years but in certain circumstances the period can be shorter.

The full policy can be viewed on the Council's website:

<http://archive.swale.gov.uk/assets/Strategies-Plans-and-Policies-2014/Community-Asset-Transfer-policy-Nov-2014.pdf>

3.3 Open Spaces Contribution Costs

This strategy determines quantity and quality of provision not only of the existing facilities in each open space typology, but also the requirement for any provision provided as part of new development within the borough.

Commuted Sum for Maintenance

Recommendations 6 & 7 identify that the Council will only seek to adopt new open space where it is of strategic importance or for the protection of important natural

habitat and biodiversity. Where this is applicable, the Council will seek a 10 year commuted sum to manage and maintain the land as accessible public open space.

The commuted sum is calculated based on typical grounds maintenance costs and includes a calculation that takes estimated account of both inflation and bank interest. If a play area is required and included on site an additional supplemental sum will be sought to cover the additional costs incurred.

The Commuted Sum - £235.00 per dwelling

Supplemental Play Area Commuted Sum - £57.00 per dwelling

Off-Site Contributions

There are sites where although open space is provided as part of the development, it is not appropriate for facilities such as play or formal sports facilities to be incorporated. This could be due to the scale of the development not generating appropriate areas of land or because there are adjacent facilities that with enhancement and increase in capacity can adequately cater for the increased population generated by new development.

While national information is not easily available to identify costs of all facilities, the contribution sums are calculated based on technical costs identified for example in Sport England's Facility Cost Guidance.

As such the Council will seek to collect appropriate contributions from developers where able, to increase capacity and quality to cater for the new communities.

Contribution for off-site formal sports - £593.00 per dwelling

Contribution for off-site play/fitness - £446.00 per dwelling.

Appendix A. SBC PLAY AREA CRITERIA

FLAGSHIP PLAY SITES:

A flagship play area should include the following items:

- **Innovative headline piece of equipment i.e. Viking ship, zip wire, L climbing wall etc.**
- **Play centre for all ages; 3-7, 8-14, 15+, 15-17, + adults.**
- **Multi-gym equipment or Multi-use games area**
- **Roundabout**
- Slide
- Swings
- Basket swing
- Rocker
- Perimeter fencing
- Ample seating area
- Picnic benches
- Bins
- Signage
- Wet pour safety surface throughout (not bark pit or safety matting)
- High population area (high footfall within 20 minutes walking distance)
- DDA specific play equipment - designed, installed and maintained with specialist equipment to ensure that disabled children and their parents can enjoy playing in a safe and stimulating environment.

LOCAL STANDARD PLAY AREA:

Adequate provision of equipment to provide play provision for lower usage which include:

- Swings (junior and baby)
- Slide
- Multi-frame climbing area
- Rocker
- Basic Seating
- Bins
- Signage
- Perimeter fencing where required (based on risk assessment)
- DDA compliant equipment where possible
- Equipment specific safety surfacing

This page is intentionally left blank

Cabinet Response to the Scrutiny Committee Recommendations

Agenda Item 8

Housing Services Review July 2017

Cabinet Member: Cllr Ken Pugh, Cabinet Member for Housing and Wellbeing

Lead Officer: Amber Christou, Head of Resident Services

Scrutiny Recommendations	Cabinet Response
A) Cabinet should consider what more the council can do to help housing associations to provide more affordable and social housing in Swale	Agreed. The council works in close partnership with these key organisations, meeting regularly, and supporting funding bids for their homes with the Homes and Communities Agency National Affordable Housing Programme. As the scrutiny committee review report confirms, the operating landscape of social housing providers is changing, and it has become more challenging for them to provide the level of affordable rented housing that is needed within the borough. Housing association Boards are now taking difficult decision to focus more greatly on shared ownership housing, than rented housing, due to viability of house building schemes and the requirement of the lenders. This does not accord with Swale local plan requirements, or the needs of local residents and this will be fully considered within the development of the upcoming housing and homelessness strategy for Swale.
B) Cabinet should consider ways to provide housing associations a closer role in planning application for housing development, e.g. by routinely consulting them.	Agreed. Housing associations partners are engaged in the development of the local plan, and consulted in all relevant planning policies as well as discussions on a site by site basis, as housing developments come forward. We will continue to seek additional ways to provide a closer role where possible and appropriate.
C). Cabinet considers whether it should make further capital investments into selective housing stock.	The Council has agreed an investment strategy for the Council that has two criteria; financial return and strategic impact particularly from a regeneration perspective. Further investment in housing stock does not meet those objectives and there are more cost effective ways of securing alternative

	accommodation that buying stock eg the Council's arrangement for use a number of Optivo properties. The main focus of the Housing Options team remains on preventing homelessness and thereby reducing the need for use of temporary accommodation.
D). Cabinet considers whether the council is doing enough to alleviate social housing pressures, and whether Swale should follow the lead of other councils and adopt a less risk averse approach to property acquisition.	Each Council is in a different financial position; for example some councils take no New Homes Bonus (NHB) into the base budget, which allows them to either buy properties direct or use the NHB to fund debt costs. This Council does take New Homes Bonus into the base and without that would have to find £2.7m of savings to fund this loss of funding annually. There is no scope within either the revenue or capital budget for further acquisition of properties.
E). That the housing team, supported by the Cabinet member for Housing and Wellbeing, bid for capital funding should any empty properties become available that Owners agree to let the council use.	Agreed. The Council supports owners and landlords to secure cost-effective loans to renovate properties to bring back to use with some success. If and when such properties become available, the council will take a proactive approach, including where possible bidding for funds to make best use of the property to meet local needs.
F. Cabinet should consider whether the residency criteria (i.e. living in Swale for four years out of five) in Swale's housing allocations policy is a help or a hindrance towards helping those in housing need, and if the latter, whether the policy should be reviewed	Agreed. With the soon to be implemented Homelessness Reduction Act, and recent case law affecting Reasonable Preference requirements the allocations policy does require a full review, and this will begin by December 2017.
G) That cabinet can be encouraged to write to the Secretary of State for communities and local government drawing attention to the severe pressure Swale was facing in housing homeless families	Agreed.

Cabinet Meeting		Agenda Item: 9
Meeting Date	4 October 2017	
Report Title	Isle of Sheppey Sailing Club – proposed Community Asset Transfer	
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance and Performance	
SMT Lead	Nick Vickers, Chief Financial Officer	
Head of Service	Anne Adams, Head of Property Services	
Lead Officer	Anne Adams, Head of Property Services	
Key Decision	No	
Classification	Open	
Forward Plan	Reference number:	
Recommendations	<ol style="list-style-type: none"> 1. That Cabinet agrees to enter into a new 125 year lease with the Isle of Sheppey Sailing Club, and 2. That agreement of the final terms of the lease is delegated to the Head of Property Services in consultation with the Cabinet Member for Finance and Performance. 	

1 Purpose of Report and Executive Summary

- 1.1 This reports sets out the Isle of Sheppey Sailing Club’s proposals to improve and expand its current operations and recommends that Cabinet approves the granting of a 125 year lease under the Community Asset Transfer Policy.

2 Background

- 2.1 The Isle of Sheppey Sailing Club has leased the building at Marine Parade, Sheerness from the Council since 1966. The current lease is due for renewal in 2026 and the Club has requested that, rather than wait for the expiry of the current lease, the Council considers granting a new lease for a longer term and incorporating greater flexibilities than those included in the current lease. They have submitted a costed development plan which supports this request.
- 2.2 The current annual rent is £2,600. As this is a purpose-built facility there is no comparable “market” rent so the rent level was assessed based on the Club’s ability to pay.
- 2.3 The current lease restricts the use to a Sailing Club or for related activities including fund raising functions held for the benefit of the club and its finances. Written consent

from the landlord is required for any other uses and it would be at the Council's discretion whether to permit any other uses

3 Proposals

3.1 The proposal is to grant the Club a new 125 year lease under the terms of the Community Asset Transfer Policy. This will be on fully repairing and insuring terms.

3.2 It is proposed that the initial rent will be set at £2,600 with a rent review after the first three years and thereafter at five yearly intervals in accordance with the CAT Policy. Any increase in rent will be based on the Club's financial position and their ability to pay an increased rent.

3.3 It is proposed to widen the permitted uses clause in the new lease to allow the Club to carry out certain other activities in addition to those permitted under the current lease without the need for landlords consent.

3.4 The club has submitted a Development Plan dated August 2017 to support its request for a new 125 year lease. The document sets out the Club's vision, its aims and objectives over the short, medium and longer term and its current financial position. The key objectives include:

- A longer lease to ensure the Club's long term future and security and to provide greater access to grant funding,
- Improved community use of the facilities to better utilise the building and increase income,
- Investment in the building to include essential repairs, refurbishment of the toilets and lounge area and the construction of an extension to create an upstairs bar/restaurant with views of the sea and sailing area,
- More training activities and greater participation in club racing.

3.4 Cabinet is recommended to agree to enter into a new 125 year lease with the Isle of Sheppey Sailing Club and to delegate agreement of the final terms of the lease to the Head of Property Services in consultation with the Cabinet Member for Finance and Performance.

4 Alternative Options

4.1 *Use of the building for an alternative purpose:* Not recommended as the building was designed as a sailing club and is already well used for this purpose.

4.2 *Grant a new short term lease:* Not recommended as this would restrict access to external grants and limit opportunities for investment in the building and the sailing activities.

5 Consultation Undertaken or Proposed

- 5.1 The Head of Economy and Community Services and the Cabinet Member for Finance and Performance support the recommendations.

6 Implications

Issue	Implications
Corporate Plan	This proposal meets <i>A Community to be Proud Of</i> as it supports the community activity of sailing on the island and also provides a venue for other community activities.
Financial, Resource and Property	<p>There are no direct financial implications associated with this proposal. However, it provides an opportunity for the Council owned asset to undergo maintenance and improvements using external grant funding.</p> <p>There is not considered to be any realistic alternative use and therefore in accordance with the CAT Policy, an internal valuation has been carried out of the asset in its current community use only. It is not considered that there is an “under-value”, this being the difference between the restricted market value (of the asset subject to the proposed terms of transfer) and the unrestricted market value (of the asset subject to the existing lease without any restrictions imposed by way of proposed transfer terms). This is therefore not a disposal at less than best consideration.</p>
Legal and Statutory	<p>When disposing of land at less than the best consideration that can reasonably be obtained the disposal must be dealt with in accordance with the Local Government Act 1972.</p> <p>Because the undervalue of this disposal does not exceed £2 million there is a general consent provided to local authorities (General Disposal Consent 2003 / Circular 6/03), where the disposal will help to secure the promotion or improvement of the economic, social or environmental wellbeing of its area.</p> <p>The General Disposal Consent and the Council’s CAT policy states that local authorities should seek professional advice on the likely amount of undervalue resulting from the transaction.</p> <p>This undervalue should be considered against the potential benefits of any economic, social or environmental wellbeing. This will demonstrate that the council has acted reasonably and with due regard to its fiduciary duty in reaching any decision.</p>
Crime and Disorder	None identified at this stage.

Environmental Sustainability	None identified at this stage.
Health and Wellbeing	The promotion of sailing and other water based activities provides greater opportunities for the local community to engage in outdoor sporting activities.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	The Clubhouse is fully accessible to people with disabilities and the Club has worked in partnership with other groups to support and facilitate sailing for disabled people.
Privacy and Data Protection	None identified at this stage.

7 Appendices

7.1 Appendix I: Lease Plan

8 Background Papers

8.1 None

Appendix I: Site Plan - Isle of Sheppey Sailing Club

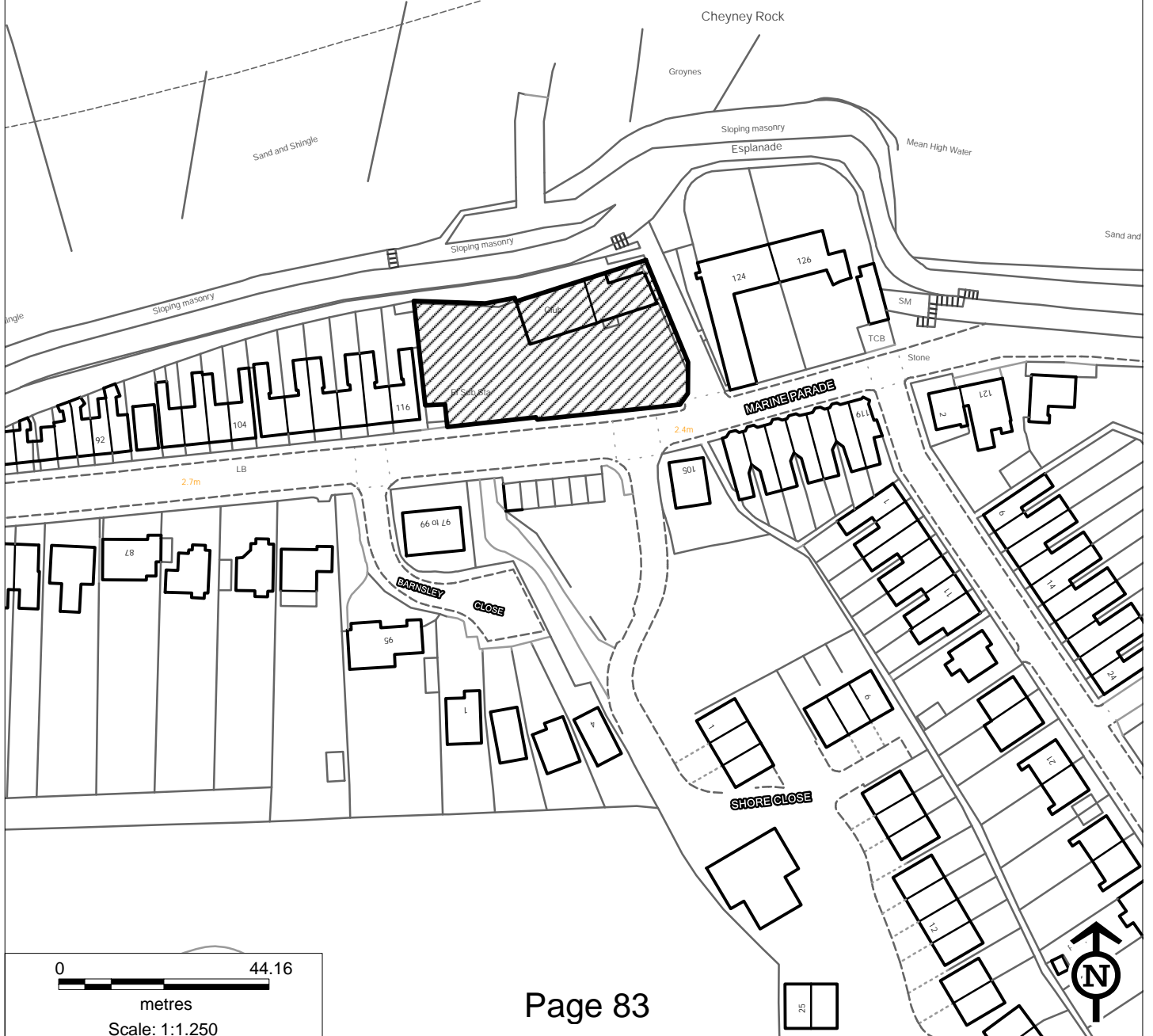
Drawn by:
3251

Date:
21/09/17

Scale:
1/1250

Address

© Crown Copyright and database rights 2017. Ordnance Survey 100018386.



This page is intentionally left blank

Recommendations for approval

Swale Joint Transportation Board – 11 September 2017

MINUTE NO. 203 – PETITION - UFTON LANE, SITTINGBOURNE - UPDATE REPORT

Recommended:

(1) *That the contents of the report be noted and officers proceed with the previously recommended consultations based on the consultation documents in Annex A of the report.*

MINUTE NO. 204 - SITTINGBOURNE MARKET RE-LOCATION

Recommended:

(1) *That the report be noted and the Traffic Regulation Order be progressed.*

MINUTE NO. 205 - PETITION - PARKING, SCHOOL ROAD, FAVERSHAM - UPDATE REPORT

Recommended:

(1) *That the recent feedback to the consultation with residents of School Road and Plantation Road in Faversham on the proposed Residents' Parking Scheme layout be noted, and that officers proceed with drafting the Traffic Regulation Order for the implementation of the Scheme in School Road, Faversham.*

MINUTE NO. 206 - PETITION AGAINST RESIDENTS' PARKING SCHEME IMPLEMENTATION - PLANTATION ROAD, FAVERSHAM

Recommended:

(1) *That the petition and report be noted and the proposed implementation of the Residents' Parking Scheme in Plantation Road, Faversham is not progressed.*

MINUTE NO. 207 - DOUBLE YELLOW LINES AROUND THE GUILDHALL, FAVERSHAM - UPDATE REPORT

Recommended:

(1) *That double yellow lines be installed around the Guildhall, Faversham, without the inclusion of No Loading.*

This page is intentionally left blank

Cabinet Meeting		Agenda Item: 11
Meeting Date	4 October 2017	
Report Title	Business Rate Localisation Pilot	
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance & Performance	
SMT Lead	Nick Vickers, Chief Financial Officer	
Head of Service	Nick Vickers, Chief Financial Officer	
Lead Officer	Phil Wilson, Financial Services Manager	
Key Decision	No	
Classification	Open	
Forward Plan	Reference number:	
Recommendations	1. To delegate responsibility to the Chief Financial Officer in consultation with the Leader and Cabinet Member for Finance & Performance to determine whether the Council should participate in a bid to be a pilot for the full localisation of business rates in 2018/19.	

1 Purpose of Report and Executive Summary

- 1.1 The Government has invited Councils to submit bids to be pilots for the full localisation of business rates in 2018/19. A decision has to be taken by 27 October and this report seeks a delegation to allow the Council to decide to participate depending upon the work to be undertaken over the next few weeks and the views of all Kent Councils.
- 1.2 The issue was discussed at the Kent Chief Executives Group and Kent Finance Officers in the week beginning 10 September and will be discussed by Kent Leaders on 28 September.

2 Background

- 2.1 Whilst the Government has postponed the full localisation of business rates it undertook a small number of pilots in 2017/18. The full localisation would have seen the removal of many Government grants to local authorities and the allocation of additional responsibilities to reflect the fact that the value of the localised business rates was greater than the value of the grants removed. The pilots appear to have additional funding allocated to them to incentivise participation.

2.2 The DCLG invitation is for:

- (1) The additional 2018/19 pilot programme that will last for one year only;
- (2) Successful bids will be announced before or alongside draft local government finance settlement;
- (3) The deadline for proposals for new pilots must be sent to DCLG on or before 27 October 2017.
- (4) Applications should cover functional economic areas ie in Kent's case the County, Unitary and District Councils.

2.3 Key issues outlined in the prospectus include:

- (1) A key objective of a Pilot would be to promote financial sustainability and coherent decision making across functional economic areas and use some of the additional retained income invested to encourage further growth;
- (2) The government cannot designate a pool without explicit approval from the constituent local authorities;
- (3) A key issue in two tier areas will be the proposed approach to splitting/sharing the additional growth;
- (4) The 'no detriment' clause applied to 2017/18 Pilots may or may not apply for 2018/19 Pilots, and the government wishes authorities to identify if they would proceed with an application in the absence of the 'no detriment' clause;
- (5) There will be a Safety Net set at 97%, and this will apply pilot wide and not to individual authorities; and no levy will be paid;
- (6) There may have to be a limit to the number of Pilots agreed. Therefore the process may be competitive.

2.4 The current business rates system is extremely complex and the pilot would be much simpler with the Councils retaining the levy currently paid to the Government and all growth above the baseline. Kent Finance Officers commissioned LG Futures to undertake some initial financial modelling and the financial gains for this Council were the largest of any of the District Councils reflecting the strong business growth in the area. However, any benefit would need to be redistributed to incentivise those Councils with flat line or diminishing business rates growth to participate and there is also a major issue over the split of any gain between the tiers of Councils.

3 Proposals

- 3.1 Timescales are extremely short to make a decision and the likelihood is that it will not be possible to get all the Kent Councils to agree. Nonetheless it is proposed that a delegation is given to allow the Council to participate if subsequent works shows that there is a very clear benefit in doing so.

4 Alternative Options

- 4.1 The Council does not have to participate.

5 Consultation Undertaken or Proposed

- 5.1 Consultation with the other Kent Councils is ongoing.

6 Implications

Issue	Implications
Corporate Plan	Increasing the resources available to the Council will support the achievement of the Council's priorities.
Financial, Resource and Property	The Council would only participate if this generates additional revenue.
Legal and Statutory	None identified at this stage.
Crime and Disorder	None identified at this stage.
Environmental Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

None

8 Background Papers

None

Cabinet Meeting	Agenda Item: 12
------------------------	------------------------

Meeting Date	4 October 2017
Report Title	Expansion of South Thames Gateway Building Control Partnership
Cabinet Member	Cllr Gerry Lewin, Cabinet Member for Planning
SMT Lead	Emma Wiggins
Head of Service	James Freeman
Lead Officer	James Freeman
Classification	Open with restricted appendices
Recommendations	1. To approve the expansion of the Partnership through the inclusion of Canterbury City Council's building control service.

1 Purpose of Report and Executive Summary

- 1.1 This report seeks approval to extend the South Thames Gateway Building Control Partnership by the inclusion of Canterbury City Council's building control service.

2 Background

- 2.1 Following an approach by Canterbury City Council the partnership engaged in a project to examine the viability of them joining as a fourth partner.
- 2.2 Members of Joint Committee instructed that any expansion could only be considered at nil detriment to the existing arrangements. Not only would that mean no increase to their forecasted contributions but also equally important was to ensure the excellent reputation of the partnership and the high quality service to customers would be maintained.
- 2.3 An Outline Business Case was taken to Joint Committee in June 2017 and following their consideration and recommendations the attached business case (Appendix I) has been developed through negotiation and discussion between the partnership and Canterbury City Council.
- 2.4 Through the development of the partnerships digitalisation programme and the creation of a business model using agile and mobile working, the partnership has been able to demonstrate how improvements to customer service and service delivery can be achieved. Through the effective use of borderless office principles the model can be incorporated in this and future partnership expansion plans.

- 2.5 A financial forecast within the business case demonstrates further reductions in contributions by the existing three partners to 2021 should this proposal be taken forward. It should be noted that this is considered to be a prudent forecast without taking into account further opportunities to increase income from dealing with increased enforcement activity in the Canterbury area and to potentially enhance the consultancy service. There are also details of the operational plan and revised staffing structure to verify the viability of the project.
- 2.6 The partnership has been operated successfully over the last 10 years and Members of Joint Committee have expressed a view to share some of the benefits from the operation with the adjoining authorities and to also importantly, enhance the resilience and opportunities through a wider market that expansion would bring.
- 2.7 This proposal looks to take the benefits and improvements to customer service that have been developed over the last ten years to a wider audience, increasing critical mass of the partnership, delivering greater consistency and improving market share over an area of Kent which would comprise a population base of over 627,000.
- 2.8 The partnership benefits from being able to work across boundaries without the restrictions that individual local authorities have, therefore moving resources to where demand exists is much more feasible and with the additional benefit now, of being able to operate in a mobile environment.
- 2.9 Continuous service improvement is a high priority to both the partnership and Canterbury City Council. This expansion would allow for improvements in the way customers track their applications, give more consistency in the interpretation of building regulations across a large area of Kent and provide a responsive site inspection regime with all relevant information available to the surveyor on site. Ongoing development in plan processing and plan vetting online will be taken forward together with a more responsive service being able to deliver building control advice and guidance to clients in their home or office rather than them having to travel to Council offices.
- 2.10 With the availability of complimentary services through the consultancy, clients will be able to benefit from a one stop shop approach to their construction needs including energy, fire risk and accessible assessments together with access to the pressure and sound testing facilities.
- 2.11 Should the expansion be agreed then we would look to implement the new arrangement from 1st April 2018 subject to Canterbury progressing their digitalisation of building control so as to facilitate working in the STG agile environment. All costs related to integrating Canterbury Building control into the shared service would be met by Canterbury City Council.
- 2.12 As set out in paragraph 3.26 of the Memorandum of Agreement before an additional authority is permitted to join the partnership each of the existing councils are required to agree the proposal through their individual Cabinets.

2.13 Canterbury City Council will also need agreement through their full council meeting on 19th October 2017 having taken reports to their Management Team on 12 September 2017 and Policy and Resources Committee on 4th October 2017.

3. Proposal

3.1 It is proposed that approval be given for the expansion of the South Thames gateway Building Control Partnership through the inclusion of Canterbury City Council's Building Control service.

3 Alternative Options

4.1 Should a decision be made to not accept expansion, the current service would continue as is. This is not recommended as the proposal should give rise to the expected benefits of building further resilience and providing for a wider market and broader customer base as well as providing some reduction in contributions from the existing partner authorities.

5 Consultation Undertaken or Proposed

3.1 The South Thames Gateway Building Control Joint Committee has been fully advised on progress of the proposed expansion and fully support the proposals and business case.

6 Implications

Issue	Implications																				
Corporate Plan	Contribute to meeting the objective of a 'council to be proud of'.																				
Financial, Resource and Property	<p>There will be no cost to the existing partnership with Canterbury City Council responsible for any costs associated to them joining.</p> <p>It is anticipated that following expansion there would be a small reduction in the Council's contribution to support the service:</p> <table border="1" data-bbox="487 1596 1437 1929"> <thead> <tr> <th data-bbox="487 1596 803 1745"></th> <th data-bbox="803 1596 1120 1745">Current Agreed Business Plan contribution for Swale BC</th> <th data-bbox="1120 1596 1437 1745">With expansion – proposed business plan contribution for Swale BC</th> </tr> </thead> <tbody> <tr> <td data-bbox="487 1745 803 1785">2017/18</td> <td data-bbox="803 1745 1120 1785">£72,050</td> <td data-bbox="1120 1745 1437 1785"></td> </tr> <tr> <td data-bbox="487 1785 803 1824">2018/19</td> <td data-bbox="803 1785 1120 1824">£68,653</td> <td data-bbox="1120 1785 1437 1824">£66,226</td> </tr> <tr> <td data-bbox="487 1824 803 1864">2019/20</td> <td data-bbox="803 1824 1120 1864">£66,018</td> <td data-bbox="1120 1824 1437 1864">£62,972</td> </tr> <tr> <td data-bbox="487 1864 803 1904">2020/21</td> <td data-bbox="803 1864 1120 1904"></td> <td data-bbox="1120 1864 1437 1904">£59,244</td> </tr> <tr> <td data-bbox="487 1904 803 1929"></td> <td data-bbox="803 1904 1120 1929"></td> <td data-bbox="1120 1904 1437 1929"></td> </tr> </tbody> </table>				Current Agreed Business Plan contribution for Swale BC	With expansion – proposed business plan contribution for Swale BC	2017/18	£72,050		2018/19	£68,653	£66,226	2019/20	£66,018	£62,972	2020/21		£59,244			
	Current Agreed Business Plan contribution for Swale BC	With expansion – proposed business plan contribution for Swale BC																			
2017/18	£72,050																				
2018/19	£68,653	£66,226																			
2019/20	£66,018	£62,972																			
2020/21		£59,244																			

Legal and Statutory	The Memorandum of Agreement sets out the requirements for additional authorities to join the partnership under paragraph 3.26. Legal representation for the partnership is provided by Medway Council and as the lead authority they will draft the necessary documentation to be agreed and signed by all four authorities.
Crime and Disorder	None identified at this stage
Environmental Sustainability	None identified at this stage
Health and Wellbeing	None identified at this stage
Risk Management and Health and Safety	Risk analysis has been carried out within the business case and how through these negotiations we have been able to mitigate exposure to risk to the partnership and the individual authorities.
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

7 Appendices

The following documents are to be published with this report and form part of the report

- Appendix I: Business case: Proposed expansion of South Thames gateway Building Control Partnership (STG) to incorporate Canterbury City Council Building Control (CCC)
- Appendix II: Organisational Charts pre and post Expansion

8 Background Papers

None.

Cabinet Meeting		Agenda Item: 13
Meeting Date	4 October 2017	
Report Title	Sale of Sites to Optivo	
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance and Performance	
SMT Lead	Nick Vickers, Chief Financial Officer	
Head of Service	Anne Adams, Head of Property Services	
Lead Officer	Kent Parker, Estates Surveyor	
Key Decision	Yes	
Classification	Open with restricted appendix	
Forward Plan	Reference number:	
Recommendations	<ol style="list-style-type: none"> 1. That the Council agrees in principle to transfer the freehold of the sites to Optivo for the sums set out in Appendix III. 2. That the Head of Property Services in consultation with the Cabinet Member for Finance and Performance be authorised to finalise the terms and the Head of Legal Services be authorised to complete the necessary legal formalities in due course including advertising the proposed disposal of open space. 	

1 Purpose of Report and Executive Summary

- 1.1 As part of the Council's Income Generation review work has been undertaken on a number of sites adjacent to Optivo (formerly Amicus Horizon sites). The objectives being to generate capital receipts for the Council and enable an increase in affordable housing supply.
- 1.2 The purpose of this report is to obtain approval for the freehold transfer of the Council owned sites at Evergreen Close, Iwade and Colegates Close, Oare (as shown on the attached plans Appendix I and II) to Optivo with a view to developing them for new affordable housing provision.
- 1.3 The sites were retained as potential future development plots but currently have no suitable access for development. Development can only take place in conjunction with the adjoining land owned by the housing association, Optivo .
- 1.4 As a result of the Council's landholdings review Optivo have agreed to acquire the sites for development of affordable housing subject to planning permission.

2 Background

- 2.1 The sites were retained by the Council following the transfer of the housing stock to Swale Housing Association in 1990 as potential development land.
- 2.2 The sites were considered as part of the Council's recent landholdings review. The sites are located within former Council house estates now owned by Optivo. Vehicular access to both sites for development requires the cooperation of Optivo as the adjacent land owner.
- 2.3 Discussions were therefore held with Optivo who undertook feasibility assessments which concluded that both sites had potential for a development of affordable housing. Pre application advice has been obtained and an independent valuation for each site.
- 2.4 The sale of the sites will be subject to planning permission being granted. The site at Evergreen Close, Iwade is currently maintained by the Council as a grassed amenity area. The loss of this open space will therefore be considered as part of the planning application. It will also be necessary to advertise the proposed disposal of open space land under s.123 (2A) of the Local Government Act 1972 and consider any objections that may be made.
- 2.5 The site at Colegates Close, Oare can only be accessed via the adjacent garage site owned by Optivo. Some of the garages are now privately owned. The proposed development involves the demolition of the existing garages and re-provision of a smaller number of garages.

3 Proposals

- 3.1 Optivo anticipate that the Evergreen Close site could accommodate 4 no. 3 bed houses and the development at Colegates Close in conjunction with the garage site could accommodate 7 no. 2 bed houses.
- 3.2 Optivo have offered to purchase both sites at the value stated in the independent valuations subject to full planning permission being obtained. The purchase price is set out in the exempt appendix III. The sale price for the site at Colegates Close reflects the cost of rebuilding the garages which is estimated at £150,000.
- 3.3 It is recommended that the sites are sold to Optivo at the stated values which is considered to be the best consideration reasonable obtainable. It is considered that the sites could only be developed in conjunction with Optivo's land which is required to facilitate a suitable access

4 Alternative Options

- 4.1 Do nothing i.e. site at Evergreen Close to remain as open space and site at Colegates Close to remain vacant: This is not recommended as it would not achieve any capital receipt or deliver the proposed new affordable housing.
- 4.2 Dispose of the sites on the open market: This is not recommended as without a suitable access or planning permission the best consideration would be unlikely to be achieved.

5 Consultation Undertaken or Proposed

- 5.1 Consultations have been carried out with the Chief Financial Officer, Head of Resident Services and Head of Economy and Community Services through the Asset Management Group who support the proposal. The Greenspaces Manager has been consulted and has no objection to the proposal.
- 5.2 Optivo have also had initial discussions with Planning Services regarding their proposals. In respect of the site at Evergreen Close, Iwade the issues that will need to be addressed in any application are the loss of the current use as open space/amenity land and the layout of the scheme.

6 Implications

Issue	Implications
Corporate Plan	The proposal contributes to A Borough to be Proud Of by helping to deliver small scale regeneration and additional good quality affordable housing. It also contributes to A Council to be Proud Of by disposal of underused land for a capital receipt which strengthens our financial resilience.
Financial, Resource and Property	The consideration to be paid for the sites is set out in the exempt Appendix III. The proposal will also remove the Council’s liability for managing and maintaining the sites in the future.
Legal and Statutory	The proposed disposal will be for the best consideration reasonably obtainable in accordance with section 123 of the Local Government Act 1972. It will also be necessary to advertise the proposed disposal of open space land under s.123 (2A) of the Local Government Act 1972 and consider any objections that may be made.
Crime and Disorder	None identified at this stage.
Environmental Sustainability	The new homes will be constructed to the highest energy efficiency rating
Health and Wellbeing	The provision of new good quality affordable housing will benefit the health and wellbeing of the residents

Risk Management and Health and Safety	There is a risk of planning permission not being granted for either site in which case the proposal could not proceed in respect of that site.
Equality and Diversity	
Privacy and Data Protection	None identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Site Plan – Evergreen Close, Iwade
- Appendix II: Site Plan - Colegates Close, Oare
- Appendix III: (Restricted) – Details of sale price

8 Background Papers

None

Appendix I: Site Plan - Evergreen Close, Iwade

Drawn by:
3251

Date:
25/08/17

Scale:
1/1250

Address

© Crown Copyright and database rights 2017. Ordnance Survey 100018386.



This page is intentionally left blank

Appendix II: Site Plan - Colegates Close, Oare

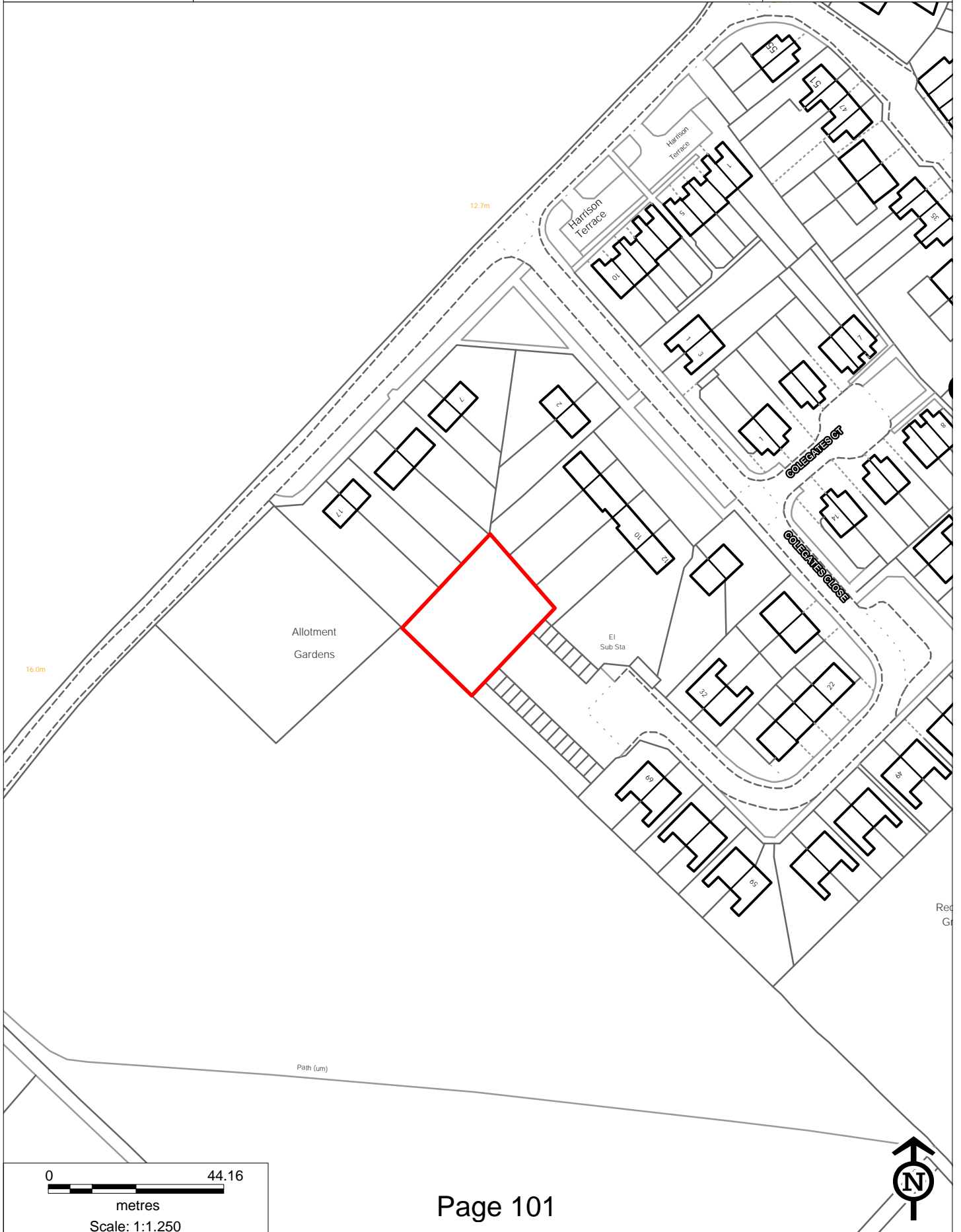
Drawn by:
3251

Date:
25/08/17

Scale:
1/1250

Address

© Crown Copyright and database rights 2017. Ordnance Survey 100018386.



This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank